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PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION PARAGON

Reference: Operation E18/0736

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 6 DECEMBER, 2021

AT 10.00AM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes, very well. Ms Spruce, who's Counsel Assisting, is operating by virtue of MS Teams and I take it you can hear us?

MS SPRUCE: I can.

THE COMMISSIONER: Or hear me. Very good. Well, in order to proceed and take the evidence of Mr Alameddine, is Mr Ahmed Alameddine present?

10 MR ALAMEDDINE: Yes, I am.

THE COMMISSIONER: Yes. Sorry, I didn't notice you there. Mr Mulligan, you seek leave to appear for Mr Alameddine?

MR MULLIGAN: I do, Commissioner.

THE COMMISSIONER: Yes, I grant you leave.

20 MR MULLIGAN: Thank you, Commissioner. I also note that Mr Alameddine will invoke section 38.

THE COMMISSIONER: Yes. You've explained those provisions to him, have you?

MR MULLIGAN: I have.

THE COMMISSIONER: And he understands the provisions and asked for the application to be made, is that the case?

30 MR MULLIGAN: That's the case.

THE COMMISSIONER: Yes. Thank you, Mr Mulligan. Mr Alameddine, I will firstly ask you to be affirmed. I understand you'll give evidence on affirmation, is that right?

MR ALAMEDDINE: Correct.

40 THE COMMISSIONER: Yes, very well. Well, I'll have my associate – if you wouldn't mind just stating your full name?

MR ALAMEDDINE: My name is Ahmed Alameddine.

THE COMMISSIONER: Thank you. Would you just stand, Mr Alameddine, and we'll then have the affirmation administered.

THE COMMISSIONER: Thank you. Mr Alameddine, what's your occupation?---I'm a civil contractor.

10 Okay, thank you. Mr Alameddine, Mr Mulligan, who appears on your behalf today, confirms that you've been advised about the provisions of section 38 of the Independent Commission Against Corruption Act and you wish to avail yourself of that provision.---I do, yes.

You understand that although a declaration is made, a witness such as yourself is still of course required to answer all questions and to answer them truthfully. You understand that?---Yes.

If you are required to produce any document or thing, similarly you are required to comply with the notice, you understand?---I understand.

20 Very good. Mr Alameddine, just to explain a little about the provisions and how they operate. You may object, and I take it you have objected, to answering questions for the purposes of the Act and the effect of that is that the evidence can't be used against you in other proceedings in the future, you understand that?---Yes.

However, there is an exception and that is that if a witness commits an offence under the Independent Commission Against Corruption Act, such as for example giving wilfully false evidence, then the evidence can be used in the prosecution for an offence of that kind. You understand?---I do.

30 Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by the witness, Mr Ahmed Alameddine, and any documents or things that may be produced by him during the course of his evidence at this public inquiry are to be regarded as having been given or produced on objection, that being the case, there is no need for him to make objection in respect of any particular answer given or document or thing produced.

40 **DIRECTION AS TO OBJECTIONS BY WITNESS: PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THE WITNESS, MR AHMED ALAMEDDINE, AND ANY DOCUMENTS OR THINGS THAT MAY BE PRODUCED BY HIM DURING THE COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION, THAT BEING THE CASE, THERE IS NO NEED FOR HIM TO MAKE OBJECTION IN RESPECT OF**

ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

THE COMMISSIONER: Very good. Yes, Ms Spruce.

MS SPRUCE: Mr Alameddine - - -

10 THE COMMISSIONER: Just before you start, sorry.

MR DOWNING: Sorry, Chief Commissioner.

THE COMMISSIONER: That's all right.

MR DOWNING: There are just some documents to tender before we begin with Mr Alameddine's evidence if it's convenient.

20 THE COMMISSIONER: Yes, very well. Well, we'll deal with those. And you're about to embark on that now, are you?

MR DOWNING: Yes, if I could?

THE COMMISSIONER: Yes. Very well. Ms Spruce, we'll deal with that first.

MR DOWNING: Thank you, Chief Commissioner. There is a number of corruption prevention folders, Chief Commissioner. So folders 1, 2, 3, 4, 5, 6.1. and 6.2.

30 THE COMMISSIONER: Yes.

MR DOWNING: I understand that last exhibit was 190, so can I seek, first of all, to tender corruption prevention folder 1?

THE COMMISSIONER: Yes. That will become then Exhibit 191.

#EXH-191 – CP BINDER 1 – EMAILS

40

MR DOWNING: Thank you, Commissioner. Then folder 2.

THE COMMISSIONER: That's the binder 2 or folder 2 is policy and procedure. It becomes Exhibit 192.

#EXH-192 – CP BINDER 2 - POLICY AND PROCEDURE

MR DOWNING: Then corruption prevention folder 3.

THE COMMISSIONER: That will be marked as Exhibit 193.

#EXH-193 – CP BINDER 3 - PLANS AND STRATEGIES

10 MR DOWNING: Then corruption prevention folder 4.

THE COMMISSIONER: That will be admitted and admitted as Exhibit 194.

#EXH-194 – CP BINDER 4 – REPORTS

20 MR DOWNING: Then corruption prevention folder 5.

THE COMMISSIONER: Yes, the folder will be admitted and become Exhibit 195.

#EXH-195 – CP BINDER 5 - PROCURE TO PAY MISCELLANEOUS DOCUMENTS

30 MR DOWNING: Next, corruption prevention folder 6.1.

THE COMMISSIONER: That volume will also be admitted. It will become Exhibit 196.

#EXH-196 – CP BINDER 6.1 - STATEMENTS AND TRANSCRIPTS OF EROIS PART A

40 MR DOWNING: Then corruption prevention folder 6.2.

THE COMMISSIONER: That folder will become Exhibit 197.

#EXH-197 – CP BINDER 6.2 - STATEMENTS AND TRANSCRIPTS OF EROIS PART B

MR DOWNING: And, finally, in the corruption prevention materials, folder 7.

THE COMMISSIONER: That folder will become Exhibit 198.

#EXH-198 – CP BINDER 7 – MISCELLANEOUS

10 MR DOWNING: Then, Commissioner, two folders entitled SMEC, S-M-E-C.

THE COMMISSIONER: Yes.

MR DOWNING: So two separate folders.

THE COMMISSIONER: The first volume 21.1, it will become Exhibit 199.

20

#EXH-199 – VOL 21.1 SMEC

MR DOWNING: And then, finally, there is a folder of Australian Technology Group financials.

THE COMMISSIONER: Sorry. Just going back there, 21.1 is 199. Is there a second volume?

30 MR DOWNING: There is. 21.2, which is the second SMEC folder. I apologise, Commissioner.

THE COMMISSIONER: I see. Well, that will become Exhibit 200.

#EXH-200 – VOL 21.2 SMEC

40 MR DOWNING: And then volume 1.4, which is Australian Technology Group financials.

THE COMMISSIONER: Yes. That folder will become Exhibit 201.

#EXH-201 – VOL 1.4 AUSTRALIAN TECHNOLOGY GROUP FINANCIAL

MR DOWNING: Thank you. That completes the tender.

THE COMMISSIONER: Thank you, Mr Downing. Yes, Ms Spruce.

MS SPRUCE: Thank you, Commissioner. Mr Alameddine, can you hear me clearly?---Yes, I can.

Thank you. If it drops out at any point, just let me know.---Okay.

10 Could you please state your full name?---Ahmed Alameddine.

And is that the name that you were given at birth?---Yes. There was a change in my last name, with one letter being incorrect on my birth certificate, but, yes.

In Alameddine?---Yes.

I see. But other than that, no changes?---No.

20 And have you ever informally gone by any other names?---No.

Thank you. And what's your date of birth, please?---[REDACTED] 1991.

And are you presently 30 years old?---I am.

And you are the younger brother of Hassan Alameddine?---I am.

And it's correct, isn't it, that you have four siblings?---Yes.

30 Hassan Alameddine is your oldest brother?---Correct.

And is it correct that there's a nine-year age difference between you and Hassan?---Nine or 10 years, I'm not sure.

But a significant difference, in any - - -?---Correct.

- - - nine or 10 years?---Yes.

40 And you then have an older brother Mohamad, is that correct?---Correct.

And then you have an older sister?---Correct.

And then there's yourself and then a younger sister. Is that correct?
---Correct.

I'm sorry, Mr Alameddine. I didn't hear your answer, you just - - -?---That is correct.

Thank you. And, Mr Alameddine, you attended the [REDACTED] School until you were in year 11?---Correct.

And you then finished year 12 at [REDACTED] High School. Is that correct?---Yes. Correct.

And it's the case that your older brother Hassan Alameddine also attended the Malek Fahd Islamic School. Is that correct?---Yes. Correct.

10 Now, Mr Alameddine, growing up is it correct that your address was [REDACTED] [REDACTED]?---Yes.

And is it the case that that is still your parents' residential address? ---Correct.

THE COMMISSIONER: I'll just interrupt. It's noted that, first of all, details including addresses are suppressed by order of the Commission.

20 **SUPPRESSION ORDER: DETAILS INCLUDING ADDRESSES ARE SUPPRESSED BY ORDER OF THE COMMISSION.**

THE COMMISSIONER: Yes.

MS SPRUCE: Thank you, Commissioner. And is it the case, Mr Alameddine, that you lived at the [REDACTED] address from when you were approximately 5 years of age until you were married?---Correct.

30 And you were married in 2013?---Yes.

And where did you move to in 2013?---[REDACTED].

And is that a property that was owned by your older brother Hassan?---It is, yes.

And how long did you reside at that property for?---I think four, five years, four or five years.

40 And I take it that you resided there with your wife?---Yes, I did. And my two kids.

And your two kids.---Ah hmm.

And was there anybody else living at that property in the period you were living there?---Yes. The house was split into three, three units. Upstairs was a unit and downstairs was two units. And there was an office in the back.

And were you living in one of the downstairs units?---I was, yes.

And who was living in the other downstairs unit?---It was tenanted out to some, to a couple, I'm not sure.

I see. A couple who has no relationship to you or your family?---No, no.

10 And who was living in the upstairs unit?---Initially there was another couple with a couple of kids, and then when my brother got married, he moved into that unit.

So the couple referred to as initially living there are again a couple that are unrelated to you or your family?---Correct.

And then you say that your brother moved in. Is that your brother Hassan? ---Correct.

20 And are you able to say in what year he moved into that upstairs apartment?---No. Probably 2015, 2016. I'm not sure when he got married.

But it's the case then that you and Hassan were living in the same property at [REDACTED] for at least a couple of years in the period from around 2015 onwards?---Correct.

And just going back to the period you spent at [REDACTED], is it correct that during the period that you lived there, your older brother Hassan was also living in that property?---Correct.

30 And, Mr Alameddine, you mentioned that at the [REDACTED] property there was an office out the back.---Correct.

Was that an office that was used by your brother Hassan?---Correct.

And was that office used by Hassan Alameddine during the entire period that you lived at the [REDACTED] address?---Mmm, no, I think the office was built halfway through my, halfway through my tenancy.

40 I see, so Mr Hassan Alameddine built the office out the back?---Yes, from memory. I can't be exact on dates but, yeah, I, I remember doing some renovations to turn it into an office.

I see. And to the best of your knowledge, is it the case that once those renovations were complete, it was only used as an office by Hassan Alameddine?---Yes. No, no. It was used as an office for him and then it was used as an office for his meat company, which, which was towards the end. I think it was after I moved out or towards the end of my tenancy.

All right, so you seem to be drawing a distinction between some activities that Mr Hassan Alameddine was doing in the office prior to running a meat company, is that correct?---Correct. Yes. He had a meat exportation company.

All right. But for the entirety of the period you're referring to, he was using that office space for businesses that he was running?---Correct, yes.

10 And was there anybody else that you knew to be using that office space?
---Yeah, his two business partners once the meat business was established.

I see. And who was - - -?---Oh, one business partner, sorry.

Once business partner?---Yeah, from memory.

I see. And who was that business partner?---Simon Raha.

20 And sorry, were you able to recall when it was that Mr Raha began to also use that office space?---Yes.

When was that, to the best of your - - -?---When the meat company was established. I'm not sure, sorry.

You don't know what year that was?---Correct, yes.

All right. Now, Mr Alameddine, I'm just going to ask you some questions about your work history.---Ah hmm.

30 You said that after you left school you spent six months at university.
---Correct.

And what were you studying at university?---I was doing a business degree.

I see. And then you left university and spent two years at TAFE studying building and construction, is that correct?---Correct, yes.

And when you finished at TAFE, you purchased an excavator in around 2011, correct?---Around that time, yes.

40 And it's the case, isn't it, that you then started a small-scale excavation business?---Yes.

And you were running that excavation business until around 2015, is that correct?---Correct.

And were you running that business with anyone else or was that just something you were doing on your own?---On my own.

And was that a business that you were running under your own name or did you have a company that you were using for that purpose?---My brother supplied a company.

And when you refer to your brother, are you referring to Hassan Alameddine?---I, yes. Let it be known that I, my brother, I only refer to my brother, I'm only referring to my brother, Hassan, throughout the inquiry.

10 Thank you, that's helpful. If you're referring to any other brother you can name them.---Yes.

And so Mr Alameddine, you said that your brother supplied a company for that purpose. Could you explain what you mean by that?---Not, yeah, so initially when I ran the excavation business it was very, very small. Everything was going through my personal account. No company, it was just more of a backyard thing and then he, he told me, "I would like to create a company under your name and you can use it for your excavation work."

20 So your brother came to you and said that he would like to create a company under your name?---Yes.

And that you could use it for your excavation work?---Yes, but he would also be using that company.

I see. And did he say what he would be using that company for?---No.

And was the company you're referring to Acate Pty Ltd?---It is, yes.

30 And you didn't ask any questions about what your brother would be using the company for?---No.

Did you wonder why it was that your brother wanted a company that he would be using to be in your name?---No, I didn't ask. He was doing multiple things at the time and I didn't ask him.

40 If you assume that Acate Pty Ltd was registered on the 29th of March, 2011, can you recall what your understanding was of what your brother's business activities were around that time?---He was working for the RMS at that time.

And what did you understand he was doing for the RMS?---Civil contractor.

And were you aware of how long he'd been doing that work for?---Yeah, it had been a couple years, a year maybe, maybe two.

And were you familiar at that point in time with Mr Alex Dubois?---I had met him, yes.

And what were the circumstances in which you met him?---Oh, oh, I don't know. I might have met him at my parents' place maybe. Sorry, I don't, I don't recall but I had met him.

And do you recall whether the circumstances in which you met him were as a friend of your brother or - - -?---Yeah, yeah. Friend, you can say that.

10 What would you say, Mr Alameddine?---Well, it was an informal meeting, so they were together when I met him. That, that's pretty - - -

Were you aware that Mr Dubois worked at the RMS?---Yes.

And what was your understanding of what Mr Dubois' role was at the RMS?---Project manager.

And what did you understand that to mean?---He was a project manager at the RMS. That's all I understood it to mean.

20 All right. And were you aware that Mr Dubois had responsibility for allocating contract work at the RMS?---Yes, I, I know what you're trying to get at. Did I understand that my brother Hassan was benefitting from Alex Dubois? Yes.

When you say you understood that your brother Hassan was benefitting from Mr Dubois, could you be more specific about what you mean by that? ---There was, there was a friendship, there was a friendship there that Mr Dubois was supplying Hassan with work.

30 And were you aware of when that friendship had been established originally?---My brother had told me they were friends in the past.

I see. And when you say that you were aware that there was a friendship and Mr Dubois was supplying Hassan with work, were you aware of whether Hassan was supplying any benefits to Mr Dubois in return for that work?---I, later on throughout the, throughout the years, we did do work at his house, oh, houses maybe, and we done work at his café, restored a few cars for him. That, that's the work that I was involved in.

40 THE COMMISSIONER: Sorry, that was work at a café?---There was work in a café, yes.

Is that the only place?---No, also at his house.

At his house.---I remember being asked by my brother to do some excavation work at his house.

Where was his house?---In [REDACTED].

What was the excavation?---Doing electrical and plumbing trenches.

Ah hmm. Yes. Yes, thank you.

MS SPRUCE: And, Mr Alameddine, do you recall whether you were paid for the excavation work that you did at the [REDACTED] house?---I was not paid.

10 And it was your understanding, was it, that you were being asked to do it as a favour to Mr Dubois?---Not to Mr Dubois, to my brother. My brother asked me, "Can you do this?" I said, "Yes."

I see. And you mentioned work at a café. Do you recall what the name of the café was?---No, the café was in Kirrawee, but.

Was it My Caffeine Romance?---That's the one.

20 And so you recall doing some work there?---Yeah, we moved a few fridges and whatnot.

And again, were you paid for that work?---No, I was helping my brother.

I see. And as I understand it, the work you've mentioned at the house in [REDACTED] and at the café was work that took place at some later period than 2011, when Acate was first registered?---I'm sorry, I don't remember when I done the work.

That's all right.---And I was still doing excavation at the time, so - - -

30 That was when you were still doing excavation?---Correct. Yeah.

In respect of both the work at the café and the work at [REDACTED]?---I don't recall, sorry. I don't remember the work at the café. I know we moved a few fridges and we used a truck to do that, but I, I don't recall the café, but, yes, I was still doing excavation when I done the work at [REDACTED].

40 And did you cease doing the excavation work in 2015, is that correct?---I never really ceased. I still have an excavator. But I stopped doing it as a business, yes.

I see. So in 2015 you stopped doing excavation work as a business?
---Correct.

Now, Mr Alameddine, when I asked you what your knowledge was of what your brother's business engagements were in 2011, when Acate was established, you said that you knew that he was working as a contractor for the RMS.---Ah hmm.

Was it your understanding that that was the only work that he was involved in at that time?---No, he had a few side gigs. Like, he would buy and sell safes. And, yeah, that's, he had a, he had, he had, yeah, so he would buy and sell safes and he would, what else was he doing, that, that's pretty much it, yeah. Buy and sell safes. He done that for around six or seven months and then he stopped it.

Right, so as far as you understood, his primary course of work was the work he did for the RMS?---Correct, yes.

10

THE COMMISSIONER: And for how many years did you say he did work for RMS?---How many years?

Yeah. Did you know how - - -?---Well, I, I know from watching this inquiry and whatnot that he started in around 2010.

Ah hmm.---I was, I graduated school in probably, in 2009.

In two thousand and?---And nine.

20

'09, ah hmm.---Yeah.

So throughout that period, your brother operated as a contractor to RMS, he operated in that period through the company work-wise. In other words, the work that was made available to your brother to perform on behalf of RMS was undertaken by your brother via the company that was set up that you referred to a moment ago?---No. I believe the company that was set up, that he set up under my name, was never used for RMS work.

30

I see. That's your understanding?---That's my understanding.

So, what happened to the company? Do you suggest it was used for some purpose or not?---He, really, he was, he was in charge of the company. It was in my name. He told me, "You can use it for your excavation thing and then we'll sort out the taxes when it comes to paying the taxes," and that was it.

So you did use it for the excavation work that you did?---I did, yes, yes.

40

But do you know whether the company was used for the benefit of your brother in relation to - - -?---He was using the company for whatever he was doing.

Yeah, in relation to RMS work in particular?---I, I, it's my understanding that the company never done any work for the RMS. Acate never done any work for the RMS.

I see.---And I think that is what people will clarify.

So just to clarify, how many years, by your recollection, did your brother do work as a contractor for RMS?---From watching the inquiry, I understand that he done work from 2010 or 2009 to 2019.

Ah hmm. All right, thank you. Yes.

MS SPRUCE: Mr Alameddine (not transcribable) gave evidence that – I’m sorry, I’ve got feedback on my phone.---I can’t hear you.

10

Can you – sorry?---I can’t, you cut out, sorry.

Can you hear me? Because I’ve got a lot of feedback. Can you hear me?

THE COMMISSIONER: I can hear you. Can you hear Counsel?---Yeah, I can hear her but she cut out while she was talking.

All right. Well, just put the question if you can and see if we can overcome the problem.

20

MS SPRUCE: Mr Alameddine, you gave evidence that you did use the company Acate in relation to your excavation work.---Correct.

And when you say you used the company, what do you mean by that? Did you use the name Acate?---Yes, I was submitting invoices under that company to my clients.

And did you open a bank account under the name of Acate?---I did open a bank account. I think, yeah, yeah, definitely, I had to open a bank account, yes.

30

And do you recall whether you were the sole signatory to that account? ---No, I was definitely not the sole signatory to the account.

THE COMMISSIONER: Who were the signatories to the account?---My brother.

Where was the bank and what - - -?---It was a Commonwealth Bank account. No, yes, it was a Commonwealth. There was two accounts, there was two accounts.

40

Two accounts.---Yeah. One - - -

In the name of the company or - - -?---Yeah. One with Westpac and one with Commonwealth Bank.

I see.---And my brother had access to the one on the Commonwealth Bank.

What branches of the Commonwealth and the Westpac banks?---I don't know. It could be Auburn, Granville, Guildford. I'm not sure which one it was.

Okay. So two bank accounts opened in the name of the company?

---Correct.

Right. Both operated by your brother?---Correct. No, I think maybe he was using the Commonwealth Bank account. I was using the Westpac account.

10

I see.---I think, I think from, I, I, my memory is very vague at the moment.

All right.---But, yeah.

Well, do you recall then the, as time went by, the banking arrangement was that you were using one account and he was using another?---No.

No?---No. No, no.

20

So you continued to use the account?---I, I, I did up until 2014/2015.

Right. And again, just to clarify, which bank are we talking about?---That would have been the Westpac.

Right, Westpac. And what happened to the Commonwealth Bank account? ---That's always been his account. Always, it was, it was in my name but it's always, it was always his account.

30

The Commonwealth Bank was in your name?---Correct, correct.

But you didn't operate it.---No.

He did.---Yes.

And that was a somewhat unusual arrangement.---It was.

Bank account in your name but not operated by you but by somebody else, namely your brother, is that right?---Correct. So - - -

40

What's the explanation as to how that came about?---I was naïve. I was, I was, I just did what I was told.

With all the information you've now got, what do you understand was the purpose of him operating that account in your name?---I, look, I don't know. I don't know. He was, I know money came into the account and money was, he was using to fund his meat company. I, I don't know how to answer your question, sorry. I never really delved into it.

Yes.

MS SPRUCE: And, Mr Alameddine, is it the case that those two bank accounts you've mentioned were opened by you at the request of your brother? Was it his initiative?---Commonwealth Bank, 100 per cent. Westpac, I opened it.

10 I see. And, Mr Alameddine, do you recall your brother being involved with a company called Areva Corp Pty Ltd?---It was brought to my attention earlier that Areva Corp existed, yes.

Well, when you say it was brought to your attention earlier?---So the memory had faded, and around 10 months ago Areva Corp's name had been brought up and it did, it did bring back some memories.

All right, so you now recall that you did have some involvement with that company, is that correct?---Never. No involvement with Areva Corp. I was probably a signatory, but that's about it.

20 You were a signatory?---Possibly, possibly. My brother had me signatory on a few of his bank accounts.

All right, well, if we could please show Mr Alameddine volume 4.2, page 15. Mr Alameddine, you can see that this is an application to the Commonwealth Bank.---Yeah.

For two accounts to be opened under the name of Areva Corp Pty Ltd. ---Okay.

30 And assume that the date of this application, which is shown on the last page so you can't presently see it, is 16 October, 2009.---Okay.

And that at that time your brother Hassan is the sole office holder of Areva Corp Pty Ltd.---Okay.

And you see that one of those bank account numbers, one of the accounts that's being opened ends with the numbers 0-0-4-4?---Yeah.

40 You see that? And then if we could go to the next page, please. Top of the page. You see that Hassan Alameddine, as the director of the company, is the only authorised signatory of that account?---Correct.

And then if we could go, please, to page 14 of the same volume. You see this is an application to add a second person as an authority to operate the account ending in 0-0-4-4?---Yeah.

And do you see that Hassan Alameddine is still the first signatory and then a second authorised signatory has been added?---Yep.

Which is yourself.---Yes.

And is that your signature that appears under your name?---That is my signature, yes.

And do you see that this application was made on 7 May, 2012?---Yes.

10 And it's the case, I think, that you would have been 21 years old at that time?---Possibly. 20, 21, yeah.

So could you please explain the circumstances in which you came to be added as a signatory to this bank account?---I don't recall the circumstances, sorry. I, I, I know that's, I, I acknowledge that's my signature and I am a signatory, but I think I was a signatory on a few of his accounts.

20 Well, when you say you think you were a signatory on a few of his accounts, you've already given evidence that you were a signatory on two Acate bank accounts, correct?---Yes.

And here we see that you're a signatory on a bank account for a company called Areva Corp Pty Ltd.---Yep.

Are there any other companies - - -?---I don't recall. Very, very sorry, I don't recall. But I know that I was a signatory on a few. I don't know which ones. It was a long time ago.

30 So I take it you have a recollection of your brother, from time to time, asking you to become a signatory on bank accounts of various corporations that he was involved with, is that correct?---I don't know if there were corporations. Some of them were. Maybe there was a personal bank account, I'm not sure.

And is it correct that you didn't ask your brother any questions about why it was that you were being asked to put your name to these various bank accounts?---No. I was naïve and I trusted my brother. I still trust him.

40 What was your relationship with your brother like, Mr Alameddine, growing up?---He was my older brother. He was like a father figure, really. That, that's pretty much it. He was giving me advice on life and – as an older brother does.

And when you say you trusted your brother, do you mean that you trusted that if he asked you to do something that it was in your interests to do it? ---Well, if he trusted, if he asked me to do something, there was going to be no harm to me if we done it. Not necessarily to my interests. It's not in my interests to be in, a, a signatory on Areva Corp. I had nothing to do with the

company. But if he asked me to do it, it wasn't going to bring any harm to myself.

All right. And when you say it obviously wasn't in your interests to be a signatory on a bank account that, for a company that you had nothing to do with, was that something you understood at the time, that it wasn't in your interests?---Oh, of course.

10 So you understood you were being asked because, for one reason or another, it was in your brother's interests to have your name on the bank account?
---Correct.

And do you recall whether, after you became a signatory on this bank account, you received a bank card for the account?---No, I never received a bank card for Areva Corp?

Did you have a chequebook?---No, never.

20 Do you recall whether you ever received or had access to bank statements?
---Oh, no, no, I never had access to bank statements.

Do you recall whether you had access to internet banking?---No. I, I, I know, I recall that I didn't have access to internet banking.

Right. And I take it from what you're saying that you also have a positive recollection that you didn't have access to a bank card, a chequebook?
---Never, no.

30 And you didn't receive or see statements on the account?---No.

So to the best of your recollection, after you became a signatory to this account, did you ever use your power as authorised signatory to authorise any transactions in relation to this account?---I don't know this account in specific, but I was asked a few times to go to a bank and pull out some money.

So on a few occasions you were asked by Hassan to go to the bank and withdraw money?---Correct.

40 And do you recall how often that occurred?---Sorry, I don't – maybe five or six times, maybe. I could be wrong, it could be less.

And do you recall whether you were given any explanation for why it was that your brother was asking you to go and withdraw money from the account?---I never asked.

And do you have any recollection of the size of the withdrawals that you were being asked to make?---I remember once I pulled out \$8,000. That's

the only time I remember that I pulled out money from one of his accounts for \$8,000.

THE COMMISSIONER: What was your understanding the money was being withdrawn for?---I never asked, Commissioner.

So it was withdrawn in cash by you?---Correct. Correct.

10 And what did you do with the money?---I gave it to him. He was busy to go, it was busy at work or something and he asked me to go to the bank.

It's a sizeable amount of money.---Yes, it is.

Your understanding was this is money generated by the business he was conducting at that time or up to that time?---I can't answer that because I don't recall what bank I pulled that out from.

Okay.

20 MS SPRUCE: Mr Alameddine, you recall on the document I've just shown you that you became an authorised signatory to the Areva on 7 May, 2012? ---Correct.

If I could now show Mr Alameddine, please, the document at volume 4.11, page 9? Mr Alameddine, this is a Commonwealth Bank statement for Areva Corp for the account ending in ■■■0-0-4-4.---Okay.

Starting on the period, 1 March, 2012, and ending on the period 31 May, 2012.---Okay.

30 If I could please take Mr Alameddine to page 11 of that statement? And, Mr Alameddine, do you see that on 18 May, remembering that you became a signatory on 7 May, that there's a withdrawal from the Granville branch of \$8,720?---Okay.

Does that assist you in any way to recall whether it was you that made that withdrawal?---No. Sorry. Is there, is there a Commonwealth Bank in Granville? I don't think there is. Maybe.

40 If you could then go over the page, please, to page 12? You can see on 6 June, there's a withdrawal at the Auburn branch for \$7,500?---Yeah.

Do you recall whether that was a withdrawal made by you?---I do recall withdrawing from an Auburn branch, yes. I don't recall whether it's, I remember pulling around 8 grand out.

I see. And then you see on 7 June, sorry, the next day, there's another withdrawal from the Auburn branch for \$8,000?---Okay.

Do you recall whether that's the withdrawal you made that you're remembering?---I, possibly. I, I don't know.

Right. And then over on page 13, please. See on 8 June, there's another withdrawal from the Granville branch for 7,500?---Okay.

And then on 12 June, a withdrawal from the Auburn branch for 8,250?
---Okay.

10

And then on 13 June, a withdrawal from the Auburn branch for \$8,100?
---Okay.

Are you able to recollect whether any of those withdrawals were made by you?---I'm sorry. Maybe. I, I'm not sure. I, I don't know. Like I said, I did pull out money for him from time to time.

20

All right. And you said that you do have a recollection of withdrawing money from the Auburn branch. Is that correct?---I do recollect pulling out money from an Auburn branch, yes.

But you queried whether there's a Commonwealth at Granville, so do I take it you don't have a firm recollection of withdrawing money at Granville?
---I don't, no. I don't remember a Commonwealth Bank in Granville.

All right. And then just for completeness, if we could go to page 14, please? You see on 19 June, there's another withdrawal from Auburn of \$8,050?---Yeah.

30

And then on 22 June, there's a withdrawal from Granville of \$2,000 and from Auburn of \$5,500?---Correct.

Do you recall ever being asked to make two withdrawals from different branches on the same day?---I'm sorry, I don't.

All right. Now, Mr Alameddine, if I could just take you, please, to volume 4.11, page 1. Mr Alameddine, this is a summary of transactions in the Areva Corp account with the account number ending 0-0-4-4.---Okay.

40

In the period between the 4th of January, 2011, and 8th of November, 2013.
---Yep.

So that includes the period after which you became an authorised signatory.
---Ah hmm.

If you have a look on the date column, you'll see there that there's a cheque presented on the 23rd of May, 2012, in row 9.---For 25 grand?

Yes, that's correct.---Yep, yep.

So that entry that I've just taken you to is the first entry in this schedule that appears after the date on which you became an authorised signatory.

---Okay.

And if you just look across, you'll see that a cheque for \$25,000 is drawn on the 23rd of May.---Okay.

- 10 And then if you just cast your eye down this schedule, you can see that there's a significant number of debits that start to come out of this account after the date on which you became an authorised signatory.---Okay.

You see that pattern of cheques? I'll take you to them - - -?---I can, no, I can see them. I understand.

Now, just going back to the entry of the 23rd of May, 2012, there's a cheque drawn for \$25,000 and it's made out to John Goldberg.---Yep.

- 20 Are you familiar with someone called John Goldberg?---After watching the inquiry online, I am familiar with him.

But prior to watching the inquiry online, did you have any knowledge of who John Goldberg was?---I knew he was Mr Taha's brother but I didn't know him as John Goldberg. I don't remember what his name was, sorry.

Did you know him as Adam Malas, perhaps?---No. I knew him as, as, as Mr Taha's brother.

- 30 Did you know him as Hussein Taha?---No.

No, just as Mr Taha's brother.---Correct.

And when you refer to Mr Taha, are you referring to Towfik Taha?---I am, yes.

How did you know Towfik Taha?---He and my brother were good friends.

- 40 I see. And so do you recall that your brother and Towfik Taha went to school together, is that correct?---That is correct, yeah. I recall that.

And so I take it you've known Towfik Taha for some time as a childhood friend of your brother's?---Correct.

And at what point did you become aware that Towfik Taha had a brother? ---Oh, I, I've been to Towfik's house a few times when I was younger, even before I finished school, I was still in high school.

I see.---I've met his father, I've met his mother.

And were you aware that Towfik Taha was also doing contract work for the RMS?---Yes.

And so when did you first become aware that Towfik Taha was doing work for the RMS?---I know that him and my brother were doing work at the same time.

10 I see. So around 2010, would that be - - -?---Yeah, yeah. If you want to say that.

All right. And did you know whether Towfik's brother was also doing work for the RMS?---No.

You didn't.---No.

All right. And so Mr Alameddine, I take it that you've never written out a cheque to Mr Goldberg?---Never. I've never written out a cheque ever.
20 Even now currently, I've never, I've never written out a cheque.

You've never written out a cheque from any account?---Zero.

I see. All right. Thank you. Now, Mr Alameddine, if you have a look in the debits column of the spreadsheet at volume 4.11, page 1. Do you see that the first column in the debits column has a heading Abraham CBA7867?---Yep.

30 And if you have a look towards the bottom of the page, you'll see that it records a number of cheques being drawn from the Areva account in favour of a Commonwealth account in the name of Mr Abraham.---Yep, I can see that.

Did you know who Mark Abraham was?---No, I did not.

Do you know now know who he is?---I don't know.

I see. And have you ever heard of the company Ibrahim Transport Pty Ltd?
40 ---Never. I've heard, I've heard of it while listening to the inquiry online.

I see. Thank you. But before listening to the inquiry, you've never heard of that company?---No.

And you've never heard of Masan Ibrahim?---No. No.

Thank you. And then if you have a look at the last two columns of the debits account, you'll see that they're both referred to as ANZ accounts,

which are said to be linked to Mr Dubois. Do you see that?---Yeah, I can see that, yes.

Now, I want you to assume that the cheques that are referred to in those two columns were in fact drawn in favour of a company called MWK Pty Ltd. ---Yes.

Have you ever heard of MWK Pty Ltd?---Prior to the inquiry, no.

10 I see. All right. Thank you, Mr Alameddine. Now, you gave evidence earlier this morning – I’m going to ask you some more questions now about Acate Pty Ltd.---Yes.

You gave evidence earlier this morning that, as far as you were aware, Acate had nothing to do with RMS work, is that correct?---That is correct, yes.

And is it your understanding that Acate was never used as an RMS contractor?---Correct.

20

But are you aware that Acate was used to provide dummy quotes to the RMS?---Only after the inquiry.

I see. Could I take you, please, to volume 4.8, page 1. Before you look at that document, Mr Alameddine, I’m just going to ask you some other questions by way of context. It’s the case, isn’t it, that the work – I withdraw that. Just going back to your work history for a moment. It’s the case, isn’t it, that in 2015 you started doing contract work in Newcastle for the Downer Group?---I did, yes.

30

And was that work occupying you full-time for a period?---Yes, it was.

And did you stop doing that work some time in 2016?---I think September 2016, around that time we stopped working.

I see. And is it the case that after you ceased doing that work in September 2016, you began helping your brother Hassan in his businesses?---Yes. While also, while also doing my own thing on the side. Well, his thing was on the side. My thing was full-time.

40

So when you say your thing was full-time, was that you went back to your excavator business, is that correct?---There was some excavation and I started to do some insurance work.

I see. And who were you doing the insurance work for?---Multiple insurance builders. We were doing, I was an asbestos contractor for those builders. I think that started in, let me recollect some memories, I think that started in 2017, 20, 2017, 2018 when I started doing that work.

THE COMMISSIONER: This is the insurance work?---Yes, that was my own personal thing.

What was the nature of the work you were doing in that period?---So, it was storm damage. We would go out repair some storm damage and make safe, tarping of roofs, boarding up of windows, stuff like that.

10 Was that during that period the only work you did?---Sorry, that was what I was primarily concentrated on. However, when, because we only worked during the storms, I was helping my brother when we, when I wasn't doing it.

Helping your brother doing what?---RMS work.

RMS.---Yeah.

20 What sort of projects?---I remember working on gantries, I remember working on TIRTLS, a lot of signage, yeah.

And over what period of time did you help your brother with the RMS work?---Over what period?

Ah hmm.---I'm going to guess maybe 30 per cent/40 per cent of my time were, was working with him and the rest was working on my own thing.

Between what years were you doing - - -?---I was always helping him.

30 Always helping him.---I was always helping him do works, yeah. Primarily after TAFE, which I would suggest 2012, end of 2012 onwards.

That you were helping your brother with the RMS work?---Correct.

All right.---Sometimes. Like, I don't know, if he needed labour type thing.

And you were though yourself physically involved in helping your brother do some of that work?---Yes, I was a labourer on the field.

40 I see. Very good. Thank you.

MS SPRUCE: And, Mr Alameddine, how did your brother pay you for the labour that you did in relation to the RMS - - -?---In, in cash and in rent.

I'm sorry?---In cash and in rent. I was renting his house, so I would work for the rent type thing, and in cash.

I see. And did you have a set amount that you were paid in kind or in cash? ---No, no, no. Whenever I worked for him, he would pay me. If I worked

half a day, I would get half a day, yeah, I, I don't recall what he used to pay me.

All right. And so am I understanding correctly. You said you'd always done work to help your brother in relation to the RMS work, is that correct?
---Correct.

10 And is it correct that what you mean by that is from the time your brother started doing contract work for the RMS, you would from time to time at his request go out and do some labour onsite?---No. I started towards, before I got married, so end of 2012/beginning of 2013. Not from the beginning, no.

I see. So when you say you've always helped him, in fact it's the case that you helped from the period after you got married?---A little bit before I got married, a couple of months before I got married, yes, and then after I got married, yes.

20 All right.---It became more consistent after I got married. It, it would take up around 30 per cent of my, my work schedule.

And so your estimate of it taking up 30 to 40 per cent of your work schedule, was that the case across the period from 2012 until 2019 or did the amount of work you did increase at some point?---It decreased, '14, '15, '16, possibly even '17 and then he asked me to help him more during '18/'19. Possibly even '17, maybe. I, I, yeah. '17/'18/'19 or '18/'19, one of the two.

30 All right. So it makes sense that it decreased in 2015/2016 when you were doing the contract work for the Downer Group in Newcastle.---And '14 because my excavation work was getting quite busy.

All right. And then your recollection is that in possibly '17, but certainly '18/'19, you became more involved?---Correct. As more of a supervisor on the field, in the field.

40 All right. So one of the ways in which you became more involved in that instead of being just a labourer, you became a supervisor onsite?---Correct. I had an in-depth understanding of the code of practices, the signage – what's the word for it? The code of practice for signage, how you, how, all the, the rules and regulations that you follow. I had an in-depth understanding of following underground services. I knew where everything was just by looking at the road, so yeah.

And was that knowledge you'd acquired through your own work experiences, or was that knowledge you'd acquired through assisting Hassan with RMS work?---Underground services through my own. The code of practice for signage installation, I memorised the, I, I memorised the RMS book. I knew where everything went.

And, Mr Alameddine, is another respect in which you became more involved in 2017/18/19 that you began to spend more than 30 to 40 per cent of your time on assisting Hassan with RMS work?---No. No. 30, 30 per cent, 40 per cent, I think max 40 per cent. My insurance work was picking up significantly then.

10 I see. And you've mentioned that you had an in-depth understanding of various codes and requirements that needed to be met in relation to RMS work.---Ah hmm.

And so is it the case that in 2017, in the period from 2017 to 2019 that you had some involvement in the paperwork side?---Yes, I was designing, I spent a lot of time designing – there was a program called over-height, over-height bridge something, or bridge over-height program, and I spent a lot of time designing the, where the signs would go, following the rules and specifications that I had learnt from the code of practice.

20 THE COMMISSIONER: How did you become familiar with the relevant codes? Did somebody provide the RMS codes to you?---My brother, my brother gave me the traffic control, traffic control management plan and he gave me the codes of practice.

30 And in due course did you, from time to time, discuss with Mr Dubois various aspects of the work?---Onsite. I've met him a few times onsite. Everything that I discussed would go through my brother. I would explain it – oh, he would, he knew the code of practice also. We both knew it to the same, to the same degree, but we would have a discussion and we would come to an arrangement, and he would discuss it with whoever he needed to.

You understand, of course, that your brother had a long-term friendship with Mr Dubois.---Correct.

Which continued through the years you were working for, doing RMS work.---Correct. Yes.

40 Do you say that you only became aware of what the real arrangement was, so far as your brother and Mr Dubois was concerned, through the evidence in this public inquiry?---The real, real arrangement, yes.

And to what extent had your brother explained what the arrangement was prior to then?---There was nothing.

Hmm?---There was nothing. He's my friend who's helping me out.

Well, do I take it that you, as you learnt more through the public inquiry, became surprised, if not concerned?---I was, I was taken back, yes.

And were you concerned that, in some way, that you had been brought into this scheme or arrangement that your brother had via or through Mr Dubois? Was that a matter of concern to you?---My, yes, but my role in this, in his company was very minimal. So I wasn't – my role in his company was very minimal.

10 But the evidence that came out during the course of the inquiry, you say, was really the first revelation to you as to what had been going on involving your brother and Mr Dubois?---Correct.

And I take it from what you already said that that became a real concern to you to hear about it?---It, it is concerning, yes.

I take it from that point onwards, you wanted to know more about it, you discussed it with your brother to find out how - - -?---My brother to this day has been very secretive to me.

20 You're not saying, are you, that you haven't discussed with him the evidence that has come out about the public inquiry?---He hasn't discussed it with me, no. No. I, there's been glimpses, but nothing has ever been, we sat down and talked about it, no. When I, when I approached him about Acate and what Acate had done, he told me he'd, he'd look after it.

30 And when you became aware what the true arrangement was through the public inquiry, what were the concerns that you had, having now had the matter revealed to you? What were the matters that caused, occasioned concern to you?---Well, when I started working on my own, everything we do has an arms-length transaction. We deal with a lot of companies and, and I couldn't image myself ever doing that. I felt what he did was wrong but, from what I understand, he hasn't stood up here yet and given any evidence. So it's all, everything we've been, I've heard from the other parties.

The aspects that you are concerned about or have been concerned about – that is, wrongdoing – have principally concerned what?---I can't say. He hasn't stood up and said anything. There's been accusations against it. Unless he says it, I can't say anything.

40 Yes.

MS SPRUCE: Mr Alameddine, in giving answers to the Commissioner's questions just a moment ago, you made reference to your role in your brother's company. Which company are you referring to?---So he owned both Sienna Group and EPMD.

THE COMMISSIONER: He owned or operated three companies over time, did he not?---So Areva Corp - - -

Areva Corp.--- - - - as, what she spoke about earlier.

And the other two you just mentioned - - -?---Sienna and EPMD.

That's Efficient Project Management - - -?---And Deliveries.

- - - Deliveries Pty Ltd?---Correct.

10 MS SPRUCE: And was it your understanding that over time, all three of those companies were applying for and successfully doing contract work for the RMS?---Correct. Not so much Areva Corp. I was still very young. I never really understood anything. I wasn't involved in any paperwork or anything. But, yes, towards the, EPMD and Sienna, yes, I can, I can, I'm sure about that.

All right. So in the period from 2017 onwards when you became more involved in your brother's business - - -?---To a degree. Limited involvement.

20

I understand. But more involved than you had been previously?---Correct.

You were aware that your brother was using two corporations, Sienna Group and EPMD - - -?---Correct.

- - - to seek contract work from the RMS?---Yes.

30 And what was your understanding about why your brother had two separate companies that he was using in order to obtain RMS work?---I never really gave it any thought, to be honest. Looking back at it now, I, I can understand the, the question but I never, at the time, I never really gave it any thought.

Well, what's your understanding looking back now?---Eliminate the competition. If, if, if there's one, one company submitting two quotes, then you've obviously got a better chance of winning.

40 THE COMMISSIONER: Are you talking now about false tendering practices?---Well, that's what the, I've learned through the inquiry, yes.

So you're saying what you've learned through the inquiry is that there were procedures used involving your brother's companies or companies controlled by him used in the sense that they would be party to a bogus, if you like, bogus tendering practice?---That's what I learned through the inquiry. Prior to that, no. Prior to that, two companies working for the RMS and I was blind to everything else.

Okay.

MS SPRUCE: Mr Alameddine, when you started to become involved in more of the paperwork side of the business, did you start to work with Hassan out of the office at the premises in [REDACTED]?---Mainly designing the, mainly designing where signage goes and that was really my limitation.

I understand that was the work you were doing but I'm really asking you about the physical location, when you would - - -?---Yes, I worked, I worked out of the office, yes.

10

You worked out of the office.---Mmm.

And was your brother Hassan working in the office sometimes at the same time as you?---Yes.

And would you hear your brother making phone calls and receiving phone calls?---Yes.

20 And did your brother, to your observation, have frequent conversations with Mr Dubois?---Yes.

And was anything ever said in those conversations that gave you cause to believe that there might be some wrongdoing that was happening in the arrangement between Mr Dubois and your brother?---Look, I knew they were friends. I knew the reason he was getting the work was because they were friends.

30 Did you ever hear Mr Dubois and your brother discussing the price that a quote should be submitted at from either Sienna or EPMD?---No, but I do remember my brother saying, "We have to put this price in at this price," like a, when he was doing stuff, like, if I'm doing paperwork and he was doing whatever he was doing, he would say "Okay, we're going to" or, or "I'm going to put it at this price." Maybe he was on the phone or something when he done it, but, yeah. I was in the office. I, I do recall a conversation where I was in the office present doing paperwork and he mentioned numbers.

40 And were you aware that quotes for the same job were being submitted by both Sienna Group and EPMD?---I, like I said, my involvement in his business was limited. I had limited involvement. I was mainly, 99 per cent of my work was doing the drawings for signage. So if there is anything, it's, I don't, I vaguely remember.

THE COMMISSIONER: I see the time. Is that a convenient time to take the morning tea adjournment?

MS SPRUCE: Yes, it is. Thank you, Commissioner.

THE COMMISSIONER: Yes. Very well. Mr Alameddine, we take the morning tea break usually around this time, 15 minutes or so. If you could be back here and ready to resume?---No problem. Yeah.

Then I'll adjourn.---Thank you.

SHORT ADJOURNMENT

[11.31am]

10

THE COMMISSIONER: I understand there's been some technical problem hence the delay but that that has now been attended to. We're ready to proceed. Yes, Ms Spruce.

MS SPRUCE: Thank you. Mr Alameddine, you gave evidence before the break that your brother was operating through two companies, Sienna Group and EPMD, in respect of the work he was doing for the RMS?---Yep.

20

If I could please show Mr Alameddine the document at volume 4.3, page 1.

THE COMMISSIONER: Can you read that?---I can see that, yes.

That's all right. Yes.

30

MS SPRUCE: I'm sorry, just give me a moment, please. That's not the document that I was wanting. So, Mr Alameddine, I believe that's volume 4.8, page 1. If we could please be shown volume 4.3, page 1. It's the ASIC record for EPMD. Mr Alameddine, you can see this is the ASIC record for Efficient Project Management & Deliveries Pty Ltd?---Yeah.

And that's the company you're referring to as EPMD, correct?---Correct.

And then if we could just scroll down, please. See that the company was registered on the 1st of July, 2013?---Okay.

I'm sorry, I withdraw that.

THE COMMISSIONER: That's the 7th of January, is it?

40

MS SPRUCE: Yes, that's correct.

THE COMMISSIONER: 7th of January, 2013. Yes, date of registration.

MS SPRUCE: And then if you could just scroll down, please, so that we can see the director. Thank you. Mr Alameddine, can you see that your brother, Hassan Alameddine, was appointed director on the 7th of January, 2013?---Yep.

And then ceased on the 1st of July, 2013?---Yes.

And do you see that on the 1st of July, 2013, Simon Raha was appointed as sole director of the company?---I can see that.

Mr Alameddine, you gave evidence earlier this morning that Simon Raha was a business associate of your brother's involved in a meat business.
---Correct.

10 What was Mr Raha's involvement in EPMD? Do you remember what - - -
?---I understand that he was the owner of EPMD and that's really it.

He was the owner of EPMD?---Yes. No, no. So, my brother, Hassan, was the owner. However, I knew that the company was in Simon Raha's name. That's how it should be said, sorry.

I see. And how did you know that – I assume you hadn't looked at the ASIC record so how did you know that the company was in Simon Raha's name?---I was told.

20 By who?---By my brother.

And what did he say to you?---He told me EPMD's in Simon's name.

And did he explain to you why that was?---No, I have no recollection of any explanation.

30 Well, do you recall whether he was telling you that as something that it was necessary for you to know in order for you to effectively assist your brother in his businesses?---No, I don't know. No.

You don't recall why it was Hassan told - - -?---No, I don't recall the conversation. No. I know it happened but I don't recall the rest of the conversation.

40 Did Hassan tell you whether Simon Raha had any involvement at all in the running of EPMD?---It was my understanding that Simon had no involvement in that. In my understanding, I don't know past my understanding obviously.

All right. And what was your understanding based on?---That the company was in Simon's name, completely run by my brother.

And I take it you didn't ever see Simon Raha onsite, when you were onsite?---Simon, before, maybe 2013/2014, he did labour for my brother a little bit.

Doing the RMS work?---Yeah. There was, I remember seeing him once at a TIRTL or something.

All right. But in the period from 2017 on, you're unaware if Mr Raha has any involvement in the RMS work?---Definitely not.

All right. And if I could then take Mr Alameddine, please, to volume 4.8, page 1. Mr Alameddine, this is an email sent from Mr Dubois to the email address alan@acate.com.au on the 24th of May 2017 - - -

10

MR DOWNING: I'm sorry to interrupt, Commissioner. I'm told that there's some problem with the live stream and that there's a problem with feedback and we will need just a short period to try and rectify that. So, I'm sorry to cut across the questions.

THE COMMISSIONER: Yes. Ah hmm. Okay. Very well. I'll take an adjournment so that the technical problem can be attended to and I'll resume as soon as we're ready to go. We'll adjourn.

20 MR DOWNING: Thank you.

SHORT ADJOURNMENT

[12.06pm]

THE COMMISSIONER: I understand the technical problem has been fixed. Let's continue.

30 MS SPRUCE: Mr Alameddine, before the break I had just taken you to a document at volume 4.8, page 1. Can we have that document back onscreen, please? Mr Alameddine, you recall from before the break that this is an email from Mr Dubois to an email address, allen@acate.com.au and the subject is, "Stage 2 installation quotation" sent on the 24th of May, 2017. And you can see that in the body of the email it's addressed to Acate, "Good afternoon, Acate," and that is the company that you were the sole director and shareholder of at the time this email was sent. Is that correct? ---Yes, correct.

40 And then if you just read for yourself through the body of the email you'll see that it is seeking a quotation in respect of some over-height signage work in relation to various locations. Do you see that?---Yes.

Now, just looking at the email address, allen@acate.com.au, is that an email address that you created?---I have never seen that email address before.

Are you ever referred to as Allen?---There was once or twice somebody's called me Allen but never have I seen that email address before.

When you say other people have called you Allen, are you suggesting that's not a name that you refer to yourself as?---No.

I see. And you had no knowledge that that email address existed, is that correct?---Zero knowledge.

And I take it then that you had no idea that Mr Dubois had requested a quotation from Acate in respect of RMS work?---No.

10 If I could then take you, please, to page 230 of the same volume. While that document's coming up, Mr Alameddine, what email address did you use for Acate when you used that company for your own business purposes?---My personal email address.

And what was your personal email address?---[REDACTED].

I see. So you never had any sort of business address, email address, rather, associated with Acate specifically?---No, no.

20 All right, thank you.

THE COMMISSIONER: Just for abundant precaution, the email address that the witness has just given is suppressed from publication.

SUPPRESSION ORDER: THE EMAIL ADDRESS THAT THE WITNESS HAS JUST GIVEN IS SUPRESSED FROM PUBLICATION.

30 MS SPRUCE: Thank you, Commissioner. Just waiting (not transcribable) for that document at volume 4.8 page 230.

Mr Alameddine, if we could just – thank you. Mr Alameddine, you can see that this is a response sent from the email address allen@acate.com.au to Mr Dubois.---I can see that.

40 At 6.00pm in the evening on the same day as Mr Dubois' email and it says, "Hi Alex. Thanks for the opportunity to quote on this over-height installation stage 2. Looking forward to hearing from you. Allen Hawat." ---That's not me.

THE COMMISSIONER: Who's Allen Hawat?---I don't know.

You don't know?---No.

You don't know that name?---No, no, no. That's my mother's maiden name. The second name is my mother's maiden name. So I, I, I've never

seen this email, I've never seen the email address, I've never even, I had no knowledge of this email address.

MS SPRUCE: And I take it, in your family (not transcribable) called Allen Hawat?---Sorry?

There's no one in your family called Allen Hawat?---Nobody. Must have been a name my brother put for me.

10 I see. And then if we could please go over to page 232 of the same volume? Mr Alameddine, this is the actual quotation which was attached to the email we've just looked at on Acate letterhead. Are you familiar with that letterhead?---Never seen it before.

That wasn't a letterhead that you ever used when you operated parts of your business under the name Acate?---Never.

20 All right. And then if we scroll down, please, you'll see that there's various sites listed, and then if you could keep going down, please, and onto the next page, no, yeah, the next page, please, just to the bottom there. Thank you. That's it. Sorry. The previous page, just at the bottom of the screen. Thank you. Just scroll further down, just the very small print at the bottom of the page. Thank you. Mr Alameddine, can you see in that small, grey print that it says the quotation has been prepared by Allen Hawat?---Correct.

And there's then a mobile number listed.---That's my phone number.

That's your phone number - - -

30 THE COMMISSIONER: That's yours?---That is my phone number.

It is yours?---Yes, yes.

MS SPRUCE: Mr Alameddine, were you aware that your phone number was being used as a contact point in respect of works that your brother was seeking to obtain through the RMS?---No.

40 Did you ever receive phone calls from Mr Dubois or anyone else at the RMS on that mobile number?---Mr Dubois did call me on the phone, yes, not, not in regards to any of this but, no.

I see. So I take it you never received a call where someone was asking for Allen Hawat?---Never.

And then if you could just look at, I'm not sure whether you can see it on the screen, let me know if you can't but at the very bottom of the pages, there's pale blue print.---I can't see that, sorry.

If we could just scroll further down, please? Under, "Thank you for your business."---Okay. Yeah. I see that.

Yeah. You see there "Acate Pty Ltd, 63" well, there's the address in [REDACTED] [REDACTED]?---Yeah.

And, again, your phone number?---Yeah.

10 THE COMMISSIONER: Firstly, you were not at all involved in providing this quotation?---I don't know this email address, I've never provided this quote, I don't know who Allen Hawat is. That is my phone number. I don't know any email address linked to Acate. I did not do this quote, nor did I send it to anybody.

So it does appear that some other person is using your phone number as an indicator that it's you who is the person standing behind this invoice when, in fact, that is a complete falsehood?---100 per cent.

20 Is that right?---Correct.

And you have no knowledge or no notification by anyone, including your brother, that this invoice, sorry, this quotation was being made or had been made involving your mobile number as a contact number?---Correct. I have no knowledge.

All right. Yes.

30 MS SPRUCE: Mr Alameddine, if we could go back, please, just to page 232 of the quote where the sites that it relates to are listed. Do you recall whether you were involved onsite in actually performing any over-height site installation at those sites?---I designed every single one of them. I was at, I would go over at Penrith, I was at North Street. I wasn't at Princes Highway, Sutherland. That was a day job. We, I done the night shift. I was at Pitt Street, Parramatta. Silverwater Road, Rydalmere. Sunnyholt. Clausen Street. And I don't remember if I done the last one. I was at the majority of them.

40 THE COMMISSIONER: So those projects that you have noted as listed in this quotation that were sites at which you did do some work - - -?---I designed all of them and I was physically there.

And was your brother also involved in those same projects at the time you were doing the signage work for them?---It was his projects, not my projects.

Say again?---They're his projects, not mine.

Yes.---I'm working for him.

But when you were working on those projects, he was also doing some - - -
?---Ah, okay.

- - - some work for those projects himself, is that right?---Yes, yes, yes, yes.

Yes, okay. So at least in respect of the particular sites, you indicated you
had done some signage work.---Correct.

10 They had been the self-same projects that your brother had also done other
work on for those same projects.---So, so - - -

Well, you both - - -?---Just in case I've misunderstood.

Yes.---My brother and I were both on these, at the site.

That's right. That's right. That's what I'm trying to - - -?---Yeah. So he
would usually, the way it would work was he would concentrate on putting
the sign on the bridge, him and the civil, the, the welders and whatnot,
20 boilermakers, and I would concentrate on the lead-up signs and the
underground services.

Yes.

MS SPRUCE: Mr Alameddine, when you did the design work in respect of
these sites and subsequently performed some work onsite in respect of some
of the sites, which of your brother's companies did you believe you were
doing the work under?---I don't, I don't know. See, when we used to design
them, we would do everything but the initial front cover, and then I would
30 submit that to - I'd give that and a USB to, to Hassan and he would do the
rest.

So it's correct, isn't it, in respect of all the design work that you did that you
never knew which company you were being asked to do the design work
for?---Correct.

And when you went out onto site, is it the case that you didn't know which
company you were going out onto site for?---No, we knew because we had
to get the SWMS and the toolbox meetings ready for each site.

40

Sorry, and, and - - -?---So we, so we, when we go to a site, we have our safe
work method, safe work method statements and our toolbox meetings that
we have to do so we can log our records, and obviously before we go to site,
they would be given to us, and it either said Sienna Group or EPMD on it.

I see. So at that point you say that's the first point you would become aware
of which of your brother's companies it was that had been allocated a
particular contract by the RMS?---Correct.

THE COMMISSIONER: In respect of the work you did on those sites, design signage work, which entity did you forward quotations and/or invoices to?---Never.

You didn't issue any?---I didn't, I didn't, it's brought to my attention in the past that I have submitted one quote in the entire time that I've worked for my brother, to Alex. However, I never submitted invoices or quotes as you're, as you're indicating.

10

Well, on what basis were you paid for the work you did, the design signage work?---So when, with every single site that we built, there'd need to be a – I'm missing the word here. It's like a portfolio of the site, where the signs are going to sit, how far away from the bridge. We would have a template of the sign and what it looks like and then, on posts, and then we would place it into that. So assuming it's after number 38 but before number 40 on a street, let's say, and then we would consider the, if there's any Telstra pits in the way, any water, any water drainage, and we would plonk the sign on a piece of paper, and then the paper would go to whoever it'd go to in the
20 RMS for approval, so they can approve the site.

But on the financial side of things, how did you get paid? How - - -?---My brother paid me.

He paid you direct?---He paid me daily wage.

What, how did he pay you?---In cash.

30 So you didn't issue any, apart from the one case you mentioned - - -?---Yes, never.

- - - any quotes or invoices?---Never, no. I wasn't involved in that side of the business at all.

Yes.

40 MS SPRUCE: Mr Alameddine, if I could please show Mr Alameddine volume 4.7, page 240. Mr Alameddine, do you see that this is a request for quote sent by Mr Dubois to the Seina Group, to Seina rather, at Harry Alameddine's email address in respect of the same sites as the Acate request for quote that I showed you a moment ago?---I do.

And if we could then go, please, to volume 4.8, page 203. See, Mr Alameddine, that this is the quote that is subsequently submitted under Seina Group Pty Ltd in respect of those sites. And if we could just scroll through, please, to page 2011. Do you see there that the grand total that's been quote by the Seina Group is \$240,185?---Yeah.

And you can assume, please, that that is less than the quote that appeared on the Acate quotation that I took you to a moment ago, which was \$262.163.--
-Okay.

I take it you didn't have anything to do with the preparation of this quote under the name of the Seina Group?---I'm going to say no, but like I said there, there is one quote that I prepared. I don't know which one it is, I'm sorry.

10 I see. But you have no recollection of being involved in the preparation of this quote?---No.

All right. And then if we could please go to - - -

THE COMMISSIONER: Does that one also include your personal mobile number?---Oh, I don't, I don't know. I've never put my number anyway.

Well, sorry, we'll scroll up again and see if we can find it.---Yeah. I've never put my number anywhere.

20

MS SPRUCE: Page 203. You see there, the name that this is under is Mr Harry Alameddine?---Yep.

And it's the case, isn't it, that your brother, Hassan, sometimes went by the name Harry?---Yes, correct.

And - - -

THE COMMISSIONER: Is that his -- sorry. You go.

30

MS SPRUCE: And the [REDACTED] address is listed and it's the case that that was the address that your brother was operating his business out of, correct?---Correct. Yes, correct.

And then there's a mobile listed. Do you recognise that mobile number?
---Yeah, that's his, that's his old phone number.

Your brother Hassan's old phone number?---Yeah.

40 And then you see there the email address
h.alameddine@seinagroup.com.au.---Yep.

Was that an email address that you were familiar with?---Yes, I recognise the email address.

THE COMMISSIONER: Whose address is that?---That's the Seina Group's email address.

MS SPRUCE: And did you ever have access to that email address?---I did, yes.

And on what occasions did you have access to that email address?---Well, it's on the same computer that we're designing, it was an automatic login that I used for designing.

10 So, is it correct that at the granny flat used as an office at the back of the [REDACTED] premises, there was a computer?---Correct.

If you were doing design work, you would do it on that computer?---Most of the time, yep. Most of the time, sometimes not. There was another laptop, there was another computer next to it also but they both had access to the same email address.

All right. So both the computers that you did the design work on belonged to your brother, is that correct?---Everything in the, everything in the garage, in the warehouse, in, in the office belonged to my brother.

20 All right. And both those computers, by virtue of you being logged onto them, you would automatically be logged on to be able to access emails at this email address?---Not, not only this email address, this email address and the EPMD email address. Both logged in simultaneously.

All right. And when you refer to the EPMD email address, was that simon@epmd.com.au?---It is, yes, it was. Yes, correct.

30 And are you aware whether anyone other than yourself and your brother were accessing either the EPMD email address or the Seina Group email address?---Oh, I, I just want to make it clear, I wasn't accessing it. I had access to it but I never, I don't access it. No, unless you're in the office using the computers without permission.

And to your knowledge was there ever anyone in the office using the computers without permission?---Those computers, no, no.

So you drew a distinction a moment ago between accessing it and having access.---Yep.

40 If you were working on the computer and an email came through to one of those email addresses, would it automatically pop up onscreen?---No.

Would there be a notification?---No. No, no. No. You would need to go to a tab, you would need to go to a tab on the top of the Google, so you would click on Google homepage and there's a tab saved there that you can click the email address from. I think, I think, or you would need to go to the website and log in or, like, just type it in and press enter.

All right. And Mr Alameddine, are you suggesting that although you theoretically had access to those two email accounts, you never in fact did access them. Is that the distinction you're drawing?---No. There, there was access when I was asked to access it. So if I needed to get a quote for something, so like I've got, like, when we done the, the protecting, protective wire at Nyngan, I had to access Simon's email to get the quotes.

10 When you say to get the quotes, do you mean to get the quote that EPMD had provided to the RMS?---No. Quote from a third-party contractor.

I see. So is it the case that sometimes, on instructions from your brother, you would access one of those two email accounts for a specific purpose? ---Correct, yes.

And that's something that you recall might have happened from time to time?---Correct, yes.

20 All right. Mr Alameddine, could you then please have a look at volume 4.8 – sorry, I withdraw that – volume 4.7, page 39? Mr Alameddine, this is an email from Mr Dubois to the (not transcribable) email address seeking a request for quote in respect of the same sites that I've already taken you to in relation to Seina and Acate.---Ah hmm.

And then if we could then please go to volume 4.8, page 223. This is a quotation which is sent from the EPMD email address to Mr Dubois, attaching a quotation in respect of those sites.---Okay.

And do you see there it's signed off by Simon Raha.---Correct.

30 I take it that you didn't draft this email?---No.

Have you ever been asked to draft an email on behalf of EPMD and sign it off as Simon Raha?---Not to Alex, not to the RMS, no.

To somebody else?---When I'm obtaining quotes specifically to Nyngan.

40 All right. So when you say obtaining quotes, I take it that in respect of a job at Nyngan, you were involved in organising and retaining subcontractors, is that correct?---Correct. The underborers and the wire rope installers.

And would you initially make contact with the relevant subcontractors by ringing them?---Yes, I would find their ads, advertisement online and I would call them initially.

Did Mr Alameddine – your brother, rather – give you any instruction about which subcontractors to approach or was that left to you to determine?---No, so I would, I think from memory I got, I got him two or three quotes and then he would decide what to do with the rest, what to do with them.

And when you rang those subcontractors, did you announce yourself on the phone as calling on behalf of EPMD?---Correct, yes.

And so you gave evidence earlier that the first time you became aware of which, of your brother's companies was involved in either quoting for or carrying out particular RMS work was when you saw OH&S documents onsite?---That's for bridge work.

10 I see.---No, that, that was for the, that was for the signage works.

I see.---Yeah.

But in respect of this job at Nyngan, when you were involved at an earlier stage in obtaining quotes from subcontractors, your brother told you, I take it, to do so under the name EPMD?---Correct.

20 And were there jobs other than the Nyngan job in relation to which you were charged with organising and retaining subcontractors?---Yeah, we done an underbore at Albury where I had to find a contractor.

And so I take it that, to your observation - - -?---But with that one, I don't recall which company it was, sorry.

All right.---Yeah.

Just going back, then, for a moment to the document that's on the screen. ---Ah hmm.

30 If we could go, please, to the next page of that document to see the actual quote. If we could just go to the top of that page. You see there there's an address listed. Do you recognise that address?---That's Simon Raha's residential address.

THE COMMISSIONER: I'm sorry, I can't hear you. I can't hear you. ---That's Simon Raha's residential address.

40 MS SPRUCE: All right, and then you see there's a mobile phone number listed. Do you recognise that mobile phone number?---No. Could be Simon's, I don't know.

All right. And then if we could just go to page 225, the end of that quote. You see that the total amount quoted by EMDR is 254,650, which is higher again than the quote for the same works provided by Seina.---Okay.

Now, Mr Alameddine, it must be clear to you, looking at these documents sitting here now, that in circumstances where your brother is effectively submitting three different quotes under three different company names for

the same piece of work, that he and Mr Dubois are colluding in rigging the quoting system.---Yeah.

That's clear, isn't it?---It's evident, yep.

And do you say that you had no knowledge or even suspicion of that, in respect of this or any other job, in the period you were assisting your brother and his businesses?---I'm, as I said in the beginning, I knew they were friends and I knew he was getting work because he, they were friends.

10

Did your brother ever say anything to you to the effect that the work was guaranteed?---No, not really. There, it shouldn't have been brought up in conversation.

Mr Alameddine, you've given evidence that you worked in the office where your brother was also sometimes working from time to time.---Correct. Correct.

20

And you overheard bits and pieces of conversations when your brother was on the phone to Mr Dubois, for example.---Correct. Yeah.

And you worked on your brother's computers and you had access from time to time to emails.---Yeah.

And do you recall that your brother had a whiteboard in the office?---There was a whiteboard, yes. Two whiteboards.

And so the most, whiteboard, two whiteboards?---Two whiteboards.

30

And did your brother use those whiteboards to make notes and keep records about the various jobs he was doing for the RMS?---Yes.

Can I take you, please, to volume 4.7, page 7?

THE COMMISSIONER: I just wonder whether we might deal with that after the luncheon adjournment if that's a convenient course?

MS SPRUCE: Certainly.

40

THE COMMISSIONER: Just so that we all know, do you expect to take the rest of the afternoon with the witness?

MS SPRUCE: I think so (not transcribable) just because of, I'd say so just 'cause of the delay (not transcribable) coming up.

THE COMMISSIONER: All right. Yes. We have had a couple of delays along the way. All right. Very good. Well, we'll take the luncheon adjournment. We'll resume at 2 o'clock.---No problem.

Thank you. I'll adjourn.

LUNCHEON ADJOURNMENT

[1.01pm]