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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 FRIDAY 11 JUNE, 2021

AT 2.10PM

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, Ms Spruce.

MS SPRUCE: Commissioner, the next witness is Mark Abraham.

THE COMMISSIONER: Yes. Mr Abraham. Thank you. Come forward. Now, Mr Abraham, just come forward. Stand up. Now, do you need – you either have to take an oath or an affirmation to give evidence. What would you - - -

10 MR ABRAHAM: Affirmation.

THE COMMISSIONER: Affirmation. Thank you. I'll have my associate administer the affirmation.

<MARK ABRAHAM, affirmed

[2.23pm]

THE COMMISSIONER: Thank you, Mr Abraham. Just take a seat. Now, you're represented? Yes.

MR ELFAWAL: Yes, Commissioner. I seek leave to appear on behalf of Mr Abraham.

10 THE COMMISSIONER: Just use the microphone, if you would.

MR ELFAWAL: My apologies, Commissioner.

THE COMMISSIONER: That's all right.

MR ELFAWAL: I am seeking leave to appear on behalf of Mr Abraham.

THE COMMISSIONER: Yes. I'll grant leave to you, Mr Elfawal.

20 MR ELFAWAL: Thank you, Commissioner. I am also seeking a declaration under section 38 on the basis - - -

THE COMMISSIONER: You've explained the provisions to your client, have you?

MR ELFAWAL: I have, Commissioner.

THE COMMISSIONER: Yes. Very well.

30 MR ELFAWAL: And I seek that on the basis that all evidence produced is done so under objection by Mr Abraham.

THE COMMISSIONER: Yes. Mr Abraham, I'm told you understand the provisions of the Act which entitle you to object to giving evidence and that that operates as a form of protection so the evidence can't be used against you in other proceedings.---Yes.

40 The exception that, however, is that the evidence you give, whether a declaration is made or not, can be used against a witness who gives false evidence or commits some other offence under the Independent Commission Against Corruption Act, but otherwise it does provide the protection I have referred to. You understand?---Yes.

Very good. You also understand that where a declaration is made you are still required to answer questions truthfully?---Yes.

You understand that?---Yes.

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

10 **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 ABRAHAM, AND ALL DOCUMENTS OR THINGS THAT ARE PRODUCED BY HIM, IF ANY, DURING THE COURSE OF HIS EVIDENCE IN THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION. ACCORDINGLY, THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY**
20 **PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.**

THE COMMISSIONER: Yes, Ms Spruce.

MS SPRUCE: Mr Abraham, could you state your full name, please?
---Mark Abraham.

And your date of birth?---[REDACTED], 1987.

30 And it's the case, isn't it, that at birth you were given the name Mazen Ibrahim?---Yeah, correct.

And in 2007, you changed your name to Mark Abraham.---Yes, correct.

And you were born in Sydney?---Yes.

And you attended the Malek Fahd Islamic School?---Correct.

40 And you started at that school in kindergarten, and remained there until year 11.---Correct.

And then you completed year 11 and 12 at TAFE, is that correct?---Correct, yes.

And while you were at the Malek Fahd Islamic School, you met Mr John Goldberg.---Yes.

Do you understand who I mean by Mr John Goldberg?---Hussein Taha.

Hussein Taha.---Yes.

That was how you knew him at school?---And after school.

And after school.---Yeah, correct.

Did you become aware after school that he changed his name to - - -?---I think he told me in - - -

10

- - - Adam Malas?---Oh, I wasn't aware of that name.

But did you know he'd changed it to John Goldberg?---I think he told me once but I kept referring him to, referring to him by his nickname. He told me but I forgot why he changed it to. I remembered Goldberg, because it was like a, I've heard that surname before. But - - -

And what was the nickname that you referred to him by?---Humphrey.

20

All right. So you understood that he had changed his name to John Goldberg but you continued to call him Humphrey.---Yes, correct.

Now, you were in the same year at school, is that correct?---Correct, yes.

And do you recall whether he also started from kindergarten?---I don't recall exactly. He might have, but I'm not certain.

But you became close friends while you were at school, is that correct? ---Not very close, but - had, I had closer friends than him back in school.

30

But he was within your circle of friends.---Yes.

And did you see each other outside of school, did you socialise outside of school?---Not very often.

But sometimes.---I only remember one occasion, I went to his house. Like, my father dropped me off. Because he lived far, and we had no cars back then. Like, I didn't drive. So really I didn't, I didn't use to catch trains anyway.

40

And do you remember whether the one occasion you went to his class, was that - - -?---To his house?

Sorry, I withdraw that, to his house, was that towards the end of your time at Malek Fahd Islamic School?---I don't recall. I think I was in high school at that time.

In high school.---But I don't recall exactly when.

And did you have his phone number?---Yes.

And so you stayed in touch once you left school?---I think there was like a period where I wasn't in touch with him. But I might have had his phone number, but we didn't really speak much.

So is it correct that after you left school, you fell out of contact with him for a period?---Yeah, very possibly, yes.

10

Well, do you recall whether that's what's occurred?---Yeah, I recall like, from 2004 to '10, I barely seen him. Like, after I left school, had a different circle of friends that weren't, didn't really go to that school after then.

But at some point you came back into contact with Mr Goldberg.---Yes, correct, yes.

20

Well, we'll come to that in a moment, but before we leave the Malek Fahd Islamic School, did you also meet Mr Goldberg's older brother Towfik Taha while you were at that school?---I've met him on a few occasions, but I, I don't remember from school or after school. I've only like, a hi and bye.

Sorry, what was that?---It was only like a, hi, bye, sort of thing.

Oh, just to say hello and goodbye, you might recognise him.---Yeah, it was nothing like social.

30

I understand. And did you also meet Hassan Alameddine while you were at that school?---I stated I haven't met him before but I remember now I have met him, but it wasn't at – I don't, I don't remember him from school.

Well, he would have been a number of years ahead of you at school, is that correct?---Correct, yes.

But you recall now that you have met him after school?---I think I was at school during the time, he was engaged to my old neighbour, and I seen him with her younger brother.

40

I see. So is it the case that while you were still at school that - - -?---Yeah, I'm pretty sure I was still at school, I was still young at that time.

But Mr Alameddine, who's older, had left school?---Oh, I can't recall if he had left till then, but he was engaged to my neighbour, and I seen him – I used to play sports in the street with her younger brother, and I seen him at, maybe once or twice with him.

And do you recall ever seeing him again after that occasion?---I recall once as well after that.

And what was the other occasion when you recall seeing him?---After I got engaged at a family, my sister-in-law's graduation and he was there, so I found out he was engaged to one of their family friends.

Is this the same person that you say he was engaged to - - -?---No, I think that was different.

10 I see. This was a subsequent engagement of Mr Alameddine's?---Yeah, different one, yes.

And are they the only two occasions that you recall ever meeting Mr Alameddine?---That's all I recall, yes. Yes.

20 Now, before we come back to when you resumed your relationship with Mr Goldberg, you've said that you completed year 11 and 12 at TAFE and it's the case, isn't it - I withdraw that. Once you finished year 11 and 12 at TAFE, did you then do any sort of further study, higher education, apprenticeship or training?---No. I enrolled for TAFE but only lasted a few weeks.

Oh, I see.---Because I was working but I didn't really - - -

And is it the case that you then started working as a builder and labourer? ---Yeah, correct.

And that wasn't running your own business, you were working with other people?---No, just labouring, labouring for people, yes.

30 And then at some point you started to work as a truck driver delivering soft drinks. Is that correct?---That's correct, yes.

And do you recall when that was?---2007 maybe.

And did you initially deliver soft drinks for Schweppes?---That's where I first started, yes.

40 And you did that for a number of years, did you, for Schweppes?---Yeah. For about four years. I started as a offsider, so I wasn't really a driver. Then I obtained my licence and I started driving.

So initially you were the offsider to someone else?---Yes, correct.

Physically doing the deliveries?---Yes.

And then you obtained your truck driver's licence?---Yes. Not long after I obtained the licence.

And you also obtained a truck, I take it?---That was many years later.

And you became a delivery driver yourself?---Yeah, correct.

So, when you initially became a delivery driver was the truck provided to you or did you - - -?---Yeah, my neighbour back then had a contract and it, it was his truck. I started with him and then I changed contractors and I ended up working for Linfox, like with their own trucks for a bit, that was still for Schweppes.

10

And I take it that you had a contract with Schweppes for the delivery of soft drink?---At Coca-Cola. I went to Coca-Cola after that.

You went to Coca-Cola?---Yes, correct.

And you had a contract with Coca-Cola for the delivery of soft drink?
---Correct.

20 And was that contract with Coca-Cola in your own name or in the name of a company?---Company.

And was that company Ibrahim Transport?---Correct.

And it's correct, isn't it, that you registered that company in 2011?
---Correct.

And did you register that specifically for the purpose of delivering Coca-Cola soft drink?---Yes, correct. Yes, yes.

30 And you were the only office holder of that company?---Correct,

And did you also establish a bank account in the name of Ibrahim Transport?---Correct, yes.

And did you do that in 2011?---Yes, correct. I think the same time.

At around the same time that you registered the company?---Yeah.

40 And were you the only signatory to that bank account?---Yes.

Do you recall what bank you held the account with?---Westpac.

And did you ever open up more than one account in the name of Ibrahim Transport?---Following this, I full forgot but I must have opened one through Commonwealth.

But you say you didn't have any recollection of that?---I don't recall, no.

Until this inquiry?---Yes, correct. It might have been the same day I done MJ Wilson account maybe.

So, just to go back to the Westpac account.---That was my main account with actually Coca-Cola. So all my payment went into that account.

So your payments from Coca-Cola went into the Westpac account?---Yes, correct. Yes.

10 And did you use that as an account that you paid your daily living expenses out of or did you pay yourself a wage?---I paid myself a wage.

From that account?---Yes, correct.

Into a personal account held in your name?---Yes.

And do you recall what bank your personal account was held with?---I think it was Westpac as well.

20 So is it the case that you, to the best of your recollection, did all of your banking with Westpac?---I think I had a St George before Westpac as well, and I think they were both running at the same time. But during that period it was only them two as my – no, no, it was all with Westpac.

And was there any other money coming into the Ibrahim Westpac bank account other than the payments made by Coca-Cola?---Not from memory, no. I don't recall.

30 That was your only source of income?---My only source, yes.

And is it the case that you kept working for Coca-Cola as a soft drink delivery driver until around some time in 2013 to 2014?---I think roughly about mid-2014.

Mid-2014?---Yes, correct.

And what was the reason that you stopped delivering soft drink for Coca-Cola, do you recall?---I just got over it.

40 You weren't enjoying the work?---Oh, I wasn't enjoying it and they changed things, so our pay, like, went down a lot. And then I had the rego and insurance come up and I had to fork out the money for it. I didn't really have the money, so I just gave it up.

Am I correct in understanding that in mid-2014, when you gave it up, that at that point in time the money you were earning from Coca-Cola Amatil was your sole source of income?---Yes, correct.

And so when you gave that work up, how were you proposing to earn a living thereafter?---Oh, I think I moved from job to job. I think at one stage I wasn't working but my wife was working. Then I done other work.

So is it the case that when you left Coca-Cola Amatil in 2014 you didn't have another job lined up?---No, not lined up.

But is it the case that your wife was working at that time?---Yes.

10 And what was your wife working as?---I think she was doing the daycare.

She was operating a daycare from your home?---Yes, correct. Yeah, from the home, yes.

Looking after children?---Yes.

Do you have children?---Now yes. Back then it was only one.

20 I see. Now just coming back, then, to when you got back in touch with Mr Goldberg, what's your best recollection of when that was?---Could have been maybe 2011, 2012. When I moved from Auburn to Greenacre.

You moved to Greenacre, and is it the case that Mr Goldberg lived in the same suburb?---Yes, next street, pretty much.

He lived in the next street.---Yes.

30 So very close by. And so that was the manner in which you reconnected with him.---Yes.

Was because he was effectively a neighbour, living in the same neighbourhood.---Yes. Yeah, I think I might have, I would have bumped into him and reconnected then.

All right. And so you reconnected in around 2011, and did you become good friends at that point?---Yeah, I was seeing him more often (not transcribable) yeah.

40 Because he lived close by?---Yeah, we'll go eat, I'll go to his café, I'll have a coffee, and I was seeing him more often as well, yeah.

So you knew that he was operating cafés?---Yeah, I've been there maybe once or twice, a few times maybe.

Which café in particular, do you remember?---The coffee shop. I remember the coffee shop. I remember he had one next door as well.

Was it in Bankstown?---Yeah, both in Bankstown.

Was it called Coffee Boss, do you recall?---Yeah, it was. Next to the court.

And so was that a place that you would go to once a week or every day? Did you have a regular coffee habit?---Oh, not every, oh, no, it was only, I only been there maybe a few times only.

Just a few times?---Yeah, just a few times, yes.

10 But once you both lived in Greenacre, did you sometimes visit him at his home?---Yeah, I would have visited him, yes.

For social visits?---Yes, socially.

And did he sometimes visit you at your home?---Yeah, like, probably be driving past, I'll be outside and he'll stop.

I see.---'Cause it was, I lived in the next street which was like on a direct route to, to the main road.

20

And it's the case, isn't it, that you invited him to your wedding in September 2013?---I can't remember the reception, but he came during the day when, when I came, before the pre-wedding ceremony.

So would it be correct, then, to say that certainly by September 2013 you were close friends?---Close, yes.

30 Yes. And at the time that Mr Goldberg came back into your life in 2011, you've said that you were aware that he was operating cafés. Did you have any understanding, other than the café businesses, of what he was doing for work?---No, not, I, I knew before he was doing spray-painting. I remember he had a cleaning factory once, at one stage. But at that time I think it was mainly cafés, the two cafés.

And, Mr Abraham, you recall, I take it, that in January 2013 you became the director of a company called MJ Wilsons Pty Ltd?---Yes, correct, yes.

40 And can you tell us, please, the circumstances in which that occurred?---I don't exactly recall the conversation, but he asked me to open a company and I just opened it for him.

THE COMMISSIONER: Sorry, he asked you what?---He asked me to open the company for him.

To open a company for him.---I don't recall the exact conversation. But it was more of a favour sort of thing, and I just sort of thought I'll help him out and open a company.

And did he explain what he had in mind for this company?---No.

What happened then?---I think he set the company up.

I see, he actually set it up?---Yes, so he paid for everything and he done everything.

And he was asking you to join him in this company, was he, or not?---No.

10 No. I see.---No.

All right. Sorry, you go ahead, Ms Spruce.

MS SPRUCE: So you recall that Mr Goldberg asked you to set up a company for him.---Yes.

20 And am I correct in thinking your recollection is that he said words to the effect that it was as a favour?---Oh, he wouldn't have said them words, but I assumed it was a favour. I thought maybe he had bad credit. But I can't remember exactly the conversation.

So did he give you any explanation about why the company couldn't be in his own name?---I don't recall the conversation. He might have, but I actually don't recall.

And you don't recall whether that's something you would have asked, why he - - -?---I might have asked, but I just don't - - -

30 THE COMMISSIONER: It's an unusual, it was a very unusual request, wasn't it?---Yeah, sort of, yes.

I mean, did you say to him, "Well, what are you going to do with the company?"---I actually don't recall the conversation. It's been a very long time.

MS SPRUCE: So you have no recollection of asking him why he wanted you to put your name to a company, what the company was going to do. ---Yeah, I don't recall any of that.

40 You'd been the director, obviously enough, of Ibrahim Transport Pty Ltd. ---Correct, yes.

So you understood that being the director of a company carried obligations, didn't you?---To be honest, not really.

You didn't understand that there were any obligations involved?---No, because I just spoke to the accountant, he sorted out the company for me, and I just signed a few papers, and they don't really explain to us any

obligations or – like, when I come in here, I get explained, but over there you don't, they don't explain nothing.

But you must have understood, didn't you, that if Mr Goldberg wanted you to put your name to a company, it was because he was going to do something with that company?---I would have assumed, yes.

And so you knew that he was going to do something, and he was going to be doing something in your name.---Correct, yes.

10

And did you have a view about whether Mr Goldberg was a trustworthy sort of a man?---I can't recall back then. I don't think he would do anything to, like, harm my name or anything.

Sorry, you didn't think - - -?---He will do anything to like, make me into sort of trouble, if you know what I mean? And jeopardise my name.

Did Mr Goldberg say anything to you about the RTA or the RMS?---No.

20

You understand what the RTA and the RMS is?---Yeah, I, yes. Yes.

And you would have known that at the time?---Yeah, but he didn't mention nothing.

Did he say anything to you about the fact that he had a friend who could secure a contract, ongoing contract work - - -?---No.

- - - worth about \$60,000 a month, that could be split three ways between you, Mr Goldberg, and Mr Goldberg's friend?---No.

30

Well, do you agree with me that if someone, at the time when you were working as a soft drink delivery driver, if someone had proposed to you that there was a contract available, and invited you to participate in it in a form of partnership which could earn you \$60,000 a month for three to five years – oh, I beg your pardon, \$20,000 a month would have been your share over, for a lifespan of three to five years, that that would have been something significant to you?---Oh, it would have, but it was never mentioned.

40

Because it would have been a significant income, wouldn't it?---Yes, correct.

If you got \$20,000 a month, that would have been \$240,000 a year.---That's correct.

And if the contract went for three years, you would have earned \$720,000. ---Correct.

And if the contract went for five years, you would have earned \$1.2 million.---That's correct, yeah.

So if that had been said to you, that's something you'd recall, isn't it?
---Yeah, of course.

And Mr Goldberg didn't say anything to you about any matter like that?
---No.

10 If we could go then, please, to – did he say anything to you at all about work involving cutting lawns?---No.

Lawn maintenance?---No, not at all.

Landscaping?---No.

So it was clear in your mind, was it, that whatever it was he was going to do with this company, it was something that he was going to be doing on his own - - -?---Yes, correct.

20

- - - and you were to have no further involvement in it from that point on.
---Correct, yes.

And if we could go then, please, to volume 6, page 90. Do you see this is the ASIC search for MJ Wilsons Project Pty Ltd?---Yes.

So do you recall signing documents - - -?---I might have.

30 - - - to enable this to be registered?---I don't recall, but very possible I would have.

So you just have no recollection one way or another about whether you signed documents?---Yeah, I don't recall the exact process.

And if we could go, please, to page 91. You see there that you are listed as the director and secretary. And the address there in Greenacre, is that your address?---Correct, yes. My parents' address.

40 That was your parents' address?---Yes.

And were you living with your parents at the time?---At the time, yes.

And so did you also agree that Mr Goldberg could use your address?---For the company?

Yes.---I assumed he would have to 'cause of my details, like my driver's licence.

And so did you then ever receive mail or documents to that address in relation to MJ Wilsons?---I recall mostly receiving you know the BAS activity statement. They send it every quarter. I recall receiving them mostly, but anything else I don't recall.

And what did you do with those BAS statements that you received?---Oh, I think I would have threw them away.

10 Why wouldn't you have contacted Mr Goldberg to tell him that he had mail in relation to the company that he'd set up?---I might have told him but accountants don't really need them, so I assumed he was already onto it.

THE COMMISSIONER: Has your friendship with Mr Goldberg continued over the years since the time we're talking about, which is now about mid two thousand, sometime in 2011-12? Has your relationship with him continued since then?---It did until after I got married, I moved to a different suburb, and I probably stopped seeing him less often then.

20 Sorry, when did you move?---That would have been 2013, around September. I would have seen him after that but not as often or frequent as before.

What about in the last couple of years, for example? Have you had any contact with him?---Since he's been in gaol?

Sorry?---Since he's been in gaol, you mean? No, not at all. I wasn't aware till maybe after he got locked up that he was in gaol.

30 I see. So you haven't had any telephone or - - -?---No.

- - - email or other communications with him since he's been in gaol?
---Yeah, not, not at all, no.

Okay, thank you.

40 MS SPRUCE: Mr Abraham, you said that you recall receiving BAS statements in the mail. It must have been obvious to you, wasn't it, that if you were receiving BAS statements in the mail that this company, whatever it was doing, was out trading - - -?---I think they go, they go to every company - - -

- - - and generating an income.--- - - - whether they're trading or not.

So you just had no curiosity about Mr Goldberg was doing with this company?---I just, I think after I opened it, it just left my mind, so I wasn't really - - -

All right. And do you recall also opening a bank account in the name of MJ Wilsons?---Correct, yes.

And I take it that at the time Mr Goldberg asked you to register a company in your name, he said he also wanted you to open a bank account?---Yes.

And did he say anything more about that?---No.

10 And so did you go with him to the Commonwealth Bank - - -?---Correct, yes.

- - - to open an account?---Yeah, I recall going with him.

And did you have any concerns about doing that?---Not really at the time.

Did you regard it as unusual?---Not really.

20 THE COMMISSIONER: It was unusual.---Very unusual when I think back then now.

Yes, I was going to say.---For a bank account for a company, you would need a bank account to run it, so - - -

Well, two things - - -?--- - - - the whole, the whole process is unusual now, when I think about it.

30 I was going to say, two things are very unusual. One, you've got him coming along saying will you become a director of a company in which you didn't know what it was going to do. And, two, now he's asking you to open up a bank account. I mean, those two matters were both, each of them, highly unusual, weren't they?---They were very unusual.

Well, when did you start asking questions about what – especially when he asked you to open up a bank account.---I don't think I ever did.

Sorry?---I don't think I ever did ask any questions.

40 You were a mature young man at the time we're talking about, weren't you?---Yes, but 2013, a lot happened that year and just I got engaged, I got married, my mum got diagnosed with cancer, and I've got a lot happening that year, I just - - -

Anyway, he comes along. He asks you to open a bank account in the name of MJ Wilson?---Oh, he organised the name.

He organised it?---Yes.

But he asked you to be what?---Director or owner or - - -

No, to the bank account we're talking about. Did he ask you to be a signatory to the bank account?---He didn't ask me to but I think when I opened it, because I'm the director, I'm automatically a signatory.

I thought your evidence was that he asked you to open an account.---Yeah, he asked me to open it, yes.

Did you?---Yes.

10

Which bank did you have this account opened in?---Commonwealth.

What branch?---I, I forgot what branch but now I know it was Bankstown, but I thought it was Chullora, but now I know it was Bankstown.

Bankstown.---Yes, correct.

So you had to fill out a form for that?---Yes.

20 And do you recall going to the bank and filling out the forms?---I recall going with him to the bank, yes.

And in whose name was the account opened?---The company name.

It's the MJ Wilson?---Yes. It had my signature and his signature.

Two signatures on it?---Yes, correct.

His and yours?---Yes.

30

Mr Goldberg's and yours?---Correct, yes.

So joint signatories in other words for the account?---Correct.

Why did he want you to be a signatory?---I don't know. I thought by default I would be because I'm the director. Because he can't open it - - -

Sorry?---He can't open the account if I don't go there with him to open it. So I thought by default I would be signatory.

40

And what did he say this account would be used for?---No, he didn't tell me. No.

Pardon?---No.

What did he say the account would be used for?---Oh, I don't recall the, I don't recall asking him about the account.

So you're putting your name to a bank account along with him. Weren't you interested to know what this account would be used for?---Not really at the time, no.

Well, did you say to him, "Well, is this account for our joint benefits or is it just for your benefit?"---Oh, it had nothing to do with me. Like, there was no joint venture between me and him.

10 You said it was a strange request, or an unusual request I think was what you agreed with. Is that right?---Correct, yes.

So you mean to say you went along to the bank with him, signed up to this bank account, opened it in joint signatories, without asking any questions about, "Hey, what are we doing here?"---I don't recall if I asked him but I thought maybe he had a legit business to run or - - -

Sorry?---I thought maybe he had a legit business to run. Like, I didn't think there was any (not transcribable) all this.

20 You thought he might have had a business to run?---Well, I mean, he had the coffee shops, cafés, so I thought maybe he just wanted to run a business.

Well, did you ask him whether it was for the business, the coffee - - -?---I don't recall. I don't, I don't recall the conversation.

Was there any money put in the account to start it off?---I don't recall.

Yes, Ms Spruce.

30 MS SPRUCE: Mr Abraham, is it the case that you deliberately avoided asking Mr Goldberg any questions about this bank account and this company that your name was being put onto?---No, not really deliberately.

Did you have any suspicion that the reason Mr Goldberg might want a company and a bank account in a name other than his was because he wanted to disguise his involvement in some sort of unlawful or illicit enterprise?---No.

40 THE COMMISSIONER: Did he say why it might be worth your while going along with his request?---Which request, sorry?

Did he indicate to you why it would be worth your while opening an account at his request at the bank?---No.

Did he say, "Look, if you do this me, I will do something for you," in effect?---I don't recall that conversation. No.

There's nothing in it for you?---Not from memory.

Just go along to the bank, open an account at his request not knowing why he was asking you. Is that right?---Correct, yes.

No benefit to you?---I don't recall any benefit.

No questions from you?---I don't recall, no.

10 All very strange, isn't it?---When I think back now, yeah. Very strange.

Looking back on it now, very strange, isn't it?---Correct, yes.

Strange that you wouldn't even ask him the question, "Why, what's this all about?"---Oh, I don't know, I can't, I don't recall if I did ask, but I don't recall any conversation.

Sorry, just going back a bit, you went to school in Sydney?---Sydney, yes.

20 And what age did you leave school?---Maybe year – 16, 17?

And did you do the school certificate?---I, yeah, completed it in TAFE.

What did - - -?---I completed it in TAFE.

You completed - - -?---Year 11 and 12 in TAFE.

I see, so did you get your HSC?---Yes.

30 So were you reasonably successful at that?---No.

When you say no, did you pass your HSC?---No.

What was the first job you did when you left school or TAFE?---Building labourer.

And what year was that that you left school?---I think it was 2004 when I started building labouring.

40 And when did you start with Amatil?---Coca-Cola? 2011.

And what had you done before joining Amatil, Coca-Cola?---Oh, just labouring and then soft drink delivery for Schweppes.

All right. Yes, Ms Spruce.

MS SPRUCE: Mr Abraham, you gave evidence earlier that you thought perhaps the reason that Mr Goldberg might have wanted a company to be

registered in a name other than his was that he had a bad credit rating.
---Correct. Assumption, yes.

And so I understand that by that you mean that there was bills that he hadn't paid.---Maybe, yeah, like as in he couldn't run a company under his name.

Well, that's how you'd get a bad credit rating, isn't it?---Yeah, unpaid bills.

10 Unpaid bills. And so now you're agreeing to put your name to a bank account and to be a signatory to a bank account that someone who you think's got a bad credit rating is going to go out and operate some sort of business through that you know nothing about.---Correct, that's what happened.

And you say you didn't have any concerns about that.---Not really, no. I didn't think it will do anything to, like, ruin my name or anything. Yeah, oh, he might have even assured me, but I don't recall.

20 You don't recall whether he gave you any assurance that you weren't at risk?---I don't recall back then, it's been nearly eight years, or more than eight years.

Well, you've agreed that it's an unusual thing to do. It'd be an unusual thing to do for a very, very close friend, wouldn't it?---Yes.

You've said that Mr Goldberg wasn't even a particularly close friend.---Oh, at that time I was seeing him more, but, was close but not very, very close.

30 And you didn't ask him for any sort of payment or favour in return for doing this for him?---No.

Could we go, please, to volume 6, page 104, you see this is the form that was filled out when you opened the bank account under the name of MJ Wilson with Mr Goldberg?---Yes.

And you see there your name, and is that your signature underneath that? ---Yes.

40 And you see above the signatures, it says that any one of the authorised signatories can operate the account?---Yes.

And so did Mr Goldberg make it clear to you that, although you were a signatory, he would be the one operating this account?---I don't think, I didn't really, like I assumed that he would operate it, I wouldn't touch the account, I didn't really go near the account.

Well, did you travel to the bank with Mr Goldberg?---Yes.

In either your or Mr Goldberg's car?---Correct, yes.

And so you left from your address in Greenacre, is that correct?---Correct.

And you travelled to the bank in Bankstown by car with Mr Goldberg.

---Yes, correct.

10 And then you went into the bank and you opened this up, and did you do all of that in silence?---No, but I even forgot I opened it in. I thought it was Chullora, from my memory, but – so I can't remember which bank, I wouldn't be able to remember conversation.

That's not my question. My question is, as you're driving to the bank to do this for Mr Goldberg, you say you didn't have any discussion at all - - -?--- I don't recall the, I don't even recall driving to the bank. Like, I don't recall the whole scene.

20 Now, when this bank account was opened up, do you recall whether you obtained a card or a chequebook or internet banking details?---I don't recall. I must have, but I don't recall.

Well, when you say you must have, you're just guessing, are you?---Oh, he would have got a card, most definitely, but I didn't get one for myself.

Sorry, you didn't get one for yourself?---Correct, yes, I didn't get one.

30 So is it the case that to the extent there was a card or a chequebook associated with the account, you would have given those to Mr Goldberg? ---Correct.

And once this account had been established, did you ever use this account? ---Me personally, no.

Did Mr Goldberg ever ask you to sign any documents in respect of this account?---No.

He didn't ask you to ever do any transactions to either withdraw or deposit money in the account?---No.

40 You had nothing to do with this account ever again?---Yeah, nothing at all.

And if we could just go, please, to volume 6.4, page 3. You see, Mr Abraham, this is a bank statement in respect of the account that you opened with Mr Goldberg in the name of MJ Wilson Projects Pty Ltd. And do you see at the top there it's addressed to The Director, with an address in Greenacre?---Yes, correct, yes.

And do you recognise that address in Greenacre?---I think I might have met Mr Goldberg there once or twice, but it wasn't his main address that I knew.

But you recognise it as an address associated with Mr Goldberg?---Yes, correct.

And it's not an address that you've ever resided at?---No, never.

10 And so that's the address that bank statements were sent to. And so is it the case that you've never seen, never received any bank statements in relation to this account?---Yeah, not to, I don't recall any where I was staying.

Now, if we could go, please, to volume 4.11, page 59. See that this is again an authority for business accounts at the Commonwealth Bank. And that this time it's in respect of an account in the name of Ibrahim Transport Pty Ltd.---That's correct.

20 And you see below that yourself and Mr Goldberg have become signatories to an account in the name of Ibrahim Transport Pty Ltd in circumstances where any one of the authorised signatories can operate the account?
---Correct.

Can you explain, please, the circumstances in which this occurred?---I actually don't recall. Like, I, I have completely forgotten about this.

30 Well, it's an absolutely extraordinary thing, isn't it? Not only has Mr Goldberg asked you to set up a company in your name and open up a bank account in the name of that company, but now what appears to have also occurred on the same day is that he also requests that your company that you're a director of and that you run your business through opens up an account to which Mr Goldberg is a signatory.---Very strange, yeah.

Well, first of all, did you have an account in the name of Ibrahim Transport prior to 13 January, 2013? Or did Mr Goldberg ask you to open an account at the Commonwealth Bank in the name of Ibrahim Transport on that day?
---He would have asked me on that day.

40 So you had no Commonwealth Bank account in Ibrahim Transport prior to that day?---No.

So in fact he's asking you to open up two different bank accounts on that day.---Correct.

One in the name of MJ Wilsons and one in the name of Ibrahim Transport.
---That's correct.

And you still maintain, do you, that you didn't ask him any questions about why he wanted that to occur?---I don't recall if I did or not.

Well, weren't you concerned about Mr Goldberg operating an account in the name of a business that you depended on for your livelihood?---I do recall once he did ask me if he can get payment to my account as a way of cheque, and I told him yes, but I think I would have preferred not to go in my main account. It might have been opened for that reason.

10 Sorry, let me just break that down. You think that Mr Goldberg might have said something to you about depositing cheques?---Well, I think, a cheque from a payment from someone but I don't exactly recall.

So, to the best of your recollection, is it the case that Mr Goldberg asked you to deposit a cheque from someone into your Ibrahim Transport account which was your Westpac account?---Correct, yes.

20 And to then presumably withdraw the amount for the value of the cheque and hand it to him in cash. Is that your understanding of what he wanted you to do?---Oh, I don't recall the exact instruction of what he wanted me to do but I don't recall that he asked me for him to get a cheque to my company.

Well, he wouldn't be just giving you a cheque as a gift, would he?---Oh, of course, for him.

So, if you deposited the cheque for him into your bank account, he would be expecting you then to pass - - -?---Back to him, of course, yes.

- - - the relevant funds to him in one way or another?---Yes, correct.

30 And presumably cash?---I must have opened this so I didn't have to deal with – because if it went into my Westpac account, I won't give my login details for my Westpac account.

So do you recall him asking you for your Westpac account login details? ---Oh, no, no. I'm saying if he did I wouldn't give, like, my login details for my Westpac.

40 So you felt protective of your Westpac Ibrahim Transport account, which was the account you received your salary into?---Yeah, correct.

You received your payment rather from Coca-Cola into. But you think now that the reason you agreed to open this account was because Mr Goldberg had this idea that there was a cheque that he wanted to be able to deposit into a bank account not in his own name?---Yeah, that's correct. Yes, correct.

And so did you suggest or did Mr Goldberg suggest that you open a new account?---Actually, I don't recall that but the most likely scenario would have been for that reason.

Did you feel under pressure to go along with the requests Mr Goldberg was making of you?---No.

You didn't feel under pressure or threatened in any way?---No.

10 You did this all of your own free will?---Yes.

And then if we go, please, to volume 4.11, page 64. You'll see that this is a bank statement in respect of the account in the name of Ibrahim Transport Pty Ltd and you opened on 13 January, 2013, and to which Mr Goldberg was made a signatory, in addition to yourself.---Yes.

And do you see there that it is addressed to The Director and it's again to the address that you've identified as being one associated with Goldberg that had nothing to do with you?---Yes, correct.

20

So, it's the case that you never received any statements in relation to this bank account. Is that correct?---Correct, yes.

And you never used this bank account?---Yeah, correct. Never used it myself.

And so did you understand clearly at the time this bank account was established that you were setting it up for Mr Goldberg to use?---Yes.

30 It was not an account that you had any intention of using yourself?---No, no intention.

You were just handing over control of the account to Mr Goldberg?
---Correct.

And you didn't ever ask Mr Goldberg to let you know what was happening with the account?---No.

40 And you didn't ask any questions about why?---I don't recall. I remember that was for money for him to get paid in it, for him to be paid in this one, for Ibrahim Transport, but I don't recall anything else.

So you recall that this account for Ibrahim Transport was because Mr Goldberg needed to be paid money from someone?---Yes, correct.

Do you recall who the person was he needed to be paid money from?---No. I didn't get into detail with him.

Prior to this inquiry, had you ever heard of Alex Dubois?---No.

Did Mr Goldberg say anything to you about the money that he needed to deposit coming from Mr Alameddine?---No.

And so if you look at this bank statement, Mr Abraham, you can see that some significant sums of money go into it.---Yeah, that's correct.

10 \$52,800 and then \$105,000 and I take it you say you have no idea what those amounts relate to?---No. I knew it was his money but no idea what business he had with it.

And you didn't ever withdraw any money from this account?---No.

So even though you were a signatory, you effectively had nothing to do with this account ever again?---Correct, yes.

20 Now, you gave evidence – sorry, I withdraw that. And do you recall whether you received again a card, a chequebook in respect of this account?---Don't recall. If I did, I would have given it to him as well.

If you did, you would have handed it over to Mr Goldberg?---Yes, correct, yes.

Because you understood that this account was just for his use.---Correct, yes.

And really nothing to do with you.---Yes.

30 Now, you've given evidence that after you got married in September 2013, you moved away from Greenacre?---Correct, yes.

And from that point on, you had less contact with Mr Goldberg?---I seen him less often, but I still seen him every now and then.

And so when you caught up with him from time to time, did you know what sort of business he was doing?---No. It wasn't really like long catch-ups or anything.

40 So you didn't ever become aware until this inquiry that he was doing work for the RMS?---I was not aware, no.

And when you caught up with him from time to time, you didn't ever ask him what had happened with the company that he'd put in your name or the bank accounts?---No.

Mr Abraham, do you have any recollection, when Mr Goldberg spoke to you about opening the Ibrahim Transport account because he needed to

deposit cheques into it, did he say anything at all about what those cheques were in relation to?---No.

He didn't say anything to you about the repayment of a loan?---No. I didn't get into much detail with him about it.

So he didn't ever say anything to you about a loan that he had made to Mr Alameddine?---No.

- 10 Mr Abraham, you obviously were responsible for paying the tax in relation to the income of Ibrahim Transport.---Correct, yes.

And I take it that you filed a tax return every year in respect of Ibrahim Transport?---Correct, yes.

Did it not concern you that you'd allowed Mr Goldberg to open up an account in the name of Ibrahim Transport and that money would be going into that account?---Didn't really think about it during the time.

- 20 You didn't think about whether that would affect your, affect your tax liabilities?---No, 'cause I thought he would take it back to his account (not transcribable) withdraw it, so it really wasn't my money. My main account was my Westpac account.

I don't have any further questions for Mr Abraham, Commissioner.

THE COMMISSIONER: Yes, thank you. Are there any application to cross-examine the witness? No?

- 30 MR ELFAWAL: No, Commissioner.

THE COMMISSIONER: There are no applications. Then, any reason why Mr Abraham should not be excused?

MS SPRUCE: No, Commissioner.

THE COMMISSIONER: Yes, thank you. Thank you, Mr Abraham, for your attendance.---Thank you.

- 40 You're excused.---Thank you very much. Thank you.

Thank you.

MR ELFAWAL: Commissioner, if I might also be excused?

THE COMMISSIONER: Yes, certainly. Thank you, Mr Elfawal.

MR ELFAWAL: Thank you.

THE COMMISSIONER: Yes, I'll adjourn.

THE WITNESS EXCUSED

[3.14pm]

AT 3.14PM THE MATTER WAS ADJOURNED ACCORDINGLY

[3.14pm]

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