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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION PARAGON

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 18 MAY, 2021

AT 2.00PM

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

THE COMMISSIONER: Mr Downing.

MR DOWNING: Thank you, Commissioner. Ms Steyn, just before the break, I was asking you some questions about whether you knew certain people that your husband worked with or associated with through work, and I took you to a photo from that dinner at the – I think you identified it as the
10 40th birthday for Mr Dubois.---Yes.

And I've suggested 21 July, 2018. And in that photo, you identified Mr Dubois, and Baz at the end, but indicated the other man that you weren't familiar with.---Mmm.

Though you did say that you did have a recollection of seeing photos of people he was working with from time to time.---Yes, correct.

Now, I took you to some photos that he sent you via text on 14 March,
20 2018. Do you recall there was the photo of just the road and then him chilling in a chair?---Yes.

Can I go back, please, to page 180, so same volume, 14.1, page 180, which is the extraction of the texts.---Yep.

And I took you to the photograph which is the thumbnail at text 8.---Yes.

But if you go to 9 first, you'll see also on 14 March, 2018, at 11.09pm, another photo was sent, and it's an attachment as a JPEG, but that's just the
30 thumbnail.---Yep.

If we could go, please, to page 209, this is the photo that accompanied it. And do you recognise, first of all, the man on the left as Alex?---Yes.

And the man on the right, now looking at that, is this one of the photos you were referring to of - - -?---Quite possibly, yes.

And do you identify him as being the man that was next to Baz in the photo, Hoody?---I, yes, I, I'd say so.
40

Do you know at this point whether he was someone you'd ever met, that is, at 14 March, 2018, when your husband sent this photo, or not?---I don't recall that I've met him.

Is it the case that you remember your husband mentioning the name Hoody as someone that he did something to do with work with?---Yes. At what point he mentioned the name, I, I can't recall either.

And your evidence is that in relation to Baz and Hoody, you didn't know specifically what role they played in respect of RMS works, based on what your husband told you?---No, not at all, not at all.

You knew they were doing some work on the site?---I didn't really piece it together, if you know what I'm saying, but I knew that they kind of worked where, somewhere along the line, through RMS.

10 Do you recall your husband ever mentioning to you companies that were doing contract work on the projects he was associated with?---I don't recall him ever talking to me about companies working for RMS or him or anyone else.

Tell me if any of these names ring a bell as something that your husband ever mentioned to you. So, Complete Building Fitout?---No.

CBF Projects?---He didn't mention it to me. I did see it along the, the way.

20 In what form or what format?---I think when I helped my dad with his invoicing, I did notice a couple of names on the spreadsheet, and I was perplexed by it. I just was, what, what is that?

Well, I'll come to your dad's invoicing later, but - - -?---Okay, so that's the only time.

Is that one name that you do recall, CBF Projects?---Yes.

30 And you think in the context of assisting your father with invoicing?
---That's where I noticed it, yep.

What about Euro Civil and Maintenance Pty Ltd? Do you remember that name?---No.

Ozcorp Civil?---There were a few names, but I don't recall those, sorry.

Well, tell me if any of these ring a bell. So, you've answered the questions I've asked you thus far, but Areva Corp Pty Ltd?---No, sorry.

40 Seina, S-e-i-n-a, Group Pty Ltd?---No, I'm sorry.

EPMD?---No.

You don't recall your husband mentioning any of those companies?---No.

Now, I want to show you a photograph of another gentleman, and if we could bring up, please, see Exhibit 43. You'll notice Mr Dubois on the right in the photograph.---Yes.

And the man on the left, I take it you recognise again as Hoody or Mr Chahine, as I've taken you to him in other photos?---Okay, yep.

Do you recognise the man in the middle?---No.

Don't believe you've seen him before?---Never.

10 Now, thinking back to the period of your husband's work at the RTA and RMS, you would have understood based on your own knowledge, wouldn't you, that he as a public official would have been engaging in corrupt conduct if he was receiving any form of payment or payment in kind from companies that were doing RTA or RMS work, or competing for it in his area?---I never thought of it. I never thought about it. I never – I didn't have reason to think that.

I understand, but I'm asking not so much about what you did think at the time, but based on your knowledge.---Now?

20 You've told us you understood what corrupt conduct was.---Yes.

And you indicated that, it would seem in part based on your own work with Centrelink, and information you've received there - - -?---Yes.

- - - that you understood that one form of corrupt conduct would be receiving payments in effect from clients of the agency you're working for, where that official might in some way act partially towards the person providing the payment.---I guess in my, my line of work, I understand that completely but I didn't take it outside of that, like I didn't - - -

30 But you knew your husband was a public official?---Yes.

If it had been the case that you were aware that he was receiving money from companies that were either doing contract work or competing for it in his area, you would have understood that to be corrupt conduct, correct? ---I'm not – yeah, I guess, he, it, it would be wrong.

Well, wrong in the sense of, as a public official you shouldn't be receiving money other than your wage. Is that what you mean by that?---Yes. Yes.

40 But it would also, even based on your understanding from your work with Centrelink, it would amount to corrupt conduct, wouldn't it?---Yeah.

To, in effect, accept money from those either receiving work in your area of work as a public official or competing for it?---Correct, yes.

THE COMMISSIONER: I wonder whether, just so that we're not just dealing with the statutory concept of corrupt conduct, if it may be put to the

witness in terms of partiality, dishonesty, so that we make sure we're talking about the same thing?

MR DOWNING: Thank you. I've given you an example of corrupt conduct of actually the receipt of payments.---Yeah.

But you would have understood, wouldn't you, based on what you knew from your work with Centrelink that there could be other forms of corrupt conduct?---Yes, I, yeah.

10

So that even if one didn't receive, for instance, payments as a public official but act impartially towards someone that you had a family relationship with or a friendship with might amount to corrupt conduct as well. Did you understand that?---Well, in my line of work that doesn't, I don't think that's relevant but, so I didn't, I didn't, I, yeah, in my work, the line of work that I do, that's not a relevant code of conduct.

20

THE COMMISSIONER: I think what you're being asked to address your mind to is a hypothetical situation of somebody who perhaps works for an organisation like Centrelink and they might have a friend or a relative who is seeking some benefits, and you theoretically could have a position where the employee of the agency might be placed in a position where he or she is being asked to do something that could be classed as either dishonest or partial, and whether in that, in very general terms, that's something you would be able to recognise, from the point of view of the position you hold – emphasising all along this is theoretical and it's very general, non-specific - - -?---Okay. Yeah.

30

Well, anyway, Mr - - -?---I understand from the way you just explained it, yep.

Well, Counsel Assisting might have some further questions for you.

MR DOWNING: So, for example, even putting aside receipt of money for the moment, in your line of work at Centrelink, if someone that you were close friends with, or a relative of, had some application for a Centrelink benefit, wouldn't it be the case that normally you would need to disclose it and not have anything to do with it?---Absolutely.

40

In a similar way, you would have understood, wouldn't you, that where there was any, for instance, I'm going to use an example of putting in a quote for work, if there was any company where there was, that company was putting in quotes for work in Craig's area of responsibility at the RTA, if he was close friends with the person behind that company or a relative of it, again, it would be an obligation on his part to disclose it?---I can't answer for Craig but I would, I would disclose my position if that, if that is what RMS's code of conduct is.

But I take it, based on what you understood from Centrelink, your expectation was that you would have to disclose it because otherwise it would put you in a position of conflict?---Correct, yes. From my, from Services Australia, yes.

10 And I accept that I'm only asking you at a theoretical level, but where Craig was also a public official, would you also expect that it would have been incumbent on him, subject of course to whatever codes of conduct or ethics there might be, but it would have been incumbent on him to, first of all, disclose any relationships with people that are competing for work?---Yep.

And secondly, to not involve himself in any decision-making process about who might get work in those circumstances where - - -?---Well, if that's their code of conduct, I would expect that that's what he should have done.

20 Now, at any point during Craig's work with the RTA and RMS, did you have any knowledge that he was, first of all, receiving any benefits from companies that were either seeking or obtaining RTA or RMS contracts in his area?---No.

No knowledge at all?---I, I had no idea.

Did you have any knowledge, during his period of work with the RTA or RMS, that he was, in effect, seeking quotes from companies that were controlled by friends or family members?---No idea.

30 Or that he was in fact awarding contracts or assisting those companies to secure contracts where they were controlled by people he was friends with or family members with?---No idea.

40 And that's in any circumstances at all you had no clue at all?---I had no clue.

All right. Now, you knew certainly during his period of work that Ashley Alexander ran a company AA Steel Piping Pty Ltd?---Yes.

And Ashley was married to Sandy.---Yes.

40 And still is.---Yeah.

And Sandy is your husband's cousin, correct?---Yes.

And you were aware that AA Steel Piping was a company that did steel fabrication-type works?---Yes, correct.

And did you have an understanding that Sandy – I withdraw that. First of all, that Ashley was the person that ran the company?---Yeah.

Did you have an understanding that Sandy assisted by doing the office-type work for the company?---Yes.

So that, for instance, taking care of emails, paperwork, et cetera?---Yes.

And from time to time, she would correspond with you, wouldn't she, using the AA Steel Piping email address?---Yes.

10 Now, it's the case, isn't it, that thinking back to the period from when your husband started work with the RTA, which I suggested to you was in 2009 - - -?---Yep.

- - - through until the end of his work at the RMS in 2019, your family and the Alexander families were very close?---Yes, correct.

You'd frequently see each other?---Yes.

You'd frequently socialise and go to family events?---Correct.

20 And you would frequently speak to Sandy Alexander?---Yes.

Was it the case that you would see Ashley and speak to him at functions but didn't speak to him as often?---Ashley, well, he's family, so we spoke whenever we did. But you mean as - - -

But separate to events where you got together - - -?---Yep.

30 - - - when it came to perhaps sending texts or emails, was that something you did with Ashley?---No. Sandy.

More with Sandy?---Yep.

All right. Now, were you aware that during the period from about 2009 right through to 2019 that AA Steel Piping was doing RTA work?---I did know that he, they were working for RMS, yes.

40 And in that sense you did know that at least one external company was doing contract work for the RMS?---I didn't piece it together that way. I just thought he was working for RMS.

Well, let's break that down.---Yep.

You knew that Ashley ran his company.---Yes.

You knew he wasn't an RMS employee.---Okay, so then, yes, I guess contracted in that sense, yes.

And in fairness, you indicated earlier that while you were aware that your husband was in charge of works on various projects that were being done - - -?---Yep. Yep.

- - - you didn't have a clear understanding in your mind as to whether it might be done by the RMS itself - - -?---Yep.

- - - or by external contractor companies.---Yes, correct.

10 But certainly you knew in respect of AA Steel that it was an external company that was doing work that it was being paid by the RMS to do. ---I didn't, didn't really think about it, but, yes. It wasn't something that I thought about, to be honest.

Now, can you recall, did you learn about AA Steel Piping doing that work through something Craig told you or through something that either Ashley or Sandy told you?---I, no, I, I can't recall exactly when I learnt or if it was just in conversation and something Ashley may have said going up somewhere, thing somewhere, and that Craig was that. But I don't, I didn't
20 ask questions. I didn't, it, yeah, I just didn't ask any questions.

Well, just breaking that down, did you have an understanding that, at times, Craig would be away doing work at certain locations in the state?---Yes.

And that you learnt that Ashley was working at the same place?---Yes.

So did you draw that link, then, that not only is he doing RMS work, but it seems to be RMS work that Craig has something to do with?---Yeah. Yep.

30 Now, did you ever speak to either Craig or Sandy or Ashley about how it was that AA Steel came to be doing work for the RMS in the area that your husband seemed to work in?---I think I may have mentioned it to Craig when I, when I, when it first came to light. And I said I may have kind of gone down the line of I didn't realise that RMS were, sorry, AA Steel worked for RMS. And he goes, "Yes, he's actually working for a different section." And he assured me that it was all okay. So I'm like, "Okay."

So just pausing with that. So this is at the point when you learn that AA Steel seems to be doing work for the RMS.---Yep.
40

You raise it with him?---It was, it, it wasn't a, like, I didn't raise it with him. I just kind of pointed out, "I notice Ash is going on the same jobs as you," whatever. You know, "Does he now work for RMS?" Then he goes, "Yes, he does. It's part of someone else's team," or group or whatever they call it. And that was, that was the extent of it.

So in the course of that discussion, were you in effect inquiring as to whether the work that AA Steel seemed to be doing had something to do

with your husband?---Well, with RMS, and I, I guess in that light, maybe by me questioning that, I did question is this right.

Is it above board.---That's correct. And when he assured me that it was and I didn't think, I didn't think along the lines of "Okay, this is how Centrelink does it. Does RMS do that?" But I did probably, at that point in time, to have raised it with him, I had a concern at the time to do that, in order to do that.

10 Just a concern that it's a family relationship, and if they're getting works with that family relationship, is that okay. Is that what you had in mind?
---Not through Craig but through working with the same organisation that Craig was associated with, I felt that that could be a problem. Because that couldn't happen in my line of work, yes.

Understand.---And he assured me that it was fine because he had nothing to do with it.

20 Did you ever speak to Ashley or Sandy about the work and what they were doing?---No.

So at no point did you ever discuss with them, for instance, whether they were working on Craig's projects?---I don't think I did.

Or whether it was Craig that was inviting them to put in - - -?---No.

30 - - - requests for work, that is quotes, et cetera?---I don't think we've ever really spoken about what, what work Ashley or, sorry, AA Steel did for anyone. It was my point of asking the question was to Craig, he assured me, and that was the end of it.

And was what prompted you to ask the question the fact that they did seem to be going to the same locations to do work at the same time?---No. I think just conversation that was had that I probably walked in on, 'cause they've never really spoken, spoken about work in front of me. But a conversation that may have been had maybe at a function or someone's home, and it was along the lines of we're going up somewhere.

40 But just thinking about what prompted you to ask the question of Craig, and noting what you said about what he'd reassured you, but was what you had in mind that, a concern just about what the perception might be to a bystander about Craig working for the RMS and his cousin's husband's business - - -?---Correct.

- - - getting RMS work?---Yes.

But you say that what he told you indicated to you that it was not his section?---Along those lines. And he assured me. He said it's not my

section. I've given a name, I've given their name off to whatever sections he, they, that needed his work and, you know, and, and, he's got absolutely nothing to do with it.

So from what he told you, your understanding was that literally the connection was no more than a name that he had provided to someone that needed steelwork done?---Yes.

10 So you didn't directly ask him, for instance, "Is this a job that you've invited them to put a tender in or a quote in for?"---No, I don't believe I did, no.

Now, you may have heard, either through your husband or through the reporting of this inquiry, but are you aware that since at least 2013 the Alexanders personally, and also through AA Steel, were paying large sums in relation to, first of all, the works done on your house?---Through the inquiry, yes.

20 And also have you heard that from about 2013 onwards the Alexanders were paying large sums in relation to your and your husband's living expenses?---To the inquiry.

Prior to that inquiry, had you ever been made aware of that before?---On a couple occasions that I can, you know, from what has been reported in the news and everything else, the, the school fees. That was something that Craig advised me that he had some, he had done some work for Ash over a period of time on a private scale and he owed him money and I think Sandy wanted - - -

30 Sorry, so Ashley owed Craig money?---Craig money, and he needed to – sorry – and Sandy wanted to use her points, so credit card I think it was, to pay for school. Sorry, the way that he remunerated that was to pay for one year of ██████'s school fees.

That's your younger son?---Correct. So he asked me for the details, I forwarded them onto him, didn't think anything of it.

40 Sorry, who asked you for the details?---Craig asked me for the payment details for the school fees, or the school fee statement or whatever it was, and I didn't think anything of it because he gave me the reason and I, I didn't - - -

Let's come to living expenses in a moment. Do you have a recollection of becoming aware at any time during the works on your house that the Alexanders personally, or through AA Steel, were paying for parts of that work or materials related to the work?---I don't recall. I don't recall because my husband, anything to do with the house, he said he had it sorted and he had a loan with – he didn't explain or elaborate on what the loan was

that he had with, or with whom, but he didn't specifically say where the loan was from.

Well, I'll come to the specifics of the loan et cetera in a moment. But is your evidence that when it came to any of the bits and pieces that made up the many aspects of the work on the house and the pool and the pool house, that you had no knowledge that the Alexanders personally, or AA Steel, were paying for them?---I don't recall them ever mentioning it or Craig mentioning it to me, no.

10

Well, that's mentioning it. Did you ever see any documents to indicate that it was occurring?---I don't recall the document.

Any documents?---Or documents, no. I've seen some now since the inquiry but I don't actually recall questioning who paid for what.

And in fairness I am asking you not about what's happened since the inquiry, I'm asking you about what you learnt during the period of works. ---I know, but I'm now kind of, yeah, going, I didn't - - -

20

Sorry, you've just made a movement with your hands. Are you seeking to indicate that you're now wondering whether you're confusing things you've seen in recent times and what you might have learnt before?---Yeah, yeah.

But your best recollection is that you did not see or hear anything during the period of works on the house to indicate that the Alexanders were paying themselves or AA Steel was saying for costs associated with the works?---I don't recall anything specific, no.

30

What about living expenses? You've given an example of school fees where you say you did learn that one year of school fees for your younger son was being met by the Alexanders.---Yes.

And you've described learning of that in a context where Craig told you that he had done some work for Ashley.---Correct.

And that, in effect, Ashley was going to pay it in kind by organising to meet the cost of the school fees?---Cost of the – yeah, yes.

40

Do you recall what work it was that Craig said he had done for Ashley? ---He said procedure work or, or something to do with document writing. I, that's what Craig did, I guess, in his previous roles, like, previous employment. So, I didn't, I didn't - - -

Do you mean with Telstra?---Yeah. And, and, and prior to – hmm, actually was it prior to that? I think maybe with Telstra. That's what I knew him to do and, and it was something that he wanted to pursue as, like, a, on a

consultancy basis and for years he's been talking about it. But I just assumed that that was what he told me was correct. I didn't question it.

So you understood that he had done some work, in effect, for Mr Alexander's business?---Yes.

Procedures for AA Steel?---Yes. Procedures and drawing. I don't know what they do to, to build the business, as in procedural wise. Anyway, I don't know the ins and outs but it was document writing.

10

But Craig tells you that he's done – oh, I'm sorry. I spoke over the top of you, I apologise.---Document writing.

So Craig indicates to you that he's done this document writing work in respect of procedures for AA Steel?---Ah hmm.

As that rather than being paid money for it that, what the Alexanders are going to meet the cost of school fees?---Correct.

20

And, sorry, did you say something about Sandy putting it on her card? ---Yes.

For points?---That was his, that was his explanation.

Did you wonder though how, if it was work he was doing for AA Steel, Sandy would be the one paying the fees, and how - - -?---Was – oh, you know, well, as far as I knew, Sandy was the office person that did the payments, or whatever. I didn't - - -

30

So she made the payments and ran the books, effectively, for AA Steel. ---Yeah, yes, that's right. Well, he mentioned Sandy, and I'm thinking that's what happened.

But at the time, did it not occur to you that if it's AA Steel that owes Craig money, but it's Sandy that's putting it on her card - - -?---Yeah, oh, okay, let me, let me rectify that. When I say Sandy, I'm talking about their business. So whether it wasn't a business card or a personal card, credit card or – do businesses have awards points? Because the – I'm just telling you the, the information that Craig passed onto me. I don't know the ins and outs, I didn't question whether it was a business account or a personal account, or – I didn't, it wasn't something - - -

40

Is it the case that Craig recounted what you've told us, and you accepted it at face value?---Correct, that's right.

All right. Separate to the school fees, can you recall learning that either the Alexanders or AA Steel had met any other living expenses for you and Craig?---Yes. My cleaning, because – and the story that I got was Sandy

insisted that she knew what back pain was, and I, I personally refused to have a cleaner. I just told the boys they needed to pull - - -

Just pausing there, had you experienced back pain for a period?---Yes. Quite a lot. And she saw the pain that I was in. Yeah, so she insisted on paying it, but I needed to provide the, the receipts to her for, so that she could claim it on, in cleaning of some sort.

10 Did you understand that in effect she wanted the receipts so she could put it through the business?---I, I'm, I'm assuming that that's what was needed, or why it was needed.

I take it you knew though, that your cleaning – you're talking about cleaning at home?---Correct, yep.

That had nothing to do with anyone's business.---I knew that, yes.

20 But you say that, what, Sandy offered to pay for cleaning, after you'd said something to her about back pain?---This is what Craig's told me, yes.

Sorry, so did the information come via Craig?---Yes. Yes.

So he comes to you one day, and tell me what he says to you.---“Sandy, Sandy” – actually, I think we may have even had a conversation, Sandy and I, she gave me a cleaner's details, but she didn't mention anything about paying for it or anything like that. Craig then came to me and said, “Sandy will pay for it, so organise your cleaner.”

30 All right. So your younger son's school fees and cleaning. Anything else you can recall become aware that the Alexanders were meeting the cost of, either personally or through AA Steel?---I'm, I'm trying to go through that list that – oh, one of the dinners that we went on. I think Ashley said he had sorted it out, and I think, because everybody went out to want to pay for us, like, everyone wanted to pay and he took credit for that. So, and he goes, “Oh, I've sorted it out.” But I didn't realise that Ashley was saying he'd paid for us out of any other source.

40 Do you recall what, sorry, where the dinner was?---No. It was a March dinner.

Do you recall who was present?---My sister was there. A lot of the March birthdays, so it was March birthdays. Yep.

And do you recall where it was?---No, sorry.

THE COMMISSIONER: Could I just interrupt? Mrs Steyn, you may have told us, or if you have, I've missed it – what's the actual nature of your work, in terms of job skills? I don't need to understand what happens at

Centrelink. I just want to understand what your employment skills are, that's all.---My employment skills? Customer service, so I deal with customers over the phone, processing, assessing payments.

Sorry, processing and?---Processing and assessing payments, so, in the families field, oh - - -

Processing, so assessing - - -?---Assessing payments.

10 - - - means to see whether the person qualifies?---Is entitled. Correct, yep. And that is - - -

That's about it?---Well, it obviously is broader than that, but that's the, that's the main functions.

When you say broader than that, what other functions, if you like, do you perform in terms of whether it's secretarial, accounting type work - - -? ---No.

20 - - - or however you describe it, what other areas do you work in?---Admin, that's it.

Admin?---Yep.

What do you do within admin? What's that involve? What's it embrace? ---Maybe, maybe that's too broad.

30 Sorry?---Maybe that's too broad, admin. I'm trying to just, I'm trying to categorise myself, and it is hard because the payments that we do are quite complex, and basically the customer provides us with information as to whether they are entitled or not. We deal with, my section deals with the very complex cases where, whether there's shared care involved and it's, like, you know - - -

Just keep your voice – actually, the microphone might be of assistance to you.---This one?

Yes.---Okay.

40 Well, either one.---So, yeah, so it's nothing major. It's just trying, trying to make an assessment based on the information that's provided by a customer and making an assessment.

So to understand what the assessment process involves, you have to have a look at what their circumstances are, including their financial circumstances, and then, once you've got all the information together, you then examine what the criteria are and how they - - -?---The legislation.

- - - those criteria apply to this particular customer, is that - - -?---Correct, yes.

And what training have you had for the – firstly, in terms of from schooling onwards, what training have you undertaken and, secondly, training within the organisation you work for?---I don't have a lot of training, but business, I think I did a Certificate III in Business, Business something. Business Admin, maybe. But that was a requirement that needed to be done within
10 Centrelink. I did start psychology, but I didn't pursue with that 'cause I had my sons. But that's about it.

And how long have you been employed in your current position? Sorry - - - ?---20.

- - - for the current organisation.---20, so maybe coming up to 20 years. 2002, no, oh, jeez, I can't remember.

And just before we resume the line of questioning, you recall the time when
20 a search warrant was executed at your home by officers of the Commission?---Yes.

And no doubt that was a startling development?---Yes.

And did you at the time, or at some time after the search warrant was executed, say to your husband, "What's this all about? Can you explain to me?"---I did.

And did he provide you with some information which brought some clarity
30 to your understanding as to why the search warrant was being executed at your home?---So he did say to me, as you can, on the search warrant it said, "Alex Dubois and Craig Steyn exercising," it was very basic, and I think he went with that – tell me if I'm loud enough. He, he advised me that Alex is involved in something and he's been dragged into it, and I took it for what he told me. He was beside himself. I was just there as support.

Sorry, I couldn't get that last few words.---He was beside himself about the situation, and I just tried to help him through it, and he felt that he was just being got, yeah.
40

When you said he used some words to describe that he had got dragged into it - - -?---Yep.

- - - dragged into what?---Into whatever the situation that – he didn't explain. He didn't want to talk about it. He didn't – my husband shuts down when things, when things happen, and it's just a struggle that I've had with him all my life, or all our married life.

But this - - -?---And he – yeah?

Sorry, go on.---And just communication is a bit of a struggle with him at the best of times. So at that point he refused to talk. He felt that everything around the house was, was – I think paranoia set in and he refused to, to talk to me about anything.

10 But be that as it may in relation to other day-to-day events and whether he discussed them or not, this was something completely out of the ordinary, wasn't it?---Yes.

The search warrant, I mean.---Yes.

And no doubt gave rise to concern in you - - -?---Yes.

- - - as to how it affected him, you or the family.---Yes.

Is that right?---Yes, it did.

20 You must have pressed him for some explanation.---I tried, and it would end up in arguments every single time, to the point that I felt that it wasn't healthy for my own mental health, since I was dealing with my own mental issues since 2015, so - - -

All right. Very well. Yes, Mr Downing.

30 MR DOWNING: Thank you, Commissioner. Just a further couple of questions about what the Commissioner asked as to your role at work. When it comes to your role at work. When it comes to assessing applications, I take it it's applications for Centrelink benefits of different sorts?---Yes.

So, things like Newstart or disability payments or single-parent benefits? ---Families in my case, yes.

Thank you. Now, I've asked you about your awareness of the Alexanders or AA Steel meeting the costs of various things.---Yep.

40 I take it you have heard the evidence now of a spreadsheet showing a list of items that were met?---Yep.

Now, if we could please bring up volume 11.2, page 49. You'll see it's an email from AA Steel Piping to Creative Service. Just pausing there, do you recall that there's a particular email address, creative.service@[REDACTED], that you or Craig or perhaps both of you used for personal emails?---I did not use that.

You never did?---Craig did, yep.

So you've never used it?---I don't recall using it. I know that there is evidence you showed me in the, in the prelims that an email came from me and I am baffled as to how that happened.

What was the email address that you would typically use for personal emails?---Aleeshasteyn@[REDACTED] or in the earlier piece maybe [REDACTED]x – sorry, was it [REDACTED]? No, Tyla, I had a few.

10 Tyla, t-y-l-a?---Yes. That was, that's our, a joint email that he had access to.

And just for completeness, is that tyla@[REDACTED]?---Yes.

And was that something that you both used?---He used to until he created his own account and stopped using the Tyla.

20 And when you say created his own account, is that what you understood to be the Creative Service account?---craigsteyn@[REDACTED].

Oh, sorry, craigsteyn@[REDACTED]?---Yes. This came along, I'm not a hundred per cent sure, when, and I was also, I didn't quite know what that was about.

I take it you became aware at some point that Craig was using the Creative Service account?---Yes, yep.

30 And roughly when and in what context, can you recall?---I can't recall, I'm sorry. And what, and what sort of context? It could have been an email maybe to my dad and myself is when I realised that – well, yes. It could have been, it could have been, it could have – yes.

I'll come to the details of that.---I don't recall, it's not, I'm not going to say exactly when but, yeah.

But did it surprise you that he seemed to have an email account that you'd never seen before?---It did, and again, when I question things, Craig didn't like it.

40 Well, when you say didn't like it, what, did he refuse to answer, did he - - - ?---He was like, "Can't I have another account? Can't I have another email?" Like, "What's wrong with it?" So - - -

In any event, so it's an email 18 December, 2018, from AA Steel Piping to Craig. Accept from me that this is an email sent by Sandy and you'll see, what it attaches, you'll see from the logo, it's an Excel spreadsheet.---Yep.

And it's Craig Aug 2015.xls. Do you see that?---Yes.

Now, do you recall Craig ever telling you that he had created a spreadsheet that he was sending from time to time to the Alexanders?---No.

If we go, please, to page 50. This is the first page of the spreadsheet. Had Craig ever shown you this?---Never.

Had the Alexanders ever shown it to you?---Alexanders never spoke to me about anything to do with anything, apart from personal stuff. So, no.

10 All right. Have the Alexanders or Craig every mentioned to you that they were in some way keeping a log of RMS work that AA Steel was doing and moneys that were being paid?---Absolutely not.

So is it the case that the first time you ever saw this document was in the Commission?---Correct.

20 Now, if we could go, please, to page 51. This document lists various items in black which I'm going to suggest to you are payments made either as part of the works on your house and the furnishings associated with the house or living expenses. Just pausing with the early part of the document. Do you see there's an entry, "Aleesha party, \$4,491.85"?---Yep, yes.

And do you recall that you had a, was it a surprise fortieth birthday party at the Blacktown Workers Club?---Yes, it was a surprise to me because I wasn't prepared to spend money on a party.

Did Craig tell you who was paying for it?---He said he had it sorted and I
- - -

30 THE COMMISSIONER: Sorry, I can't hear you. He said he what?---He said he had it sorted. He didn't want to elaborate and he said he will pay it back and when we were in a position to do so.

MR DOWNING: Sorry?---When we were in a position to - - -

But he said he had it sorted.---Yeah, I would pay it back. He didn't say to who. He never, he never said who he would ever pay any money that he loaned from.

40 Sorry, so where he indicates to you that he sorted it, he was also indicating to you that he hadn't paid it so the funds had come from elsewhere.---Yes, correct.

And that he was going to pay it back.---That's, that's what he told me, yeah.

Did you not - - -

THE COMMISSIONER: And this party – sorry. This party took place where?---Sorry?

Where did the party take place?---At Blacktown Workers Club.

Well, it must have been quite an elaborate party. It's almost - - -?---Well, it was and that's - - -

Just almost \$4,500.---It was and that's why I questioned it.

10

I see.---And again, Craig is very adamant and refuses to talk to me when I question things and it, it ends up in arguments so - - -

MR DOWNING: Did it concern you though that he seemed to be borrowing money to meet an expense like a birthday party?---Yes. I did but I guess, I, I did ask him actually and he just couldn't, he couldn't give an answer so I let it go, and he did, sorry, he did say we needed to pay it back but I don't recall - - -

20

And did he ever – I'm sorry, please continue.---I don't recall actually him saying right, we're ready to pay this money back.

Well, that was going to be my question. Did he ever tell you that it had been repaid?---No, he didn't.

And did you at any stage learn from either him or the Alexanders that in fact Sandy had paid?---No.

30

Now, you've given evidence about the school fees already. If we go over the page, please. I'm sorry, the next page again to 53. Do you see at the top TC School 8361?---Yes.

And that's 24 January, 2018.---Yes.

Is that - - -

THE COMMISSIONER: Was that for one child or more than one?---Just the one.

40

Sorry?---One boy.

Just the one?---Yeah. One year.

MR DOWNING: And you'll also see that on 9 February, 2018 there's an entry for, I won't say your son's name but car repairs for your older son.---I don't know anything about that.

Did you not ever get any information from Craig or the Alexanders about the fact that they were meeting the cost of car repairs?---No. I didn't even know there was car repairs.

If we could go back to the page before, please. Do you see towards the bottom of the page 10/12/17 \$5,012 Peter?---Yeah.

Did you understand that in some way that Craig was having the Alexanders or AA Steel meet expenses relating to your dad?---Definitely not.

10

So things like flights.---No. I thought my father paid for his own flight so that was very surprising as well.

And on the same – if we could go back, please, to page 51. Do you see on 9 April, 2016 there's a \$5,000 figure next to Audi?---Sorry, where are we going?

9 April, 2016 so just before halfway down the page.---Okay. Yep.

20

See \$5,000 and then there's Audi.---Yes.

Now, do you recall that at some point your oldest son obtained an Audi car, a used Audi car from the Alexanders?---Yes, and being their godchild I thought that was a gift, just a used old car.

Do you say that you had not been given any information from, let's start with the Alexanders that in fact that they had charged for it?---I don't believe they did tell me that they charged for it, no.

30

Did Craig say anything to you to the effect that, in effect, that they were seeking a payment of \$5,000 for the car?---Mmm. No, I don't, I don't think he did. I don't think he did. Because I, I believed or I believe he said it was a car that was hanging around. And, and he needed something cheap for, for [REDACTED]. Sorry, for [REDACTED]. Yep.

And what about your son himself? Did he say anything about where the car was from or whether any money had been paid for it?---I don't believe so.

40

Now, when it came to taking care of day-to-day living expenses for your family, who would do that?---Me.

So, for instance, when it came to paying utilities, water, groceries, things like that, that would be you that would attend to it?---Yes.

And, for instance, when it came to checking bank statements or credit card statements each month, just to make sure that what's on it was what was supposed to be on it, was that a task that fell to you as well?---It, it is me, but I have, I kind of, it has fallen by the wayside for many years now,

reconciliation of anything. More so because of stuff that has been going on with me personally.

All right, understand. But to the extent that it was someone, either you or Craig, who would be taking care of payments of things like family holidays, living expenses, it would typically be you?---Family holidays, sometimes Craig dealt with that and he would put it on the card. Or I would send him, “This is where we want to go,” and he would either put it on the card or sort it out, so - - -

10

Can you recall ever having a discussion with Craig about him wanting to set up a business or a company called Ki-Ty Investments?---Never.

And Ki is K-i, dash, T-y.---It’s the first I hear of it (not transcribable)

You don’t recall him ever mentioning that name?---No. No.

20

All right. Now, your evidence is that when it came to the costs associated with the works done at your house in [REDACTED] that you were unaware that the Alexanders were meeting any of them.---I don’t recall them paying for anything as such.

Well, what I’m asking about is you becoming aware.---Oh, um - - -

Did you learn at any time during that period of the works, from 2013 through until 2019, that they were meeting the cost of - - -?---No.

30

Did you learn that any other person might be meeting the costs of works associated with your house or materials associated with it?---I didn’t know who it was, but Craig mentioned he, he had taken a loan with someone, a personal loan. ‘Cause giving you a bit of insight, we weren’t able to borrow too much as an owner-builder. What we had or what funds we had from sales of properties and so forth, and savings, was – in Craig’s words – enough for us to, to build what we wanted, but he needed, he was going to source a loan from someone. I asked him who. He said it didn’t, it didn’t – what was his words? It didn’t, it, it wasn’t something for me to be concerned about. He didn’t give me a figure because at the time nothing was, there was nothing borrowed, I suppose. And as time went on, he would just take care of certain things and he never really told me a tally, he never, he didn’t – oh, there was one time he did tally up a few things and said, “We need to pay this amount,” but I can’t recall any other time.

40

Just thinking about the way in which various aspects of the work and, indeed, the materials and the furniture relating to the renovation, the knockdown, rebuild and putting the pool, et cetera, who would typically organise for, let’s say, ordering of materials or furniture or - - -?---Craig.

And when it came to payment, you've indicated that you typically took care of finances, but who organised for the payment of the various parts that made up the works and the materials and the furniture?---He did for what he, what he organised, like as in, I don't know, concrete and that sort of stuff. He dealt with that. I dealt with things like taps and just the cosmetic stuff.

The finishes?---The finishes, yeah, and I did quote – I mean, I, I sourced quotes for the decorative stuff, let's put it that way.

10

THE COMMISSIONER: Did you and your husband operate a joint bank account?---Yes.

As in joint names, was it?---Yes, correct.

And were household expenses, family expenses usually paid out of that account?---Yes. Yes, or off the credit card, yes. The credit card. Yes.

20

You both operated a credit card on the same account.---He was the primary, yes.

Can I ask you whether your wages, did that go into the same, that account, or a separate account?---No, same account, the same income – well, I call it income and expenses.

Yes, income. Thank you.---Yep, yep. Everyday account.

30

MR DOWNING: But to the extent that anyone was checking bank statements and credit card statements each month, that normally was you? ---It should have been me, yes.

Now, it's the case, isn't it, that you did from time to time keep some records of works that were being done as part of the knockdown and rebuild of your house?---I, I did, only because I have a memory problem, and I used to take notes, scribble notes down with, with whatever kind of books I, I had. So you, you're finding bits and pieces of scribbles through books, yes.

40

Do you recall that one of the books that you kept was a red, metal-spined notebook?---Pink, I think it was, yes.

All right, it might be a copying issue, but if we could go, please, to volume 10.3, page 215.---Yep.

Do you recall that was a document that you had maintained while the works were being done to scribble notes and workings, et cetera in?---Yes, correct.

And if we go, for example, to page 218, is that your writing that we see? ---Yes, that is.

So that's some rough drawings it looks like of a vanity for the powder room.
---It's what I envisioned, and then I, I guess that's what I drew.

And if we go ahead, please, to page 219, similarly is this all your drawings and notes and calculations?---Yes, correct.

And if we go to 220, please. Again, is that your work?---Yes.

10 Now, if we could go ahead, please, to page 236, it's the case, isn't it, that during the course of the works, you made some fairly detailed notes in respect of what was going on? That is, works that were planned, works that were being undertaken, and things that were being purchased.---Oh, okay, that, that was me trying to break things - - -

236.---Are we talking about this screen?

No, ignore the screen for a moment, we'll come to the page.---Okay.

20 It's the case that you did try and keep fairly detailed notes as you went along?---I tried, I tried, because, because of my memory, and I needed to go back to and refer to sometimes I wrote notes that I didn't even understand what that meant, so, because I scribble, as it came to me, I'd scribble it down, whether in a vehicle or at work or – I just, I would have a notebook in my bag to scribble it down, yep.

So it was a reference in respect of who was doing bits of work?---Not all of it, but when I came to think of something, I would write it down, yes.

30 But, for instance, you'd record things like rough sketches of work that was to be done.---Yes.

Who was to be doing it.---Yes.

Sometimes prices in respect of it.---Yeah, oh, I think so, yep.

And amounts that had been paid in respect of some of them.---Yes.

40 Now, just looking at page 236, you'll see it's got a date, 23/9. I take it that's your note for 23 September?---Yeah, it could have been September '19, sorry, '16, or '17, because the book never really – I'd go back to the book throughout – that, that book may have been 2016 or '15, but I would continue to use it, yep.

Okay. First of all, you'll see there's a reference there to, just under 23/9, "Doorframes Dave."---Oh, yes, yes.

Do you know who Dave was?---Yep, I think he was the, yes, carpenter.

Carpenter. And was that someone that Craig had organised?---Yes.

And was doing the doorframes.---Yes.

Now, you'll see down below, "Steve to complete switches upstairs."---Oh, okay, yep, yep, yes.

10 Do you know, first of all, is that a reference to light switches of some sort?
---At that point in time, I don't think we had switches, and Craig mentioned to me that, well, when I was writing that list out, Craig said to me Steve may do the switches, but I don't think he ended up doing it. Craig ended up doing them.

Do you know who Steve was?---Yes.

Who was Steve?---Steve was an electrician.

20 Steve Masters, did you learn his name?---Yes.

And did you understand that he was someone that did contract work that Craig was associated with at the RMS?---I knew he worked for RMS as a contractor maybe. I didn't question, like, what he, what, yeah, what his role in RMS is or what work he did. I'm assuming it was electric, electrical work because he's an electrician, yes.

30 But did you understand that Craig's connection to him was through the work that Craig was managing at the RMS?---I think they became friends, so it was more – when I say friends, they became friendly. Craig would call him and ask him for advice on ways to pull cords or whatever you call them. But I don't, I'm not sure if, if it was like a friendship as such, yeah.

But Steve came and did some works, didn't he, in respect of the knockdown and rebuild of your house and the pool and pool building.---I can't recall exactly what, but yes.

Is it the case that Craig tried to do as much of the electrical stuff as he could himself?---Yes.

40 But do you recall at times that he got Steve in to either do trickier tasks or to check his work?---Yes. And I think, like I said, the switches were something that was on my list because that's what I thought an electrician needed to do, and then Craig, 'cause he, Craig does do points, and then I guess Craig ended up doing them, so - - -

Do you know whether Craig ever paid anything to Mr Masters in respect of the work?---I think he did it as a favour to him, or that's what Craig said

anyway. I, I don't recall him telling me how much I needed to pay Steve or whether he had paid Steve.

So is it the way it would work, where, with particular tradespeople doing work, where there was a payment to make, Craig would say to you, "Can you pay this much to this person?"---If, if he wanted me to pay someone, yes, absolutely.

10 And you would then, what, was it normally done by EFT?---Either EFT or I'd draw the money out, and if they wanted cash, that's what I paid.

And was it a combination of both? At times you'd pay cash.---Yes.

At times you'd pay via EFT?---Correct.

20 And is it the case that, in part, you were trying to keep a handle on what was being expended as part of the works?---I was trying to, but based on my personal issues, it was very hard to try to maintain this along with what I was going through at work, and it, yeah. It, it didn't, didn't work out well, so Craig managed a lot of it.

Are you saying that, in effect, the task got away from you a bit?---Yes.

And Craig took it over to some degree?---He took over to a point of dealing with the contractors themselves and, and I, I didn't actually do too much note recording and stuff like that, 'cause I left it up to Craig to complete. The house isn't complete still, but, yeah, Craig pretty much took over most of it.

30 And can you recall when it was that he took over?---2016/17 is when I was going through my issues, so I can't give you an exact – 2016.

So some time in that period?---Yep.

And, look, I don't mean to pry - - -?---Yep.

- - - but is it the case that you were having some mental health issues in that period?---Yes.

40 And were you seeking some treatment?---Yes.

And that started, what, in about 2016?---Yes.

And continued through until - - -?---No.

Okay. Did you start receiving some treatment at that time?---2016 and then 2017 again, and I think again in 2018, yes.

All right, thank you. And did you have any time off work in those periods?
---Yes.

If we could go, please, to page 237. Now, you'll see this indicates, doesn't it, that these are figures in respect of 2016, because the first entry is 7/9/16?
---Yep.

That's in relation to stairs.---Yes.

10 So you'll see that you've, on this page, under different headings, dealing with stairs, floors, timber floors, et cetera, you've recorded things like quoted prices, the amounts paid.---Yep.

Dates paid.---Yep.

And whether cash payments were made, or EFT.---Yes.

And is it the case that with EFT you would go to log into the - - -?
---Netbank?

20

Sorry, Netbank, using - - -?---Oh, Netbank, sorry.

No, that's all right. I was just pausing for a moment. So, to internet banking?---Yes.

And you would make the transaction?---Yes.

And that would be after either you had obtained perhaps invoices yourself in respect of finishes?---Yes.

30

Or Craig might have given them to you in respect of certain works?---He may have instructed me, "You need to do X, Y, and you need to make a payment to, or cash."

And when it came to cash, you would literally, what, go to an ATM or the branch and withdraw money?---When he, when he asked me to produce, to produce cash, and I couldn't tell you exactly when, I would make sure that I transferred money across for him to be able to withdraw the money – pardon me – withdraw the money.

40

But who would withdraw the cash?---Craig.

And at times it was quite large sums of cash, wasn't it?---There was one time that it was large because he was paying back a, a, an amount of money that he needed, whoever, wherever, wherever he got the services from, he had to pay them back.

But isn't it the case that there were quite a number of payments in the thousands of dollars that were made to different tradespeople?---To what, sorry?

Different tradespeople.---Yeah, yeah. Yes, yes. Like, bricklayers and, you know, concreters or whatever you want to call – I don't, I can't recall exactly.

10 So, you would be told by Craig how much was to be paid, you would transfer the money into the relevant account so that he could access it?
---That's correct, yes.

Is that a personal account for him?---Yes, that he used, utilised.

And then he would go and get the cash out?---Yes.

And would he tell you that he'd paid for things?---Correct.

20 So, where we see the references here to amounts that are paid, balances et cetera, does that reflect what you had either learnt yourself from dealing with contractors or what Craig had told you?---I think there were times that I needed, I sat down with Craig and said, "Okay. Where are we up to with this?" Or he would come to me, because most time I was in bed, and he would go, and then I would write down, "Okay, that's sorted," and EFT, I'm just trying to look at that. Because these would have been notes from quotes and then I've just added information to it, yes.

30 And so what you were, in effect, trying to do, is keep an overview of how much money has been spent all up on the project?---Or what was still owed to relevant, like, timber floor guy, or something like that.

And if we could go, please, to the next page, 237, you'll see – I'm sorry, 238. You'll see there's again references to, "Floors, stairs." Do you see that?---Floors, yep.

And then, "Tiles," on the right-hand side.---Yep.

40 And it seems to show, as far as tiles are concerned, different amounts but coming to a total of \$14,000.---So those would have been quotes, yeah.

And then down below, do you see, bottom of the page, it's got, "Cash payments of 14,000 paid in full, cash."---Yes.

So that's your writing?---Correct.

And it shows, doesn't it, payments in April or May ultimately coming to \$14,000 cash, paid in full?---Increments, yeah, yeah.

Well, with breakdown of the individual payments listed there?---Yes.

And do you recall who it was that organised for the payment of the tiles?---I think Craig did.

So is this one of the instances where he would tell you how much you needed in cash, you would transfer it over?---No. I actually think – I can't recall that one, sorry, whether it was him or, yeah, a transfer from a bank account. Yep. It could be that and then he drew the money out, yeah.

10

The way it typically worked though, wasn't it, was that he would tell you how much was required and you would transfer it from your joint account to an account for him?---Yes. Or he would pay cash from whatever loan he said he had and I would have to (not transcribable). He tallied it up at some point and then I had to withdraw a big lump sum and pay it back to him. So, which I did do.

If we could go – I'm sorry. Please continue.---I, which I did do, I paid him back what he asked me to pay back.

20

And if we could go, please, to the next page. You'll see there's on this page some details in respect of painting.---Yep.

And there are two people identified Amsit and Emad.---Yeah.

And it seems that with Amsit there was 10,500 quoted.---Yeah, but I don't think he did the job and that's why it went over to Emad.

30

And then what you record there with Emad is the cash payments that were made.---Yeah.

With some cash payments, was it, made to Amsit?---Amsit, yes.

So over time it's fair to say, isn't it, that you had a reasonable idea, at least for a period, of what was being spent on the different aspects of the work? ---I tried to get a hang of it, yes.

And do you recall that separate to this red or pink spiral notebook you had another one that had a black cover?---Yeah, could, yeah.

40

And if we could go ahead, please, the same volume to page 262. 10.3, page 262. Again do you recognise your writing?---Yes.

And if we go to the next page, please, you'll see part of the cover but also some of the pages.---Yep.

And there's, on the left-hand side here they are references to some of the properties, either the residential properties you lived in or investment properties, that you had at various times.---Correct.

And then to the next page, please. It seems you've recorded some details about your super fund and Flybuys cards, et cetera.---Yep.

Insurance policies.---Yes.

- 10 And again we go to the next page, please, to 265. You've recorded details about the different utilities, rates and credit cards, et cetera that Craig had. ---Okay. The reason for this is I was, my memory was really, really bad and I had to start putting things together for my own memory, memory benefit.

But do you recall that in part you used this book to record all of these details about things like properties, credit cards, bank accounts, super funds, et cetera as a record of details you needed?---I had put it together because I'd intended – it was just like quick scribbles and then I intended to put it elsewhere but I never went around, I never got around to doing it.

20

But this book in part looks like you've kept a record of these details to do with either bank accounts or super funds, insurance arrangements, things like that.---Yes.

But do you recall that you also recorded into this some of the details as regards the works being done with the house?---I, I would say that it was just a book that was available to me to scribble in and I scribbled other stuff as well, yeah. Not specifically for bills or anything in specific.

- 30 If we could go ahead, please, to page 290. Now, again this is your writing. Correct?---Yes. Yes, it is.

And on this page it seems you're logging a cash transfer, was it, that you needed to make?---I think the initial discussion Craig was to transfer the funds to him but we, he ended up asking me to withdraw these funds.

To actually take the money out in cash?---Yes.

- 40 So is it a case that here that you all up had to withdraw something over \$50,000?---I think it was actually more than that because there were other, there were other payments that he made. It may be in this book, I'm not sure, but there were other payments that he made that I needed to repay back.

But looking at what you've recorded here, the various items, starting with "kitchen 33,300", are these amounts that you understood were to be paid for different aspects of the work on the house?---Yes, that he had, or that he taken care of, and it wasn't our – like, it wasn't done through our bank

account, so he wanted, he needed to repay it back to whatever loan it is that he had. And that's his explanation to me.

10 So is this the background to you recording this, that Craig said to you, "I've paid all of these items myself"?---He asked me to list, first of all, the items that he had – I think he may have actually written out a list, or we sat together and – that, those were the things that were outstanding, and he said he would take care of them. I don't know at which point this was written, and this is where my memory probably is failing me. But ultimately, in the end, he did pay for this, or some of these, or most of, all of these items. And
- - -

So – sorry.---And, plus more.

Just pause for me. Is it the point at which you sit with him and you write this out he tells you he has paid for them, or he is going to pay for them?
---Paid for them. Or maybe – yeah, paid for them.

20 And does he say he had paid for them from some particular source?---He, yes, and he, he refused to tell me where that was from, and I had to pay it back, so, and that's what I had to do, so over a couple of months, so I organised for it to be sorted.

Well, how much did you ultimately withdraw and give to him?---I think it was 80,000.

In cash?---Yes.

30 So you went to the branch and withdrew \$80,000 in cash.---Correct. Yes.

On the basis that he told you that he had paid for these things?---Yes, correct.

Did you not wonder why, if he paid for them, you wouldn't just transfer the money into his account?---The intention was for me to do that, but he had to pay whoever it is that he had loaned the money from, so - - -

So did Craig tell you that he'd borrowed that money from someone?---Yes.

40 So you understood, separate to whatever borrowings there were from the bank, someone had in effect advanced him over \$50,000?---Yes. I did, I, I mentioned that before. Separate to what we had, he said when services came, that were needed, he would take, he would loan from a source - - -

So he would borrow from a source?---Yes, because our bank wouldn't loan us any more than what we could, we could get, which was the 150,000.

Well, surely you must have been curious about who the mysterious source of funds was.---I was, I was.

And did you ask him?---I did.

And what did he say?---Again, it ended up in an argument, so it was just – there were many, many arguments over, I guess, things like that, and it got to the point that I just, I would, I would just put my hands up, and - - -

10 These were not insignificant sums of money, that is, in the tens of thousands of dollars of costs relating to the work on your house, correct?---Yep. Well, it does add up, as you can see, and I would, I had the funds to pay for this. But he chose to use his personal loan funds or personal way of paying for them. I'm, I'm going to call it a, whatever he called it, which is what, a loan. And he paid for it through whatever service, and I had to repay it back, out of our funds.

Did you wonder though, for instance - - -?---Why?

20 - - - what sort of interest he was paying on these funds, how he'd managed to secure the funds?---To be honest, I didn't ask. I didn't – because of the, the reception that I would get every time I did speak about what type of loan is this, are you, is it, you know - - -

Did you wonder whether the funds might be coming from the Alexanders? ---I did not. That was the, I wouldn't, I would, wouldn't have had a reason to believe that it was coming from the Alexanders, at all.

30 So nothing to suggest that they might be picking up other expenses, or - - -? ---No. I'll tell you who I did think it was. I, I thought it was, what's his name? Alex.

Dubois?---I suspected, and I think I may even, even had brought that up with, with, with Craig. Alex as in Dubois, yep.

And what did he say when you proposed that it might be money coming from Alex Dubois?---I don't think he answered me. He just, he did say that Alex had a lot of contacts, as in, not – people that knew building and knew services that, that could assist us.

40 Well, contacts might be one thing in terms of finding people that could do the job at a good price or at a good standard, but you understood someone was actually footing the bill?---And that's what I'm saying. I suspected, just from when he would say Alex would help him out with people that he knew and, and, and he would not worry about it, "Not to worry about it, we'll sort it out later," and that was the conversation that Craig would – that was the extent that Craig would have with me and, and I kind of felt a little bit uncomfortable about it because I kind of thought, well, obviously

someone is going to have to pay this money back, which is why I had money set aside for it. And when the time came, Craig told me it was, I think, at the time he gave me that and then there was additional amounts, so - - -

So you withdraw the 80,000-or-so dollars.---Yep.

And he told you he was going to repay someone with that?---Yes.

10 But he wouldn't tell you who he was repaying?---No, well, whoever his person that he, he was dealing with. He didn't mention names and he wouldn't mention any names.

Did you inquire, for instance, as to whether there was an interest rate that was attached to this loan?---I did, and he said that's not how it, that's not, that's not what they're expecting out of it, so - - -

20 Did that concern you as to the nature of the arrangement?---I kind of thought, I kind of thought maybe he's gone to a loan shark. I did. And, and I think I had even made that joke with him, and he, and he said, "You watch too many movies," so - - -

Well, you knew, for instance, that his income was around the hundred thousand dollar mark at that time.---Yep, yep.

And, in effect, as you understood it, he had borrowed something close to approaching a year's income.---Yep.

30 All right.---But - - -

But you got nothing from him in terms of who it was coming from?---No.

All right. Now, looking, if we could go back, please, to page 290. You'll see items there, first of all Amuheat, \$2,412.95. Tanks, \$2,850.---Yes.

And then the items going down the page to Fantastic Design, 6,319.---Yes.

40 Does it surprise you to learn that in fact the Alexanders met the cost of each of those?---Yes, it did, when I saw the notes, yes.

That is the spreadsheet?---The spreadsheet, yes.

And just in that regard, again bearing in mind that Amuheat 2,412.95. Pausing there, do you understand that Amuheat put in some – was it underfloor heating for the property?---Yes. I think I paid some of that. I can't be a hundred per cent. When I say "I", it came out of, like, I had to pay one of those bills.

And tanks, did you understand there were water tanks that you were getting as part of the works?---Yes.

And can I ask who organised Amuheat and tanks?---Craig.

And then plumbing.---Sorry, say that again.

Plumbing.---Plumbing. I think that was a big, that was like an ongoing, not an ongoing payment, a progress payment.

10

But who organised it?---So, Craig did.

And what about Fantastic Design? Was that a company that was doing your kitchen?---Yes.

And who organised that?---The design of it, me. Who has organised payment, Craig. Or partial, partial.

20 Just bearing in mind those names and those figures for a moment, can we go back, please, to volume 11.2, page 51. Now, this is the page, one of the pages that follows the spreadsheet that I took you to earlier.---Yep.

Sent by Sandy to your husband on 18 December, 2018.---Yep.

But do you see there's, about three-quarters of the way down the page, perhaps two-thirds, "Less 17 August, 2016, 2,850, Sydney Tanks."---Yes.

And then do you see the Amuheat expense for \$2,412.95?---Yes.

30 Then Fantastic Design, \$13,134.---Ah hmm, yes.

Art Deco Plumbing, 5,500.---Yes.

Fantastic Design, \$6,000.---Yes.

Fantastic Design, \$14,646.---Yes.

40 And you recognise, I take it, both some of the sums and the names from the entries I just took you to in your spiral book?---Yep, yes.

But you say, what, until hearing the evidence about that spreadsheet, you had no idea that those sums had been paid by the Alexanders?---I don't recall ever them saying anything about paying it or bringing me, bringing it my attention that they paid it, no.

In respect of the loan that you understood your husband had taken out before and whether there was interest due on it, you said that Craig had told you interest was not what they were expecting.---Yes.

Did you enquire of him as to what those who had advanced the funds were expecting?---I did, I probably questioned. I can't, I don't recall questioning it but I, knowing me I probably did question it.

And any recollection as to what he said?---No.

10 Now, just thinking about when you were in the planning phase for the works at your house, it was a fairly big project that you were planning to embark on?---Yes.

So, first of all, putting in the pool – this was the way it worked in timeline, wasn't it? So while the existing house was still standing, to put in a pool and a pool building?---Yes.

Then for you to move into the pool building, that is all for of you for a period?---Look, I don't know if that was the intention.

20 But that's what happened?---But that's what happened, yes.

And then knocked down, that is demolish the existing building?---Yes. Yes, correct.

And then to build the new house?---Yep.

To fit it out and to furnish it?---As an owner-builder, to cut costs, yes.

And to then move back in at the end of all of that?---Yes.

30 And do you recall discussing budgets with Craig, about how much that was likely to cost all up?---Yes.

And what was your recollection as to what figures he came up with?---I think he came up – because we were thinking along the lines of the project build of a similar house that we were looking at, and it was 500,000 maybe.

All up for the house or the house and pool?---The house and pool, I – can I say I can't, I don't recall, like, exactly if that included the, the, the back.

40 But you remember a figure of about 500,000?---About 500, yes.

And you've indicated that one of the things Craig wanted to do was to do it as an owner-builder to try and bring the costs down?---Yes.

And I take it he did as much of the work as he could himself? Again, with a view to bringing costs down.---Yes.

Now, as far as borrowings are concerned, you had an existing mortgage on the house?---Yes.

Or, sorry, set-off against the house and secured, I mean?---Yes. Oh, yes.

And do you recall how much you had borrowed at the time?---Not off the top of my head. Oh, you mean loan-wise to - - -

10 That is how much was borrowed and secured against the house prior to getting any extra moneys for the build?---One, I think it was 150.

Well, can we go, please, to Exhibit 108? Now, I take it, given that you were the one that normally did the banking, that when correspondence would come in from the bank, that that would be something you would typically open?---Yes.

20 And you'll see here that this is – whilst the letter itself isn't dated, it indicates that on 5 March, Commonwealth Bank on a particular application number, was offering an additional \$150,000 in credit.---Correct.

Secured against property.---Yep.

And showing a new total amount, that is after the 150 was added, of about 546.---Yes.

30 So, do you recall that roughly, before seeking additional funds for the works, that you had around the \$400,000 mark?---In the bank. Because of sales of property, we would have had about, a significant amount of money sitting - - -

Well, sorry, I'm not asking about what you had in the bank. I'm asking about what you had as credit that – sorry – that is moneys borrowed? ---Yeah. I guess, if you want to – like, because that, that adds up, yes.

So, this indicates, doesn't it, that what you were seeking to do was to borrow an additional 150?---Yes.

40 And is that your recollection that that, through discussion with Craig, was how much was being sought from the bank?---Only, yeah, to top up what we were, we already had but - - -

And how much did you have?---Three, maybe 350/400.

In cleared funds?---I, I'm, I'm going to be guessing here, but it was around that amount. Without me seeing the records, yes.

So is your evidence that the way in which you came up with 150 was looking at what you had in cleared funds available?---Yes.

And was that cleared funds after, what, selling earlier investment properties or - - -?---Yes. And then also using our boys' savings as well, because we needed it. Rather than it sitting in a savings account and, and earning no interest. And also Craig, I think there was – I'm trying to think of – the sales of two properties, yes, that's been, that was sitting in the account just up against the mortgage.

10 Could it be that you in fact didn't have 350 in cleared funds available at the time? Do you think that might be the case?---I didn't have it?

That between you and Craig you actually didn't have \$350,000 in cleared funds.---Oh, okay, I - - -

Do you think that - - -?---I thought we would. In order, like, when you - - -

Well, is your evidence that the way in which 150 was arrived at was by saying, well, we're doing work all up that's going to cost about 500.---Yes.

20 And between what we've got in existing cleared funds and what we now seek to borrow, we will have enough to cover the works?---Well, whatever was in our bank account, and I'm not going to give you a figure because I'm going to be making one up, I thought that plus the 150 created whatever it is that we needed, that Craig told me we needed to build the house.

And your recollection is that it was about - - -?---The project home, yes.

- - - \$500,000 mark?---Yeah.

30 Did you understand that also, in the first half of 2015, Craig for a period sacrificed some of his salary?---Yes, that was because we sold a property and it was the advice to set off and use money that was in our bank account to live off so that – it was a tax, tax break I think, what do you call it, a tax - - -

40 Some advice from an accountant, was it?---Yes, yes. And I think it was, it was what he told us to do and we, if, I think his advice was if we could manage to live off – and it was I think a matter of a month or two months – off our savings, which is what we earned from profit, if that's what you want to call it, off the sale of the property, live off that - - -

So just pausing. Which investment property are you referring to?
---[REDACTED]. Or, or maybe [REDACTED]. We had money in there from [REDACTED] but we also had money in there from [REDACTED], so it made sense - - -

Sorry, just pausing and breaking that down. Is [REDACTED] where you had lived before - - -?---Yes, but - - -

- - - [REDACTED]?---Yes.

And [REDACTED] was a separate investment property.---That was an investment property. So I made, we made money off [REDACTED]. After paying out whatever the loan was, we had money sitting from that. I can't tell you off the top of my head how much that was. [REDACTED], there was a capital gains, and in order for us not to pay a capital gains or higher capital gains tax, the advice was to if we could maybe live off the, the profit that we had for a couple of months or sacrifice it in that way, it would offset a tax. I think that's how he suggested it and that's what we did. And I think it would have been maybe a month, two months. But you would know more than I.

Perhaps if we could bring up, and you can see, please, volume 10.1A, page 16. You'll see this is the election from Craig, dated 20 March, 2015, to sacrifice 3,500 before (not transcribable).---Okay, yeah, um - - -

Is your recollection that that was, what, to - - -?---Well, that - - -

- - - persist through until the end of financial year?---Yes, it was a couple, oh, well, three months in that case.

And that was to substantially reduce his income for a period, to sacrifice it into super.---So that, yes, so that tax, the tax break was a little bit lower, I think. Not the tax break but, yeah.

All right. All right, so your evidence is that the way in which you understood that you were going to meet the costs associated with the works was that in part from cleared funds sitting in your account.---Yep.

And in part from the extra 150 that you were borrowing.---Yes, correct

And so you say that it's – you don't have any, you don't recall any discussions with Craig of him, upfront, going to borrow money from people to meet the costs?---Sorry, just repeat that again, sorry.

In the phase of you planning what you were going to do, the discussions between you and Craig were to the effect that, through money you had in cleared funds - - -?---Yes.

- - - you think around the \$350,000 mark?---Yep.

And the extra 150 that you were going to borrow - - -?---Yes.

- - - you would have sufficient to meet all of the costs associated with the works you wanted to do?---Yes, for the front house. What he did for the

back house is what I think he ultimately then took onto for the front house as well.

When you say the back house, you mean the building associated with the pool?---The building of the, the, the, yeah. So it, that loan started there, but in effect it kind of carried on to the front house as well.

10 But when does Craig first raise with you the idea that he's going to borrow funds from some source in order to do some of the costs?---When he decided to build the back, the, the pool area. Because that wasn't our initial intention.

20 So does he raise with you that at that point he's going to find \$80,000 elsewhere? Or does he nominate a sum?---No, he doesn't give an amount. He doesn't – oh – no, I can't remember. He, we may have had discussions about an amount, and it seemed reasonable enough to me, that when I did go for a loan, that he could then repay it back, but there was no really discussions about when he had to pay it back. Whether it'd be when we sold up, or were in a position to pay it back when we, once we've done the full build, or redraw once we've had enough equity to redraw, and then repay it back.

But at the point that's referred to in that page I took you to in the notebook, Craig tells you that in effect he now has to repay it.---Sorry, say that again?

I took you to the page in the notebook tallying up various items.---Yes.

30 And you said that you withdrew \$80,000 in cash.---Based on what he told me that I needed to withdraw, yes.

So he told you at that point that the loan had come due?---No, part of it. How much else, I don't know, he didn't disclose that information to me.

So you maintain that you had no knowledge of the Alexanders or any other contractors meeting any of the costs associated with the house?---I had no idea.

40 Now, can we come back to your father Peter for a moment, and you've confirmed in your – actually, just before I do that, I'm sorry, I don't mean to chop and change, but can we go back, please, to volume 10.3, and to page 102? Now, first of all, were you aware that there were demolition costs associated with knocking down your existing house?---Yes.

You'll see this is an advanced extraction and demolition quote directed to your husband. Did he organise the demolition?---Yes.

Do you recognise whose writing that is on it? That is, completed work paid. ---That was mine.

And so I take it this is one of those invoices that he provided to you?---Yes. And told me he had paid it.

So he told you he'd paid it?---Yes, he'd sorted it out.

So you'll see this is a quote dated – I'm sorry, there is a signature at the bottom, and there is a date 2015, but nothing more specific than – oh, I'm sorry, there is. 15/02/15, the top.

10

THE COMMISSIONER: Sorry, what's the date?

MR DOWNING: 15 February. It's in small writing, Commissioner, but right towards the top, 15 February, 2015.---Yep, yes.

THE COMMISSIONER: And you'll see some handwritten words, are they your words?---Yes. Yes, yes, Commissioner.

MR DOWNING: So do you recall – presumably you received the quote, and then at some later point you were told that it'd been paid.---Yes.

20

Can we go, please, then to page 103, do you recall receiving a tax invoice? ---No. And that's not my handwriting either. Oh, that's in AA Steel. No, I don't ever remember seeing that.

You don't recall ever actually getting the invoice?---No.

But as far as you knew from Craig, there'd been a quote for 13,200, and he told you that he'd paid for it?---Correct.

30

Did you have any understanding of how he paid for it?---The same way as he did anything else.

Which was what?---Which is that he had it through a loan, and he didn't disclose who the person was, or who the people were.

So separate to the moneys that you understood he was loaning for the purposes of the back house and the pool, did you understand that he was also borrowing some funds in respect of the main house?---Like I said, it, it kind of flowed from that, from the back house into, into the front house, yes. And I, I did ask, and I would constantly get the same answer, which is, "I told you, I've got this sorted. We'll work it out when the time comes."

40

And did he ever tell you that he'd repaid this money?---Well, partially, which is the 80,00 that I know of. Whether he paid it back, now that I know more information, I don't know. He's never told me, no.

Did you ever ask him, “What was the total of funds that had been advanced from these other sources?”---He, he never gave me – I did ask and he, he said, “Oh, I’ve got, I’ve, I’ve got it all worked out, nothing for you to be concerned about at this point in time. When we sell up, we’ll have a full amount, or when we’re able to provide withdrawal and finish the house, then we can review it then.” So, no. He’s never given me a figure.

10 Just dealing with that. I mean, when you were building this house, the plan was that it was to be a house to live in for a period, wasn’t it?---The, you mean the, the pool house?

Well, no. When you were knocking down the existing building that existed on your property at [REDACTED] and putting in the pool and the pool house and the house, it was at a stage when your children were still at school?
---Yes.

Indeed your youngest child was still relatively young?---Yes.

20 And you were intending to live in the house for a while?---The house that, the old house that we were living in, yes.

No, the finished product. Once you had built the new house, with the pool, the pool house and the new two-storey house - - -?---He knew eventually we would sell because, in time, like, in years to come, we would sell but like I said, there was the option of selling, there was the option of redrawing once we had more equity in the home and, and those were the, those were the choices that he said, or the, maybe in the delivery of how he put it forward to me, if we sold it, if we were able to redraw, we had enough money, you know, in order to redraw and then repay back whatever needed to be repaid.
30 I didn’t question, like, time frame or whether we were going to sell in the next year or so, because I, I didn’t see that that was my foreseeable or near future (not transcribable)

But do you say that he, at some point, made some mention of the fact that there might be repayment at the point the house was sold? That is of these separate funds that he had secured.---He did actually – he did, he did mention that and I can’t remember what my response was, and maybe that’s when he suggested it could be through a redraw facility or we could borrow more funds.

40 Can I move on then from the works on the house to your father. Now, you’ve confirmed that your father lived with you at [REDACTED] for a period from early 2018 through until early 2019 and then moved to your rental property, correct?---Yes, he moved into the rental property, yes.

And it’s the case that he arrived in Australia at that time with a view to an extended stay here?---Correct.

Now, prior to his arrival in Australia, had you spoken to your father about what he was going to do while he was in Australia?---I did because my, I did, I was concerned for his age and so forth and he did say he was happy to do, mow lawns if he needed to - - -

Just pausing there, roughly how old was he when he came out?---68/69.

And had he retired from his pipefitting or steel – sorry – boilermaking work?---No.

10

So he had been doing that right up to his time coming to Australia in 2018? ---Yes, yes. He was very fit and he was very smart in what he did with his hands.

So, you had some discussion with him before he arrives about his plans and he says he might mow lawns?---He said he doesn't care what he does, if he had to mow lawns or pick up bins or whatever, he, he mentioned and he would do what it takes, it took.

20

But was your understanding that he wasn't in a financial position where he could, for an extended period, meet living expenses without doing something?---Yes. But keep in mind when he was in the last, he came down in 2010, I think it was, he found work with, within no time, and, and that was through sources that Craig – not sources that Craig, because I don't want that to come across the wrong way. He knew people that were in the fabrication business or people knew people that were in the fabrication business, South African community, and he was able to source work that way.

30

And can you recall who he did the work through or for back in 2010, when he was out here on that occasion?---I can't remember his name, but he was a South – oh, ah - - -

Do you recall what sort of work it was?---Yes, it was fabrication. Steel fabrication. I think he was a boilermaker or a welder or something like that.

But someone he met through the South Africa community?---Yes, yes, yes. He was actually the father-in-law of the, of the company my father ended up working for before he left.

40

Is that Martin Duchesne?---No, no. Durban Steel.

All right, okay.---So he worked for Durban Steel and, back in 2010 this is where he met the owner of Durban Steel.

Then bringing it forward to 2018, before he arrives, he talks to you about plans for doing something while he's out here. Says he'll mow lawns if he has to.---Yep.

Did you understand that his plan was to go out and try and find - - -?
---Whatever he could, yep.

At that point was he still keen to look for steelwork or - - -?---Yeah, yes, absolutely. Well, I think that was his way of saying it didn't, it didn't matter what I did, I just need to get out of South Africa. And obviously he would have gone for his type of work, and he did eventually. But I think he was open to the fact that he was able to do whatever, whatever he could to
10 earn a living, to get himself and his family on, on their feet.

Now, your dad knew Martin Duchesne from his earlier trip, didn't he?---I don't know how he acquired or – likely, because Mr Duchesne was a family friend, so I would say yes. Maybe even at my wedding. I can't, I can't tell you when he met Uncle Marty. Mr Duchesne, I'm sorry. I'm trying to - - -

That's all right. Uncle Marty's his nickname.---I call him Uncle Marty, and that's who I think I'll just keep addressing him as. It doesn't seem right not saying Uncle Marty.
20

That's all right. Now, Mr Duchesne is a family friend and you've known him for some years.---Ah hmm.

Did you understand that he's also someone that formerly worked in steelworking or boilermaking?---Same way as AA Steel, I, I learnt through conversations and I just thought that was a normal thing because if - - -

Sorry, what was a normal thing?---That family, not family, that Craig wasn't involved with them as such in order for them to be working for
30 RMS.

I haven't yet asked you about whether they were working for RMS. I'm just asking whether - - -?---Oh, sorry, yep. Well, I, I guess you, you're going to get there.

He was a family friend.---Yes.

And he was someone your husband had known for some years.---Yes.

40 Were you introduced to Mr Duchesne through your husband?---Yes.

And he was somewhat older, correct?---Yes.

In fact, you and your husband were more the age of Mr Duchesne's children?---Yes.

But did you understand that his background was in steelworks of some sort?---I don't know what his background was or what I understood it to be. I never really questioned it, to be honest.

But did you understand that he had a business that he operated in Sydney?
---Inspections, yes.

And did you understand that was called M&M Inspections?---Yes.

10 And did you know what it did?---No. Quality work, sorry. Quality works, yes.

So quality checks or assurance work.---But quality of what, maybe boilermaking or welding or something, yes.

Did you learn that, at some point, that Mr Duchesne's company was doing RMS work?---At some point, yes.

20 Now, did you ask Craig in a similar way that you had with - - -?---No.

- - - the Alexanders about whether that might have had something to do with him?---No, because I think he had already answered about AA. I didn't, I just thought, okay, well, that's obviously how things are run there if, you know, how was, how was Martin – actually, no, I may have. I may have asked him and he said M&M was working for Alex, I think it was.

Did you ask your husband whether M&M was working on projects for him?---No, I didn't.

30 Were you not curious about that?---I don't, I don't recall. Only because I trusted that my husband wasn't doing, well, when he corrected me, not corrected me but advised me that AA had nothing to do with him, he, I just thought he wouldn't be stupid to then have M&M working for him.

Because that would put him in a position of conflict?---Well, correct, the way I saw it, very – that's right.

40 Now, do you recall any discussions with your father before he arrived in Australia in 2018, about any plans he had of going into some form of business with Mr Duchesne?---No.

He never said that to you?---Never did. Never.

Now, in 2018 when he arrives, or at or around the time of his arrival, it's the case he set up two companies, correct?---Yes, yes. Sorry. Yeah.

And can you recall when it was that he arrived in Australia, what month?
---April.

Do you recall learning from him that he had the intention to set up a couple of companies?---Yes.

And what did he tell you about that?---Okay. So there were two, there was PMD, which is, I think him and Uncle Marty set up together, and they were, were going to do quality assurance, it was quality inspections of some sort, and based on his experience, he, he could do the work and would learn from Uncle Marty as he went along.

10

So he told you this?---Yes. That was in conversation about, okay, you know, what's the business going to be and then the PMS one - - -

Just before we move on from PMD, I'll have the search for PMD brought up. If you just excuse me for one moment. If we could go, please, to volume 10.5, page 36. Now, you'll see this is the PMD Consulting Services Australia Pty Ltd search.---Oh, yes.

20

And I'm just going to refer to it, just for ease, as PMD if that's all right. ---Yes.

And you'll see that it's registered 21 March, 2018.---Yes.

30

And if we go over the – unfortunately I think this is not the copy I was hoping for. If we go to the next page. This isn't the one I was after. I'll have a different version brought up – I'm sorry – that does show directors and shareholders. Just while we're waiting for that to come up, is your recollection that it was your father who raised with you the idea of setting up this company or that Craig spoke to you about it?---Oh, I, I think, I'll be, I'll be guessing here because I've got a feeling that before my dad came, Craig had mentioned that he, Dad would be, he had organised something for Dad and Uncle Marty to, to venture into business together. But he didn't elaborate, just to get him started.

THE COMMISSIONER: Just tell me this. Your father came to Australia on that occasion in when?---2010.

Hmm?---2010.

40

2010.---Oh, sorry, you mean this, this last - - -

Yes, what month did he come out? Early in the year, mid-year, late-year? --- (No Audible Reply)

Don't know. And what was the plan, how long was he going to come here for?---He was meant to come here permanently.

Permanently?---Back in 2010, yes.

So what, in other words - - -?---What happened?

Break connections with South Africa, sell the house – well, did he have a house in South Africa?---Yes, correct.

And then come and live in Australia.---Yes.

10 Did he in fact have a house in South Africa that he sold?---He did – I can't, I don't – yeah, maybe he did sell it. No, he didn't sell it.

He didn't sell it.---But he – sorry.

And just before your father came to Australia that year, was he working in South Africa?---Yes.

As what, in relation to what?---A pipefitter, or - - -

20 I'm sorry?---A pipefitter, or what, pipe, pipefitter, did fabrication, pipe fabrication.

Was it his business or was he working for a company?---I think he was working for a company at the time.

And do you know whether he had finished his employment with that company by the time he decided to leave South Africa and come to Australia that year, 2010?---Yes.

30 And how long before he left South Africa had he terminated his employment in South Africa?---I couldn't tell you that. And, and to be - - -

I'm not asking for precise answers. Would it have been a year, two years, six months, what?---Oh, it would have been in that year that he, that he told, he, he'd - - -

40 Had he in fact in effect retired?---No. No. Definitely not. He was, I think maybe, what would he have been, maybe 58? Definitely not retiring, and he didn't have retiring – he wasn't in a, in a capacity to retire at that point in time.

Had he made enquiries about employment in Australia before he came? ---He did, and then obviously when he visited in the previous, he obviously made connections from, with people then, and - - -

So had he secured employment with any Australian company, of 2010? ---Not that I can recall, no. Oh no, sorry, yes, he did, in 2010 he did.

With what company?---It was a fabrication company, and I can't tell you the name. It, like I said, it was - - -

Where was the company?---Wetherill, Wetherill Park?

Pardon?---Maybe Wetherill Park. You're asking me to go back to 2010, and I can't remember what I had for breakfast.

Okay.

10

MR DOWNING: Just moving back to 2018, your evidence just before was you believe he arrived in Australia in April 2018.---I think so, yeah.

And I asked you about whether you'd had discussions with him about plans, and you indicated initially that you believed he'd said something to you about the fact that he and Martin Duchesne were planning to do some form of quality works together.---I'm pretty sure that was the discussion, yes.

20

Was that to be done, as you understood it, but through a company?---I don't know the ins and outs of how it was set up, but yes, because there was a company set up called PMD, I assume that that's what they were going to use, because that's what he told me they had done.

I also asked you whether it may have been that Craig had told you that that was something that was on the cards to happen, and you said that you, I think, had some recollection of perhaps a discussion with Craig about it?---I may have prior in the sense, I think Craig was just giving me a heads-up that there was something in the pipeline between Uncle Marty and, and my dad.

30

Now, you knew by this time, didn't you, that Uncle Marty's business, M&M Inspections, was doing RMS work?---Yes, yes.

And did you understand from what Craig was telling you that, in terms of what was in the pipeline, that it was somehow work that Uncle Marty and your father would do through PMD that related to the RMS?---No, he didn't mention anything about it being related to RMS at that point. He just said work between Uncle Marty and him. So whether it was outside or wherever, I, I didn't question it. It was just a very basic conversation, and with everything else that I was going on with, it was just whatever, that satisfied my curiosity, I suppose.

40

As far as doing some quality-type works as Mr Duchesne was concerned, your dad had no background in quality assurance.---No, but he had, like, 40 years' worth of experience in fabricating, so I don't know if that makes any difference, and I don't understand the quality work and whether – it was something that he was interested in, I know that. Whether Marty maybe explained to him that it's, you know, it's something that, that he enjoyed, I, I can't, I'll be speculating as to why he went down that.

But he had many years of experience in fabricating?---Absolutely, yes.

If we could go, please, to Exhibit 109. And that is the ASIC search for PMD. And you'll see, consistent with the page I took you to before, it shows a registration of 21 March, 2018.---Yes.

Now, that appears to be before the date upon which your father arrives in Australia.---Yep.

10

Can you recall how the company came to be registered?---I, I, I had no dealings with the registration or even didn't know about this until probably soon before my dad's arrived or – to be honest, I didn't even know that it was registered before my dad arrived.

Did you have any role in having the company registered?---No. It was all a big, it was a surprise to me about the actual companies.

So he didn't speak to you about taking steps to have it set up?---No.

20

All right. If we could go ahead, please, to the next page. You'll see that as director it shows your dad.---Yes.

Secretary, your dad.---Yes.

And in terms of share structure, 100 shares at a total value of \$100.---Yep.

And do you see at the bottom of the page it shows the shareholding lists 100 shares owned by your dad.---Yes.

30

If we go over the page, do you see that it also shows that there was a former shareholder of Courtney Anne Duchesne?---Yep.

Now, Courtney Duchesne is – I take it you know who she is?---Yes.

She's Martin Duchesne's granddaughter.---Yes.

And do you recall the [REDACTED] address?---Yes, yes.

40

What's that address?---It's my previous address.

That is before you moved to [REDACTED]?---Yes, yes

Now, you'll see, acknowledging that this indicates that she was the former shareholder and then that your father was the shareholder at the point of the search, if you look down the page, you'll see – sorry, if we go over the page, please. No, I'm sorry, back to the page before, to page 39. No, I'm sorry, the document doesn't contain what I was thinking. I apologise for that. Did

you learn at any point that Courtney Duchesne owned the shares in the company?---No, I don't recall Courtney being on the - - -

Do you recall - - -?---Oh, actually, I think from, from the prelim you may have mentioned Courtney.

But I'm really referring just to - - -?---But before that, no.

- - - discussions with your dad.---Oh, no, no, no.

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Commissioner, is that a convenient time?

THE COMMISSIONER: Yes.

MR DOWNING: I can indicate I might be another 45 minutes, no more than an hour. I'm willing to give an undertaking that that will be the outer limits of it.

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THE COMMISSIONER: Yes, very well.

MR DOWNING: But we won't be able to finish today, unfortunately.

THE COMMISSIONER: Thank you, Mr Downing. Ms Steyn, you'll be required to return tomorrow if you would, please.

MR DOWNING: And is it correct, Commissioner, we're starting at 9.30 tomorrow?

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THE COMMISSIONER: 9.30. So 9.30 start tomorrow.---Sure, Commissioner.

Thank you. I'll adjourn.

THE WITNESS STOOD DOWN

[4.02pm]

AT 4.02PM THE MATTER WAS ADJOURNED ACCORDINGLY

[4.02pm]

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