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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION PARAGON

Reference: Operation E18/0736

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 22 MARCH, 2022

AT 2.00PM

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

THE COMMISSIONER: Yes.

MR DOWNING: Thank you, Commissioner. Mr Alameddine, just before the break I was taking you to documents in respect of some works at Nyngan done in 2018. Do you recall that?---Yes.

10 I was taking you to both the quotes that your company submitted and also
- - -?---Yes.

- - - a page of notes that you'd identified as your handwriting from a green notebook. Do you recall that?---Yes. Yes.

And can I go back, please. So if we can bring up volume 4.12, page 46, which is the page from your green notebook, and as far as Seina is concerned you've confirmed for me in your earlier evidence that the parts of the work that Seina did were the bottom two. Correct? So the Nyngan
20 install which was invoiced according to this at 75,700 and the Nyngan fabrication - - -?---Yes.

- - - invoiced at \$247,000.---Yes.

If I go back to the quotes, please, volume 2.6, page 262. 262. You'll see that this is the 12 October, 2018 Seina quote and it's for the structure installation and decommissioning of existing gantry.---Yes.

30 Go ahead to the next page, please. You'll see that there's a more detailed description of the works and then - - -?---Yes.

Go ahead to the next page. There's further detail. So this part deals with the installation of the two cantilever structures and then to page 265, please, and it confirms that the price is 75,700 plus GST.---Yes.

Which if we go back, please, to volume 4.12, page 46, your notes and the second from the bottom item under Nyngan install is exactly that amount 75,700.---Yes.

40 So that's the Seina quote for that job that we see reflected both in the quote itself and in your notes.---Yes.

Then again just pausing there on that document you'll see for the fabrication part it's \$247,000. Just keep that figure in your mind.---Yes. Yes.

Go back, please, to volume 2.6, page 269. 2.6, 269. And do you see that this is the 12 October, 2018, Seina quote for the Nyngan fabrication of structures?---Yes.

10 You can go ahead to the next page. You'll see that the figure is 247,000 plus GST, so precisely the figure recorded at the bottom of your page of notes?---Yes.

So again what it demonstrates is that your notes are accurate in terms of what was actually invoiced – I withdraw that – quoted in this case and then, ultimately, done and paid?---Yes.

20 So if we could go back, please, to volume 4.12, page 46. With the jobs that are recorded there and the cost, the invoice and then the profit that's the right-hand margin highlighted in yellow, do you think that that looks to be indicative of the way in which the margins were typically calculated in the jobs that you did with Mr Dubois?---Yes, but, like, for example, you got wire rope here. I've never done wire rope or underbore. Most of the jobs I did were fabrication and signage, but, yes.

But just in terms, you recall that I took you to the first two - - -?---In terms of structure, yes. Yes. Yes.

30 Well, structure but also the relative size of margin. Would you regard this page, given that it's jobs Port Macquarie, Albury and Nyngan - - -?---No, this is, this is relatively, this is relatively large, the structure, yes, but this is relatively large.

And is that because that with the other parts, that is the wire rope and the underbore and trenching, that (a) that's stuff that you normally didn't do, correct?---Yes.

40 And (b) that meant that, in effect, you were wholly subcontracting and just supervising work that you didn't really have any familiarity with, so it was possible to build a bigger margin on top of whatever your subcontractors' fees were?---Okay.

Well, do you agree with that?---I'm, I'm sorry. You lost me.

Well, I think you're indicating that you think these are larger margins that might normally have been the case. That's what you've suggested, isn't it?
---Yes.

And you've told me that two aspects of the work, the underbore and trenching and the wire rope, were things that you didn't - - -?---Yes.

10 - - - normally do, they were outside of your normal area of work for Mr Dubois?---Yes.

And I'm just asking whether you think it might be the reason that the margins are bigger there for those aspects of the work because you wholly subcontracted them, so that you could build a bigger margin, just on top of the cost of whatever the subbie was charging you?---Yes.

20 All right. And, for instance, the Albury job that we see above, you'll see that that involved a cost of 82,000, invoiced at - - -?---No, that - - -

- - - 247 and a profit of 165 - - -?---That looks like an error. That should have been multiplied by two.

You think that's an error for two structures?---Yeah, yeah.

All right. You sure about that?---Yeah. Because it's 80, if you look at it and you compare it to the Nyngan fabrication, 82 multiplied by two, there's only one here.

30 Right. You don't think it was a job where there was just more profit - - -?
---So that - no.

- - - loaded up onto it?---No. No. That was two structures.

Okay.---Yeah.

40 All right. Just before we go off this page, you'll see there's also in a circle in the middle, there's some writing. Is that your writing, as well?---I'm not sure.

Well, it notes, "30K owing, 20/12". You see that?---Yeah.

Now, this is your notebook. I take it it's normally - - -?---Yeah.

- - - you who's writing in it?---Yeah.

Do you think that is an indication that you had a certain amount of money that was still owing to Mr Dubois as at 20 December, 2018?---Yes. Yes. Yes.

10 So that you would have made various payments of these sums of money?
---Yes.

And there was still an amount that you needed to pay?---Yes.

A note to yourself that whatever you've already delivered - - -?---Yes.

- - - to him in cash, there's still 30,000 to go?---Yes.

20 Just looking at the figures that you see on that page, if we can just expand it out again? It does indicate, doesn't it, that in a period it would seem in around 2018, it's quite a lot of money that's being paid, even when you halve the right-hand column figure, to Mr Dubois?---Yes.

So I can take you back to the schedule of Seina works if it would assist? If we could go there perhaps at volume 4.10, page 1? Now, this is the first page of that Seina schedule I took you to before, and this starts in 2013. But can we go to the third page, please, because I'm interested in 2018. Do you see, for instance, there are references there to number 84, is an Albury structural fabrication work?---Yes.

30

And it's showing an invoice there of \$271,700?---Yes.

And unless I'm mistaken, that's 247,000 plus GST?---Yes.

And if we go back, please, to volume 4.12, page 46, and I apologise, Mr Browning, for jumping between documents but it helps to cross-reference these. You'll see that that Albury fabrication that's on there, that seems to be referring to that job, that's the one that you just told me before, you believe there was an error and it should be two structures?---Yeah.

40

So that, in fact, the profit wasn't 165, it would be - - -?---No.

- - - 165 minus 82?---That's correct.

Okay. But that's a job in mid to late 2018, correct?---Yes.

So if we go back, please - - -?---But, but - - -

10 - - - to volume 4.10, page 3, where we just were, the schedule. You'll see that the dates for that Albury fabrication job, so it's showing a posting date of 24 September, 2018.---Okay.

And do you see just above that, there's a Port Macquarie installation of structures job?---Yes.

And you'll see that that's showing a cost of \$68,750?---Yes.

And a posting date of 30 August, 2018?---Yes.

20 So it's a Port Macquarie ASC installation?---Yes.

And if we go back, please, to volume 4.12, page 46, and do you see the first item on that page are Port Macquarie installation jobs?---Yes.

So it's showing that there's a cost of 40,000 invoiced of, well, there's two elements of the install, one, Port Macquarie Freeway, one Port Macquarie Telegraph Road.---Yes.

But when you add them together, you're looking at \$115,000-odd?---Yes.

30 Just on 116,020 I think, if my maths is right?---Yes.

With a profit of 76,020?---Yes.

So given that all of this work seems to be by reference to the schedule of Seina work I've shown you from the second half of 2018 - - -?---Yes.

- - - it does indicate, doesn't it, that you're paying quite a large amount of cash to Mr Dubois in that period?---Yes.

40 So adding up the figures in the right-hand column, I haven't done a precise calculation but you're looking at somewhere in the region I would suggest

of about \$475,000 to be split between you.---Yeah, once you fix the error up then whatever you're going to add is correct.

Well, it's actually going to be more than that when you add that figure at the bottom. It's going to be over \$500,000. Whatever that figure that's crossed out. It was crossed out but it's supposed to be \$63,000 but whether it's 63 or 83 depending on whether you add the 20 in I'm going to suggest that all up - - -?---Yep.

10 - - - that the profits between you and Mr Dubois for that second half of 2018 were over \$500,000.---Once you fix the Albury error, then you have to add it then whatever it is, yeah, that's correct.

And what we get from that note you've got in blue in the middle is that it would seem that of the half of that sum in the profit column that you had to pay to Mr Dubois you'd paid to him by 20 December all of it bar \$30,000. Do we infer that?---Yes.

20 So it means you would have been busy in the second half of 2018 delivering cash to him.---Yes.

Well, even excluding that crossed out figure at the bottom in fact it's \$531,020 so if you add that figure in it'd be 63,000 it takes it almost up to 600,000. But anyway whatever the maths is you paid half to him of that less the \$30,000 as at 20 December, 2018.---Yes.

30 And it's correct, isn't it, that 2018 was a period when the volume of work increased compared to earlier years. Would you agree with that proposition?---Yes. Yes.

And indeed it had started to increase from late 2017, hadn't it?---I'm not sure.

Well, do you recall something happening in 2017 that led to more work coming your way?---I don't recall what happened.

40 Do you recall that during that year Mr Dubois contacted you about your companies being on what was known as the Heavy Vehicle Maintenance Panel?---I recall, yes.

And do you recall that he asked you to do something about it?---No, but I know that we prepared documentation and that documentation was submitted for both Seina and EPMD.

And did Mr Dubois assist you with preparing that documentation?---Yes.

And do you recall him contacting you and encouraging you to apply to have your companies put on the Heavy Vehicle Maintenance Panel?---Yes.

10 And both companies were successful.---Yes.

Did Mr Dubois say anything to you about whether the outcome might be a foregone conclusion, that is, your companies getting onto the panel?---I'm not sure. I don't recall.

But it is the case, isn't it, that – I want you to accept from me that it was in the last couple of months of 2017 when the Heavy Vehicle Maintenance Panel announcement was made, that is, that you became aware that your companies had been successful. Accept that as an assumption from me.

20 ---Yep.

From the end of 2017 through until June 2019 when the search warrant was executed on you the volume of work increased, didn't it?---Yes.

All right. I want to take you to a different topic. You've told us in your evidence today about the meat business, the Halal Meats Australia that you and Mr Rifai ran together.---Yes.

30 I mean Raha. I should refer to him as Simon Raha. I apologise. And that was the local company that did the meat export. There was also the Australian butcher in Lebanon.---Yes.

Now, did you ever speak to Mr Dubois about investing in your meat business?---No.

Either of those ones, either the export business or the sales business in Lebanon?---No.

40 So never had any discussion where you invited him to invest in the business.---No.

Right. Now, I asked you some questions earlier about a Acate Pty Ltd and -
- -?---Yes.

- - - its use as a dummy bidding company.---Yes.

Can I take you, please, to volume 4.8, page 1 and you'll see this is an email from Mr Dubois, perhaps if we just enlarge it a little bit, Mr Dubois to allen@acate.com.au for stage 2 installation quotation.---Yes.

10 First of all, the Acate email allen@acate.com.au was that an email address that you had set up?---Yes.

Who operated it?---Me.

Okay. And you'll see it attached PDF documents in respect of a number of sites around Sydney.---Yes.

Or not just Sydney actually. So some of them Jamisontown, but mainly Sydney. So there's Jamisontown and Wentworth Falls but the rest seem to
20 be suburbs around Sydney.---Yes.

And you recall that this was a job that in the middle of 2017 Mr Dubois was seeking quotes for in respect of installing new over-height signage on approaches to bridges at various locations.---Yes.

And you know, don't you, that ultimately that was a job that Seina did?
---Yes.

And it was the type of signage work that Seina did quite a bit of.---Yes.
30

In this instance it was, this was a request to Acate seeking a dummy quote. Correct?---Correct.

And do you remember those locations now as places that you did install signs, that is, looking at the list of attachments there you'll see the different locations are described?---Yes.

So for instance the Pacific Highway at Roseville, Pitt Street, Parramatta, Silverwater Road, Rydalmere, do they all ring a bell for you?---Yes. Yes.
40

Okay. And if we could go ahead the same volume 4.8 to page 202 and I want you to just bear in mind for me that that was a request for quote of 24 May, 2017.---Okay.

Do you see that this is actually a quote from you on behalf of Seina on 24 May, 2017 at 3.35 with the stage 2 over-height install quote.---Yep.

And I take it you sent that.---Yes.

10 If we go ahead to the next page, please, you'll see the quote is actually dated 23 May, 2017 which is actually the date before the request for quote was sent. Do you recall that there were times when Mr Dubois would be telling you before you actually received an email with a request for quote that something was coming?---I'm not sure but sometimes I lack concentration and make like an error on the document but - - -

So this could be an error?---It could be an error.

20 Or could it be that you'd already started work because you knew it was coming before the 24th?---No, but I'm, I do make errors - - -

But there were times - - -?--- - - - because of sometimes - - -

But there were times, weren't there, putting aside errors, when Mr Dubois gave you a bit of head start or a heads-up to say that a request for quote was on its way and it would be for this work?---I'm sorry, I, I, can you repeat your question.

30 Sure. There were times, weren't there, when Mr Dubois would contact you and give you a heads up that a request for quote for particular work was coming?---Yes.

So that you could get working on it before the actual email turned up.---Yes.

All right. Can we go ahead to the next page, please, and you'll see that this is the first location and it's a price of 19,850 and then there's a breakdown there of what's involved in putting the signage in.---Yeah.

40 And if we keep going through to the next page you'll see that for each location the price is exactly the same, 19,850 irrespective of where it was. So we've gone now North Street, Penrith – sorry, if we go back. So North

Street, Penrith, Old Princes Highway, Sutherland. Then keep going. Pitt Street, Parramatta, Silverwater Road, Rydalmere, Sunnyholt Road, Blacktown all 19,850 plus GST. Coulson Road, Erskineville, Cumberland Highway, Cabramatta, Great Western Highway, Werrington, Great Western Highway, Wentworth Falls and, last of all, Boundary Street, Roseville. See that?---Yes.

So that for all 11, the same price, 19,850 plus GST, so that the total you get to is 218,350 plus GST, so 240,185 inclusive, all-up?---Yes.

10

So I think you agreed with me before, you know that it was Seina that actually got the contract and did this work?---I'm not sure if it was, I got this work regardless of which company. I'm not sure if it was Seina, yeah.

Bear in mind for me that the price here with GST is 240,185.---Yeah.

20 Just looking at the price there, it's the case, isn't it, that what we see in this quote would reflect you going to Mr Dubois with what the real bare bones figures were and him then telling you "no, I want you to increase it to" well, whether the total figure, which is 218,350 plus GST or 19,850 for each site plus GST?---Yes.

All right. Can I get you then to go, please, to volume 4.8, page 223. And you'll see that this is a quote sent also on 24 May, 2017, slightly later in the day, allegedly from simon@epmd to Mr Dubois for the over-height stage 2 install job?---Yes.

But you sent this, didn't you, not Mr Raha?---Yes.

30 All right. And if we go to the next page, please, you'll see that there's a description there of the scope of works for over-height signage?---Yes.

And then we go over the page, you'll see in this instance, it's a less detailed quote, it's just the two pages, so it's a generic description of work and then a list of the 11 sites?---Yes.

And the total figure is 254,650 inclusive of GST, which is a higher figure than the figure that was included in the Seina quote?---Yes.

40 So you'd know looking at that straightaway that this was the dummy quote?---Yes.

And was it sometimes the case that you didn't put quite as much effort into the wording and the detail of the dummy quote because you knew it was never going to be genuinely considered?---I'm not sure.

In any event, I take it you submitted this at Mr Dubois' request?---Yes.

And if we go ahead, please, to same volume, page 259, and you'll see it's an email from Mr Dubois to you at Seina on 26 May, 2017, with the PO?

10 ---Yes.

That is the purchase order. And if you go to the next page - - -?---Yes.

- - - you'll see it's a purchase order for Seina dated 26 May, 2017 - - -?
---Yes.

- - - for the over-height signage stage 2 work and it's - - -?---Yes.

- - - in the amount of Seina's quote, the 240,185 inclusive of GST?---Yes.
20 Yes.

So what would have happened is after this work was done and the invoice was paid, I take it there would have been a division of whatever profit there was on a 50/50 basis?---Yes. Yes.

And if we go, please, to page 263, same volume, you'll see that this is invoice number 175 dated 24 June, 2017, and it's for the over-height signage installation stage 2?---Yes.

30 And you see it cites a purchase order number in respect of this work?---Yes.

And you would have prepared this?---Yes.

And if we then go ahead, please, to the next page, you'll see that there it reflects exactly the sum that was quoted. So first location is Mulgoa Road, Jamisontown. It's 19,850 plus GST. See that?---Yes.

And if we go through the pages that follow, please, item by item, you'll see it's the same amount for each of the various locations. If we keep going
40 through, please, to page 265, 266, 267, 268, 269, 270 and 271, so there's all

11 sites, all at 19,850 plus GST, and so that the total that you invoiced was the 240,185.---Yes.

Just pausing there. Each site was slightly different in terms of the location and what was involved in the work. Would you agree with that?---They're all in the same, they're all in Sydney - - -

Well - - ?---And they were very similar.

10 A couple of them weren't, were they? I thought two were in Jamisontown and, one was in Jamisontown and one was in Wentworth Falls.---Sydney, yeah, well, within the surrounding districts of Sydney. I think there was only a couple that were outside.

But didn't the work involve slightly different tasks in each location depending on where the bridge was, what the lead-up was, how high it was or was it all the same?---No, it was, no, it was all the same.

20 All right. Can I take you back, please, to the same volume. It's 4.8 but page 230 and 231. And do you see that here we have, on 24 May, so the same day that you submitted the quotes on behalf of Seina and EPMD, you've also – well, I withdraw that. There's also an email sent from allen@acate to Mr Dubois, submitting a quote for the stage 2 over-height installation work.---Yes.

It's written Allen Hawat.---Yeah.

Just pausing there, is Hawat, is it your mother's maiden name?---Yep.

30 So you came up with that name?---Yep.

Trying to disguise the fact that it was really from you.---Yes.

And if we go to the pages that follow, please. So the pages 231, next page, please. So you'll see the Acate quote, so dated 24 May, 2017. It lists the 10 sites. It's for over-height signage installation or site installation.---Yes.

40 If we go to the next page, you'll see that there's a description of scope but the total price is 262,163.---Yes.

And that's a higher price than the Seina quote and a higher price than the EPMD quote.---Yes.

So that was the dummy quote that you submitted.---Yes.

And would the price have reflected just you coming up with a higher figure that you've calculated or a figure that Mr Dubois told you to quote at?---I'm not sure. I don't recall.

- 10 But whatever it was, you knew it had to be higher than the actual quote that Seina was going to put in and win the job with?---Yes.

So that from beginning to end, this whole process of quoting was a rigged process in respect of this job?---Yes.

As it was many, many other times where Mr Dubois got you and your companies and Mr Hadid and Mr Chahine and their companies to put in quotes?---Yes.

- 20 All right. Now, I wanted to ask you a question on a different topic. I asked you some questions before about the order of your companies being set up, and you told me in your evidence that Mr Dubois had spoken to you about, after you're working purely through Areva, to set up another company and then another company in order to do the work, you recall that?---Yeah. Yes.

Did Mr Dubois ever communicate with you that Mr Steyn wanted you to set up more than one company?---No.

- 30 You were never told anything by Mr Dubois about Mr Steyn having an interest in that?---No. My dealings with Mr Steyn was very minimal.

Well, what do you mean by that?---I wasn't permitted to communicate with him.

Okay. But putting aside communications between you and him, do you remember Mr Dubois ever saying to you, "One of the reasons I want you to set up these other companies is Craig wants one, so that it can do other work"?---I don't recall that.

- 40 Okay. Now, when you say that you weren't permitted to speak with Craig, are you saying that that was something that Mr Dubois told you?---Yes.

All right. Did he ever explain why?---Just to maintain control, I think.

Well, is that your conclusion or what he told you?---No, that's what he told me. I just followed what he said.

Sorry? You say that he told you, "I need to maintain control of you. You can't talk to him"?---No. He just said I'm not permitted to speak to him.

10 All right. Now, you gave some evidence earlier today about Mr Goldberg or Humphrey investing in your boat business and you ultimately paying him the money back.---Mmm.

Can I show you some documents, please. So, first of all, if we could go to volume 4.11, page 1. Now, you'll see that this is another schedule and this is a schedule now for Areva Corp, so the first of your companies that did work for Mr Dubois.---Yes.

20 See that? And you'll see that there's columns headed Credits and Debits over in the right-hand side of the page. Do you see that?---Yes.

And you'll see that under Credits, there's a list of various payments that were made to you by the RMS and dates there.---Yes.

And do you see under Debits, there's then a series of names, so Abraham, Goldberg, Sun standing for Suncorp, Dubois and then ANZ and Dubois ANZ with different numbers?---Yes.

30 And I'm going to take you to some records in respect of payments made but you'll see that this covers the period, so the first relevant payment by the RTA to you is on 10 October, 2011. Do you see that?---Yes.

And if we go over the page, the last of the payments is on 30 May, 2013. ---Yes.

And you'll see that that involved a cheque which is said to be deposited to Ibrahim Transport Pty Ltd. Do you see that?---Yes.

40 Now, do you know what Ibrahim Transport is?---No, I, at the moment, no. It could have been a company that was linked to Humphrey but I'm not sure at the moment. You're talking, what year is this? Two thousand and - - -

I'm talking 2011 through to 2013.---Okay. So, yeah.

Well, let's go if we could, please, to page 3 of this volume, 4.11. And you'll see that we are back in the bank statements for the Areva CBA account ending 0-0-4-4.---Yeah.

And you'll see that this is a statement that starts 1 September, 2011?
---Yeah.

10

And I asked you to assume from the earlier that the first work that Areva was paid for was in November 2011. Do you remember that?---Yes.

Can I ask you to go, please, same volume now, but to page 29. Do you see on that page, so we're still if you look at the account number, the same bank account, 0-0-4-4?---Yes.

I'm going to suggest to you that this is January, 2013.---Yes.

20 See the two highlighted yellow entries?---Yes.

Of 14 January, cheques 53 and 54 presented Centro Bankstown in the amounts of \$30,000 and \$22,800?---Yes.

So they're debits against your account, so the Areva account then is debited by those two amounts so together on that day the two amounts add up to \$52,800?---Yes.

30 If we could go please to page 30. Do you see that there's a cheque there written by Areva for \$30,000 - - -?---Yes.

- - - back in 8 January, 2013?---Yes.

And that's your signature?---Yes.

And if we could go please to page 31. You'll see this is a cheque written on 3 December, 2012 but also for Ibrahim Transport - - -?---Yes.

- - - for \$22,800?---Yes.

40

And you signed that cheque?---Yes.

What's your explanation for why Areva in December 2012-January 2013 was paying these amounts of money to Ibrahim Transport?---It's too far back, I couldn't tell you at the moment.

Well, let's break it down. First of all, Areva was a company that you've told us in terms of the business it transacted did two things. One of them was, it did your energy rectification work, correct?---Yes.

10 The second thing was, that we know, it did work for the RMS through Mr Dubois?---Ah hmm.

So, it's getting payments, I suggest to you from the schedule I took you to before, payments starting in November 2011.---Yes.

So what we have now is cheques being written within a month of that, so in November – I'll withdraw that, I'm sorry. This is in December 2012 and January 2013, so just over a year later but paying over \$50,000 to Ibrahim Transport Pty Limited?---Yes, I think Ibrahim Transport, was that, I don't
20 know was that under the control of Hussein? I'm not sure, I think it may have been, and that could have been part of me returning his funds, his investment.

So are you telling us that you remember that or is that your best guess?
---No, that's my best, my best guess. You're talking to me about something that happened in 2012. We're in 2022.

Sure, you've told me many times that it many years ago, but isn't it the case that you would not have been paying money out of Areva to Mr Hussein
30 Taha or some company he directed you to if you were paying money from your boat business, because Areva had nothing to do with your boat business?---But it was under my control.

Isn't it the case that what you were doing, at Mr Dubois and Mr Hussein Taha's request, paying money in the form of kickbacks to another third-party company – in this case, Ibrahim Transport – that you understood that Mr Hussein Taha effectively controlled?---I'm not sure that I did that. I've been completely honest with you, I said to you from the get-go I paid Alex Dubois kickbacks - - -
40

THE COMMISSIONER: You may not be sure about it, but is it possible that the position was as Counsel just put to you?---I don't recall paying Hussein Taha for him to pay Alex Dubois.

You may not specifically recall but is it possible it was all part of an arrangement whereby money is received from RMS to be channelled to a third party? Is that a possible construction?---I don't recall, I, I don't recall I owed - - -

10 I'm not asking you if you recall because you've already said you don't recall, but knowing what you do know about how the contracting system with RMS and Dubois' role in it, does it make sense to you, and is it consistent, that this was, these two payments were just another part of implementing the scheme for defrauding the RMS?---I don't recall paying Ibrahim Transport on behalf of Mr Dubois.

20 You've said that three times now, I'm not putting it to you – I appreciate what you've said that you don't have any specific recall, but knowing the facts which Counsel has taken you through, is that consistent with the way in which Areva worked in conjunction with Dubois' control? That is to say to receive inflated amounts by way of kickback, which would then be funnelled through other corporations, third parties.---It's plausible.

Mmm, well, plausible or consistent, whichever word you wish, but it's consistent, is it not?---It's, it's, it's very plausible but I'm not sure if that was the case.

No, I understand. All right.

30 MR DOWNING: Just going back a step, did you know a Mark Abraham?
---No, I don't recall meeting a Mark Abraham.

Did you know of someone called Maison Ibrahim?---No. I don't ever recall meeting a Maison Ibrahim. Maison Ibrahim.

Do you recall - - -?---Doesn't, doesn't ring a bell.

40 Do you recall Maison Ibrahim being a person that was at school at Malek Fahd and was a friend of Hussein Taha's?---No, I don't know Hussein Taha's friends.

Well, you don't recall any friends?---No, I, I don't, Hussein, there's a couple of years' difference and there's a lot of people in every class, so - - -

All right, sure. Do you recall there being a friend of Hussein Taha's who had a business driving a subcontract delivery truck for Coca-Cola?---No.

All right. I'm going to suggest some things to you, Mr Alameddine, and you can tell me if you agree or disagree. You say it's plausible that this was a form of money being funnelled in the form of kickbacks to Mr Dubois but
10 you don't have any recollection of that being what occurred, correct?---I paid kickbacks to Mr Dubois through various means, and I've been very transparent with you, Mr Downing.

Thank you. But that's not an answer to my question.

THE COMMISSIONER: Just listen to Counsel's question, if you would. Just put it again.

MR DOWNING: You've told us that you believe it's plausible that this was
20 a form of or a mechanism for paying kickbacks to Mr Dubois, but you don't now recall it, correct?---I'm sorry, you lost me.

Sure.---Just if you can ask me a shorter question.

Well, I've asked you whether you can recall being told by Mr Dubois and Hussein Taha to pay money to Ibrahim Transport, and you've told me first of all you don't recall that. Correct?---No, I don't recall.

And you've just answered some questions from the Commissioner, and I
30 understood the effect of what you indicated was while you don't recall this -- that is, payments from Areva into Ibrahim Transport being a mechanism for paying kickbacks to Mr Dubois -- it was plausible that that's what was occurring.---Let me clarify something for you, Mr Downing.

THE COMMISSIONER: No, please, just -- no, wait a minute. Counsel has put a question to you. Would you please answer it.

THE WITNESS: Okay. Sorry, the question again, Mr Downing.

40 MR DOWNING: All right. The Commissioner just asked you a question and it was to this effect, that even though you can't now remember being

asked to make payments from Areva into Ibrahim Transport as a means of disguising kickbacks to Mr Dubois, it was plausible, given what else you were being asked to do with him, that that's what occurred?---Yes, it was plausible, as I told the Commissioner. Yeah.

Now, you've also told us in your evidence earlier that there was a period of you, through Areva, making payments into MWK. Remember that?---Yes, I paid MWK, yes.

10 And I've shown you the cheques signed by you for Areva to MWK.---Yes.

And if you remember correctly that that was in the middle of 2012.---I don't remember, but yes, I did make payments to MWK.

Right. And you've also told us, while you haven't agreed with everything I've asked you about it in terms of who told you to stop making payments to MWK, you say you recall Mr Dubois saying that there's to be no further payments into MWK, and you had to then start using Seina.---Yes.

20 And you recall that I suggested to you that it was in late 2012 that there was a meeting involving Hussein Taha, Barrak Hadid and Chahid Chahine, where he said, "You're going to stop using MWK, it's my brother's company. No more payments to it. And for a certain amount of money, I will take over the companies and get rid of all the traces of the payments." You recall I put that to you?---You put that to me.

And you disagreed that that occurred.---I don't recall that meeting taking place.

30 Sure. What I'm suggesting to you is that you do recall that after being told by whoever to stop using MWK for making payments, that Mr Hussein Taha spoke to you and said, "From now on, it's a different arrangement. Instead of the payments being under my brother's company, from now on the kickbacks from Areva are to go into Ibrahim Transport, which is a company I'm controlling. It's been set up by a mate of mine." That's what happened, isn't it?---Well, if that's the case, then more contractors would have paid Ibrahim. How many, is there anyone else that paid Ibrahim?

Please don't ask, please don't speculate about what others might have done.
40 I'm asking you about what you were told by Hussein Taha. You know that's what occurred, don't you?---No, that's not the case.

Isn't it the case that in coming to this Commission and giving evidence, while you're being frank about the payments or at least many of the payments that you made to Mr Dubois in the form of kickbacks that when it comes to the involvement of Hussein Taha or Towfik Taha, you are not giving truthful evidence because you're seeking to protect them?

---That's not the case. I'm telling you the truth.

10 Right. So your explanation here is despite the fact that this boat business had nothing to do with Areva, that you were paying money from Areva into an account controlled by, you understood it, Mr Hussein Taha but under the name Ibrahim Transport?---Can you, sorry? You lost my, I lost my concentration. Can you repeat your question?

Sure. Your account for why these cheques that I've taken you to, the two so far in December 2012 and January 2013, why they were being paid to Ibrahim Transport, your account for this is that you believe that they were you repaying Mr Hussein Taha's investment in your boat business?---Yes.

20 Despite the fact that Areva had nothing to do with your boat business? ---Areva was under my control. Mr Downing, I've, we've sat down and spoken about 10 years of me making payments in the form of kickbacks. There is a period of time in which Hussein was, he was gambling, he was on substances and he had cash. That cash was invested with me and I refunded that cash after the investments.

Okay. Well, Areva was a company that was actually trading. Correct?---It was trading, yes.

30 It was doing work for RMS and earlier on, it had done your energy rectification work?---Yes.

I take it that it was submitting annual reports and you were putting in tax returns on its behalf?---Yes.

So how did it account for the payments that were being made from Areva to Ibrahim Transport?---I don't recall that. That's 12 years ago.

40 Right. You're not telling us the truth about this, are you?---Mr Downing, I don't recall. I've done my taxes. And, at the end of the day, Areva was taken over by Mr Taha, Mr Hussein Taha, because he thought it was worth

money and he could sell it because it's got trading history. Mr Downing, I've been, I've sat here for the last two days and I've detailed everything that went on for the last 10 years to the best of my recollection. You're taking me back to one set of payments to Ibrahim Transport and you're telling me this was also to Mr Dubois. If I've, if I've paid Mr Dubois a whole lot of money, okay, why would I say that 20,000 here and, and 20,000 there is not his? It doesn't make sense because I'm telling you the truth.

- 10 All right. So you maintain that those cheques were the form of the repayment by Areva of the investment Mr Hussein Taha had made in your boat business earlier?---Correct.

THE COMMISSIONER: Do you give that answer based on your recollection or are you making an assumption that that's what it related to?
---Commissioner - - -

- It's important that I know the basis upon which you are giving sworn evidence.---Commissioner, to the best of my recollection, I had to pay the
20 investment back and I recall giving Mr Taha, Mr Hussein Taha, some cash and I think the rest of the money was transferred in this manner.

MR DOWNING: All right. Can I go back then to the documents. Can we go back, please, to the same volume, 4.11, but this time at page 33. And you'll see that now later in January 2013, and you'll see it's again the same account, 0-0-4-4, so Areva's CBA account. There are three cheques presented, all on 21 January, number 56, 57 and 58. Do you see that?---Yes.

- So that 56 is 22,400, 57 is 52,000 and 58 is \$53,000?---Yes.
30

So all-up, we're looking at \$127,400 all with cheques presented on the one day?

THE COMMISSIONER: Sorry? How much?

MR DOWNING: \$127,400.

THE COMMISSIONER: In total?

- 40 MR DOWNING: In total.

THE COMMISSIONER: The three amounts there?

MR DOWNING: Yes, so, 53 and 52 - - -

THE COMMISSIONER: Three, four, five, it approaches 500,000, doesn't it? I'm sorry, I'm sorry, I was looking at the wrong column. Yes (not transcribable) thank you. Proceed.

MR DOWNING: And if we could, I mean, looking just at those debits on
10 Areva's account, you already know who they were to, don't you?---No, who were they for?

All right, let's go, please, to page 35. So you'll see 18 January, 2013.
\$52,000 cheque for Ibrahim Transport, drawn on Areva.---Yep.

Signed by you.---Yep.

Go, please, to page 36. 18 January, 2013, cheque for 53,000, drawn on
20 Areva, signed by you.---Yep.

And if you go back, please, then to 33. Oh, I'm sorry, there was the 22,400.
Can we go there? Sorry, you'll also see. So this time it's paid to John
Goldberg. So not Ibrahim Transport but signed by you, 22,400. See that?
---Yep, yep.

So if we go back, please, to the page before the bank statement. So what
that indicates is that you're given, it would seem, three cheques, all about
the same time, around the 18th of, well, 18 to 20 January, two drawn in
favour of Ibrahim Transport and one drawn in favour of Mr Goldberg.
30 ---Yes.

So you did obviously know his name was John Goldberg, or that was the
name that Mr Hussein Taha was going by.---I didn't really know his name.
I just call him Humphrey.

Well, you wrote a cheque out and gave it to him, didn't you? And
presumably, at his direction, put it in the name John Goldberg.---Yeah,
that's right, but - - -

40 So you did know. Whatever you're telling us now about Humphrey, you
did know that John Goldberg was the name he went by.---You know, Mr

Downing, if that cheque was made out to John Goldberg, maybe he would have said it to me. But all I refer to him is Humphrey.

THE COMMISSIONER: No, but Mr Alameddine, it's been put on this case in your own hand you have written - - -?---It's a cheque - - -

- - - the cheque out to John Goldberg. That's correct, isn't it?---Ah hmm.

You don't dispute that?---No.

10

And it may be inferred that you knew what you were doing, and that is to say directing a fairly large sum of money to a person by the name, who went by the name John Goldberg. It's obvious that you knew who John Goldberg was, otherwise you wouldn't have written out a cheque for such a large amount, correct?---That, that cheque was made under the instruction of Humphrey.

20

Do you remember that now?---I don't, like, if I'm going to write out cheques, it's going to be in the presence of whoever they're going to so I can give them the cheque on the spot.

Are you saying that you wrote this cheque in favour of John Goldberg under direction?---Yeah, because I owed Humphrey his investment.

And that direction came from Hussein Taha?---Yes, that would have come from – and the cheques were always written - - -

30

So why did – so you're saying this cheque for 22,400 in your hand was written out to the benefit of John Goldberg because Taha Hussein directed you to insert that name? Is that what you're saying?---Yes, yes.

You are?---And also Ibrahim Transport. If he would have told me to write a cheque out into his mother's name, I would have done it. See, the thing is, Commissioner (not transcribable) - - -

Did he explain to you why he wanted the name John Goldberg on the cheque?---I don't recall. I just refer to him either Hussein or Humphrey.

40

Yes, Mr Downing.

THE WITNESS: Commissioner - - -

THE COMMISSIONER: Just hold it there. Just hold it there. Yes, Mr Downing.

MR DOWNING: You knew at the time of writing that cheque that John Goldberg was the name that Humphrey was going by at that point, correct? ---I was instructed to write the cheque into the name John Goldberg.

Please answer my question.

10

THE COMMISSIONER: That's not the question. Would you please just answer directly the question.---I don't recall. It was 10, 12 years ago. See, Mr Downing, if I can just say one statement and then – I've always said to you, okay, yep, I paid here, I paid here, I paid there. If I would have just said to you, I paid the investment for Humphrey, if I would have just said to you I gave that to Alex, then, you know, we wouldn't be having this conversation. But I actually clarified a truth, you know, in a part of, in, in a part of time that was part of my history. I said to you Humphrey was, had some cash and he was on, you know, he was on some substances and he was gambling, okay, he invested that cash with me. And I would say that he invested it because he found me responsible and he trusted me and he thought to himself that it's better that I get this money out of my hands. By the time that, that money he wanted it back, he instructed me to write out cheques in whatever the cheques that you told me. So I'm not sitting here making up lies and telling – I've got nothing to gain from this, I've already told you I've paid kickbacks on various occasions.

20

Mr Alameddine, I've given you a fair amount of leeway to make statements just like the one you have. Now would you listen to the next question.

30

---Yes sir.

MR DOWNING: When you wrote out the cheque in the name of John Goldberg, (a) it was at the direction of Humphrey?---It would have been because when I write out a cheque I would usually write out the cheque in the presence of whoever it was going to.

And you knew that he was going by the name John Goldberg at the time?

---I did not know that he was going by the name John Goldberg at the time, I was instructed to write out, if he would have said put it my mum's name or put it in a name - - -

40

THE COMMISSIONER: Yes, you've already made that, you've already made that statement. When did you come to know that he was using the name John Goldberg? Was it before or after this cheque?---I don't recall because I never referred to him as John Goldberg.

I don't care whether you referred to him, my question was directed and I'll put it once more.---Okay.

When - - -?---I don't recall.

10

When did you first learn that he was using the name John Goldberg? Was it before or was it after the cheque that you made out in his favour in the sum of \$22,400?---Mr Commissioner, I'd be giving you a guess.

What's your guess, your best guess?---I would say after but I never referred to him as John Goldberg.

20 Well, you accept, at some stage, whether it was before or after, that you came understand that he had decided to use that name, John Goldberg, is that right?---It may have been even, like, as recent as - - -

No, no, no. Just stick with my question. Even though you can't remember whether it was before or after, at some point in time he'd made it known to you that he was using the name John Goldberg, is that right?---I don't recall that, Commissioner. Commissioner, in my mind - - -

No, no, no. Don't, no, no, no.--- - - - Hussein Taha and - - -

30 Mr Alameddine, I've got to control these proceedings or we'll be here to a very late hour tonight. I've given you licence to make statements, I'm not going to allow you to keep making statements. Now, listen to Counsel Assisting, please.---Yes, sir.

MR DOWNING: So your account to this Commission is that at the time Mr Humphrey, who you knew as Humphrey or Hussein Taha, told you to write a cheque out for John Goldberg in the sum of \$22,800, you had no knowledge as to who that person was?---I don't recall ever having knowledge of who that person was.

40 THE COMMISSIONER: But you don't dispute that you did have knowledge or may have had knowledge?---No, no, no, because I refer to

him as Humphrey. If he would have said to me write the cheque in anyone's name I would have written and given it to him.

Mr Downing, let's move on.

MR DOWNING: All right. I'm going to suggest to you that you knew that that was a name that he went by at the time, do you agree or disagree?---I disagree.

10 I'm going to suggest to you that you knew that he had changed his name to that as a result of losing a bet, you were aware of that weren't you?---No.

So your honest evidence to this Commission is that he said, write a cheque out to John Goldberg, you made no further enquiry, you just handed it to him?---It could have been somebody he owned money to, I don't know.

Right, okay. Can we move on then please to page 44 of the same volume, 4.11. Again, you'll see that this a bank statement from Areva 0-0-4-4 is the account number. Do you see that?---Yes.

20

And you see now highlighted, there are a series of cheques in yellow highlight, 22 May, 23 May, 27 May and 29 May?---Yes.

Numbers 71,73, then, sorry, the 23 May entry is an actual payment. You'll see that's an RMS payment to Areva?---Yes.

So in terms of the cheques, 71, 73, 80 and 74 and you'll see that cheque number 71 is for 22,000, cheque number 73 is for 23,500, so the total of those two is 55,500?---Yes.

30

And then if you go down further, please, you'll see cheque number 80 is 27,200, cheque number 74 is 20,000, so those two total 47,200?---Okay.

So across the four cheques on that page from 22 May to 29 May, we're looking at about \$90,000?---Okay.

And you know who they're to, don't you?---Who are they to?

40 All right. Let's go please to page 45. You see a cheque for \$22,000 to Ibrahim Transport?---Yeah. Yes.

46, sorry, I should say from Areva?---Yes.

Then this page, page 46, a 20 May, 2013, cheque, 23,500, Areva to Ibrahim Transport?---Yes.

And your signature appears on both of those cheques?---Yes.

Can we then please go to page 50. Do you see 24 May, 2013, cheque from Areva to Ibrahim Transport, 27,200?---Yes.

10

Page 51, I'm sorry, 52?---Yes.

You'll see that that's a withdrawal voucher showing withdrawal of \$20,000. And, sorry, if we could go back to the page before, please. Do you see that that demonstrates a payment into Ibrahim Transport, with a posting date 27 May, 2013, of \$20,000?---I'm sorry? Just repeat what you said?

Do you see the account title there is Ibrahim Transport?---Yes. Account title, yes.

20

And what it shows is that there was a cash, not cheque, but a cash deposit on that occasion for \$20,000?---Okay.

See that? So denomination, it's in \$50 notes?---Okay.

If you go to the next page, you'll see it's a withdrawal voucher from the CBA at Bankstown - - -?---Mr Downing, you, you, you've lost me. I'm sorry.

30 You see the words "withdrawal voucher"?---Yes.

And it's a CBA account?---Yes.

Bankstown Square and \$20,000?---Yes.

And do you see that the account number, it's slightly cut off but 7867? ---Yes.

40 All right. Can I then get you, please, to go to page 53, and you'll see that we are back in the Areva account?---Yes.

It's a statement for the Areva account 0-0-4-4?---Mmm.

And you'll see on 30 May, there's a series of four cheques all presented Centro Bankstown in various amounts, so 23,500, 24,500, 23,750, 23,275, \$25,000?---Okay.

So all cheques presented on 30 May, 2013?---Who are they to, these ones?

10 Let's go to page 54. Do you see an Areva cheque for Ibrahim Transport - - - ?---Yeah.

- - - 23,500? Then next page, please.---Yeah.

An Areva cheque for Ibrahim Transport, 24,500?---Yeah.

Next page, please. An Areva cheque, this time 30 May, 2013, for Ibrahim Transport, 23,750?---Yeah.

20 Next page, please. Ibrahim, sorry, Areva cheque for Ibrahim Transport, 30 May, 2013, 23,275?---Yeah.

Page 58, please. An Areva cheque for Ibrahim Transport dated 28 May, 2013, \$25,000?---Okay.

All cheques signed by you.---Yes.

All cheques that you gave to Mr Hussein Taha.---Okay, yes.

30 So if we go back, please, to page 50, you'll see that the total of those cheques that were – I'm sorry. I apologise. It was the bank statement which may have been 50, was it 53? Thank you. So you'll see that the cheques that were deposited on 30 May total about \$115,000, give or take.---Okay.

So what I'm going to suggest to you is that over, excluding that one cheque in the name of John Goldberg, there were a total of 13 cheques that Areva drew over that period from January 2013 to May 2013 so that the total was \$370,525.---Sorry, you lost me.

40 Are you actually trying to answer these questions or are you trying to stall for time to think of what you're going to say next, Mr Alameddine?---Mr

Downing, Mr Downing, you actually lost me. You – it’s 3.30. I haven’t slept, okay? And I’m focusing as much as I possibly can.

All right.

THE COMMISSIONER: Just put the proposition to him again.

MR DOWNING: Thank you. What I’m suggesting is that between January 2013 and the end of May 2013, you drew, on Areva’s CBA bank account a
10 total of 13 cheques in favour of Ibrahim Transport - - -

THE COMMISSIONER: Just pause there. You understand that much?
---Yes.

Right.

MR DOWNING: And that the total of those 13 cheques was \$370,525.
---Yes, okay.

20 Do you maintain that those 13 cheques reflected you repaying Mr Hussein Taha’s investment in your boat business?---Yes. There’s no way I’d be giving Hussein any money on behalf of Alex into this account. And I’ve, I’ve, I’ve paid kickbacks to Alex, okay? And I’ve, and I was very black-and-white with it. And then this money here belonged to Humphrey.

All right. Well, wasn’t your evidence earlier that you thought that his investment in your boat business was something in the order of 100 or \$150,000?---It was a couple of hundred grand. I don’t remember the exact amount, but I think that his investment pretty much doubled from the, from
30 the boat business.

THE COMMISSIONER: You’re making this up as you go, aren’t you? You made no mention of that this morning.---I wasn’t asked.

No, but you’re just making it up so that you can match it up with the amount of 370,500 that was just put to you.---Commissioner (not transcribable) - - -

Mr – no, no, no. You were given ample opportunity this morning to state exactly what this so-called investment was all about. The very first time
40 you mentioned that it could climb to, that it increased up to about 300-odd thousand dollars is about two minutes ago. I’m suggesting to you that

indicates that you are making up your evidence as we proceed. Is that not correct?---Mr Commissioner - - -

Is that not correct?--- - - - what do I have to gain? What do I have - - -

No, is that not correct? No, listen, I'm asking you a question.---That's not correct. That's not (not transcribable)

10 I'm asking you a question. Would you answer it? Is that matter correct as I've put it to you?---What is, what is the question?

That when you were asked about the investment in the boat business by Hussein, you gave evidence that it was of the order of 100 or 150,000, but you made no mention or even suggestion that his investment climbed in value to the order of 300-odd thousand dollars, did you?---I didn't make any mention of it.

20 Right. And the first mention you've made, suggesting that his investment increased to 300,000 was about two, three, four minutes ago. And I'm suggesting that you made up that evidence in order to explain the reason for writing the cheques up to 370,000-odd dollars. I'm putting to you you have made that up because you didn't make any mention of it this morning. What do you say?---May I say, may I say - - -

What do you - no, do you agree or disagree?---Commissioner, I disagree, because I paid Alex kickbacks.

30 Okay, you disagree.---(not transcribable) no, there's, there's no quarrels about me not paying out. I paid Alex kickbacks and I gave him a lot of money (not transcribable)

No, no, you've made that speech many times today. I'm just putting to you a simple proposition that - - -?---There's nothing for me to gain from lying.

I'm simply putting the proposition, which you reject, that you've just made up that evidence about the investment having climbed to 300-odd thousand dollars.---I don't recall exactly - - -

40 In respect of that, is there anything else you want to add to explain how it was that the increased, the investment increased to that amount? I don't

want speeches. I just want an explanation if you have one.---Okay. So I'll, I'll give it to you in point form, Commissioner.

No, no, no. I'm not asking for a speech. If there's one reason that explains and provides evidence of the increase in Hussein's investment, tell me what was the explanation.---I don't recall, but what I do know - - -

All right, if you don't recall, that's all I want to hear from you. Next question.

10

MR DOWNING: Thank you, Commissioner. Isn't this the truth of what was going on with these payments, Mr Alameddine? That you'd been directed by both Humphrey and Mr Dubois that you were to stop making payments from Areva into MWK. Do you agree with that part or not?---By Humphrey to stop making payments into MWK?

Yes. Yes. I'm suggesting that both Humphrey and Mr Dubois directed you. So do you agree or disagree with that proposition?---No, I disagree with that.

20

All right. And I'm suggesting that Mr Dubois and Humphrey also said, "From now on, the kickbacks to Alex are to go through Ibrahim Transport. That's where the cheques are to be paid from this point on." And that's - - - ?---I, I - - -

- - - what you were doing at this time, that is you were paying into Ibrahim Transport money you understood to be kickbacks going to Alex. Do you agree or disagree?---Mr Downing, I paid Alex kickbacks. I paid him a lot of kickbacks.

30

Please don't tell me about other matters. I accept that you've told me multiple times that you've paid kickbacks to Alex and you admit you've paid kickbacks to Alex. That is accepted. That's not in dispute. I'm asking you whether you agree or disagree with the proposition that what you were doing here at Alex's behest and Humphrey's behest - - -?---I - okay.

- - - was paying kickbacks for Alex, that is intended to Alex, intended to go to Alex, into Ibrahim Transport. You agree or disagree?---So I borrowed money, oh, didn't borrow, I, I had an investment from - - -

40

THE COMMISSIONER: Well, would you stop there? You're asked a simple question. Do you agree or disagree? All you have to say is "I agree" or all you have to say is "I don't agree." Or "correct" or "not correct".
---Okay. But, Commissioner, if I don't elaborate, then - - -

No, you take it a step at a time.--- - - - you may have a different - - -

You do it our way, not your way. You understand?---Yes, sir.

10 Because that's the way this Commission proceeds.---Yes, sir. Yes, sir.

Counsel's twice put to you now the proposition and he finished it by saying, "Do you dispute it?" or "Do you agree with it or not?" And now you either do dispute it, you say "I disagree" or you accept that what he put is accurate, it's correct.---What is the question?

It's either one or it's the other. Now, do you remember what was put to you?---I'm sorry, I don't.

20 I'll have it put to you again.

MR DOWNING: Thank you.

THE WITNESS: What was the question?

THE COMMISSIONER: Mr Downing, put it again.

MR DOWNING: What I'm suggesting is that you made payments from Areva into Ibrahim Transport at the direction of Mr Dubois and Humphrey,
30 with the knowledge that that money was going into Ibrahim Transport for Mr Dubois's benefit. Do you agree or disagree?---I don't recall.

All right. So, all right, you don't recall.---'Cause all the answers I'm going to give you, this happened 10 years ago, are going to be speculative. I owed the bloke - - -

THE COMMISSIONER: No, stop, stop there. No speeches.

THE WITNESS: (not transcribable)
40

THE COMMISSIONER: No speeches. No speeches. You've given the answer. That's all we wanted from you. Yes.

MR DOWNING: All right. You recall on top of the 13 cheques making up \$370,525 to Ibrahim Transport there was one solitary cheque made out to John Goldberg in the sum of, I think it was 22,800?

THE COMMISSIONER: 22,400, wasn't it?

10 MR DOWNING: Oh, it could have been. I, I may be wrong.

THE COMMISSIONER: You've got to check.

MR DOWNING: I'll check the amount. And we perhaps might bring that cheque up again.

THE COMMISSIONER: It might have been, was it - - -

MR DOWNING: It was volume 4.11.

20

THE COMMISSIONER: Yes.

MR DOWNING: I thought that it was about - - -

THE COMMISSIONER: Page 33 or a bit after that.

MR DOWNING: 34, perhaps. Try that. \$22,400. If we go back to that page, please. So that shows the actual debit against your account, but the next page I think is the actual signed cheque. You remember that's the cheque I asked some questions about before?---What questions are you referring to?

30

You recognise that cheque? That's the one cheque that was drawn in favour of John Goldberg. And I asked you questions about that earlier. You remember that?---You asked me about it. What question are you referring to when you asked me about it?

First of all, you recall having seen this before?---Yes, you showed it to me before.

40

And I asked you a series of questions about it and about whether you knew who John Goldberg was. You remember that topic was the subject of some questions by me and indeed by the Commissioner?---Yes.

All right. What I am suggesting to you is that that one cheque of 22,400 was paid to Humphrey as his cut for facilitating this process of kickbacks being paid to Ibrahim Transport. Do you agree or disagree?---I would totally disagree.

- 10 And what I'm suggesting to you is that you are seeking to protect Hussein Taha and Towfik Taha through the evidence you are giving about their involvement in the scheme of receiving kickbacks that Mr Dubois brought about. Do you agree or disagree?---How am I supposed to, no, I totally disagree. How am I supposed to protect them? Towfik paid kickbacks and Humphrey supposedly has paid kickbacks. There's no protection here for anybody.

All right?---I'm just telling you I owed the bloke an investment return.

- 20 Right. So the investment return was on your boat business, so he turned 150 into roughly \$370,000. Correct?---I don't know. He probably, he gave me cash, so it was 10, 12 years ago. I don't know exactly the amount but it was roughly around 200,000, give or take a little bit.

But it's the case, isn't it, that really from 2011, that is November 2011 when you started doing the RMS work, you weren't working in your boat business. You were working full-time for Mr Dubois?---Okay.

Well, what was the money? Where is - - -

30

THE COMMISSIONER: Sorry. Does "okay" mean yes?--- Okay. So, hang on, so - - -

No, no. Okay mean yes? Do you agree or not?---Just rephrase that question, just, can you put that question to me again, please?

- MR DOWNING: What I am suggesting is that from about November 2011 – I withdraw that. From September 2011 when you started doing the RMS work for Mr Dubois, that you weren't operating your boat business 'cause
40 you were working full-time for Mr Dubois, effectively.---But working for Mr Dubois is not working five days a week.

THE COMMISSIONER: No, no, no - - -?---It's doing one project, it's, it's doing one project a month.

Is what is put to you three times now accepted, that you were working - - -?
---No, no. No, Commissioner. I was working but I had a lot of spare time.

MR DOWNING: And do you say that the income you generated through your boat business between September 2011 and January 2013 was
10 sufficient that you were paying Mr Hussein Taha a profit of somewhere between 170 and perhaps \$250,000 for his investment in the business?---A profit of 250,000?

Well, you say you think his investment was somewhere between 150 or 200. Correct?---He gave me cash, so, and it was - - -

Just listen to my question. You say his investment was somewhere between 150 and 200. Correct?---No, that's not correct.

20 So what was his investment?---I would say it was roughly two hundred and something but he, this is 10 years ago. Mr Downing, I suffer from PTSD. I've been through a lot of trauma. Okay. I've been nothing but honest here. Okay. And you're asking me for specific answers that I need to speculate because I don't recall.

Well, let me put a different question, so that you don't need to speculate. You are suggesting that through your boat business between about September 2011 and January 2013, you made sufficient profit that putting
30 aside whatever money you made, the return on Mr Hussein Taha's investment was something in around the 150 to \$200,000 mark. Is that your evidence?---I'm, I'm in the frame of thought that he gave me around 200 but it may have been more.

Right.

THE COMMISSIONER: It may have been less? Could it have been less?
---Commissioner (not transcribable)

40 Could it have been less than 200?---I'm giving you speculative answers now because it was so long ago (not transcribable)

And that's why I'm asking you could it have been less than \$200,000?---It was a lot of cash, Commissioner.

Could it have been less than 200? Could it have been between 100 and 150?---I don't think so.

MR DOWNING: In fairness, I'm just going to move on from that topic but I'm going to suggest that the evidence you have given about all of these payments that were made to both John Goldberg and Ibrahim Transport
10 from Areva is false evidence. Do you agree or disagree?---I disagree with you.

All right. I ask you some questions earlier about the heavy vehicle maintenance panel that both EPMD and Seina got onto. Do you remember that?---Yes.

And do you recall that there was quite a lengthy paper application that had to be put together in order to get on the panel?---Yes.

20 And I think you agreed with me that Mr Dubois would have assisted you with that process?---Yes.

Can I take you please to volume 15.4 at page 13.---Yes.

Just give it a moment it will come up in front of you. Accept from me that this is the actual EPMD part of the tender that was submitted.---Okay.

And you'll see that there's handwriting on this and you'll see that it indicates that the tenderer is EPMD.---Okay.

30

And it's written "Simon Raha, Managing Director".---Can't see it.

Sorry, you can't see the document?---No.

All right. Just wait a moment and we'll have it brought up, my apologies for that. Can you see it now?---Yes.

Can you see there's a part way down the page, Declaration of Compliance with the Code for the Tendering and Performance of Building Work 2016?
40 ---Where does it say that? I'm sorry, oh yes, yes.

The heading in black and bold.---Yes, yes.

Do you see that the tenderer is EPMD?---Yes.

And in handwriting as well as the name of the company it's got "Simon Raha, Managing Director"?---Yes, I see that.

Is that your writing or Mr Raha's writing?---That's not my writing and I don't recall whose writing it is.

10

Do you recall if Mr Raha actually got involved to the point of putting his name of the documents that were put in for EPMD's tender?---I don't think that Mr Raha wrote that.

Do you know who did?---No, I don't recall.

All right. Can we go to the next page, please. You'll see this is still part of the same document, it's still part of the same declaration on behalf of EPMD.---Yes.

20

Go ahead please to the next page. Still part of the same document on behalf of EPMD that's page, is it 15 or 16. Can we go to page 17?---Yes.

Do you see that there's some handwriting there?---Yes.

In terms of compliance on the part of tenderer on certain things, this is a document now on behalf of Seina Group?---Yes.

I'm sorry, it's still part of the EPMD document but it does have some Seina references within the document?---Yes.

30

This here is part of the EPMD tender document. ---Yes.

Do you know whose writing that is?---No, I don't.

Is it yours?---Doesn't look like my handwriting.

Do you have any recollection as to whether you might have got some assistance from Mr Raha in putting this together?---No, it doesn't look like Simon's handwriting either.

40

All right. Can you assist us as to why there are references to Seina in the EPMD document, that is its declaration of compliance with the building code?---I'm not sure.

Would it have been that there was just a bit of a rush to get it completed and there was an error in getting the two applications, that is both Seina and - - - ?---It, it, it could have been, yes.

10 Right. Now, you recall, don't you, that there were quite a number of occasions in 2017, 2018, 2019 when you were overseas?---I was overseas.

You travelled to the Middle East quite a bit in relation to your meat business.---Yes.

And do you recall that there were occasions when you were overseas where you would have to be dealing with the RMS in respect of jobs that were coming up and quotes you needed to get in?---Okay.

20 When you say "okay", do you agree? Does that just mean you're agreeing?--I, I, I don't recall, unless you can jog my memory.

All right, well - - -?---Because as, as you've seen, as you've seen, there's Seina written on an EPMD document. Like, yeah.

30 Well, tell me if you can recall this, that there were occasions when you were overseas where you would get your brother Ahmed, to step in and deal with Mr Dubois when it came to getting paperwork in for various jobs that either Seina or EPMD were putting in for?---Ahmed was an employee. He would change the oil on the trucks and do what he was told.

Please, please, you've told me about his oil changing activities before. I'm not asking about that and you know I'm not asking about that, don't you? ---What is your question?

40 Were there times when you were overseas and Ahmed would deal with paperwork that you needed to get in for RMS jobs from Mr Dubois? That is, getting quotes and documents of that sort in to Mr Dubois on behalf of Seina and EPMD.---In the 10 years that we were working, if he ever did that, he probably did it under force and duress and not out of his own accord, or nor was he employed to do that.

I'm not suggesting he volunteered to do it, I'm suggesting that it was you who got him to do it. But while you were away, you got him to step in and look after the paperwork, didn't you?---Step in? As in take my role?

That is, while you were away and not in a position to - - -?---No.

- - - physically involved in preparing - - -?---No.

10 - - - quotes, getting documents in, that he - - -?---He wouldn't, he wouldn't step in. He'd be, he'd probably be forced to do a document if, for example, it actually called for it. But not, not something that, that's not, it's not his role. His role was actually as a, as a, as a worker.

All right.---But the fact that he was, he was my brother means he lived in the same vicinity. That's all it was.

THE COMMISSIONER: Mr Downing, we're not getting much useful information from this witness any longer.

20 MR DOWNING: No. All right.

THE COMMISSIONER: I think if there's a series of propositions you want to put to him so that in fairness he can deal with anything in his defence - - -

MR DOWNING: Thank you, Commissioner.

THE COMMISSIONER: - - - then do so. But I'll leave it to your discretion, I'm not cutting you off.

30 MR DOWNING: Thank you, Commissioner. No. Can I just - - -

THE COMMISSIONER: But just emphasising the difficulty we're having.

MR DOWNING: Sure.

THE COMMISSIONER: And it's, quite frankly, wasting time.

40 MR DOWNING: All right. Can I just go to volume 4.1, page 1052. 4.1, 1052. And when that document comes up, I hope it will be a document showing your travel movements in and out of Australia, Mr Alameddine.

So you see that this is a movements details document. You'll see it's got your name on it and your date of birth?---Yes, I can see that.

And do you see that, if one looks at the dates on that page, there's a date 20/2/18?---20/2/18? Where's that? I'm sorry, I can't see it.

20 February, 2018.---Yes.

And it shows vessel EK413.---Okay.

10

You've flown Etihad enough to know that EK is an Etihad code, correct? ---I don't recall if that's the code for Etihad, but I will take your word for it.

What I'm suggesting is what happened on 20 February is you departed Sydney to go to Abu Dhabi on Etihad 413, and that you returned to Sydney on 2 March, 2018, again on an Etihad flight.---Okay.

20

I'm suggesting that while you were away, your brother contacted you on a number of occasions via WhatsApp and left you WhatsApp audio messages indicating that Mr Dubois was coming around to pick up quotes and he needed your help to get paperwork done, and you left him messages back, giving him instructions about the preparation of paperwork for signage jobs. Do you agree or disagree?---Okay. I may have done that. I'm not sure.

All right. Can I get you to go ahead, please, same volume and same document, but to page 1054. And you'll see at the top of – yes, thank you. If we just enlarge that. Do you see that it shows a departure date of 2 September, 2019?---Okay, 2 September, yeah, okay.

30

And a vessel EY455. See that?---Sorry, EY45 – yes. EY455, yes, I see that.

And I'm suggesting that what happened on 2 September is that you departed Australia for the Middle East, where you stayed for a prolonged period. ---Okay.

40

And to go back in time, you know, don't you, that 18 June, 2019 was when the search warrant was executed on, or search warrants, were executed on you as well as Mr Dubois?---Okay.

Correct?---When was, when was the executed warrants again?

18 June, 2019.---So – yep. And when was that flight?

2 September, 2019. So two and a half months later.---Okay.

Do you recall why it was you went to the Middle East and stayed over there for a prolonged period then?---I had a business overseas to run and my grandmother was sick.

10 Your grandmother was in the Middle East, as well?---Yeah.

Right. And is that why you then stayed over or you stayed out of Australia from then until late 2021?---Well, I didn't have any more work on in Australia and when I found that the Commission was starting, I contacted the Commission via email. I spoke to Mr Andrew and I said to him that I would be coming back to assist the Commission.

All right. So you ultimately returned in 2021, late in the year. Correct?
---Yes.

20

And you say that the reason for your return was to assist the Commission?
---Yes.

Okay.---Because, because, from the time that, from 18 June, 2019, to the time I flew, I was never contacted by anybody.

All right. Do you say that the time you were out of Australia, that is from 2 September, 2019, until late 2021, you remained in the Middle East or did you also travel to other places?---As I told Mr Andrew, who works for the
30 Commission, I said to him I went to Europe late in the trip and that was for business because I'm dealing in meat and with the actual pandemic, getting meat into the Middle East from Australia because flights were cut, so I looked at an alternative country, which was Romania.

So you went to Romania for some of that time?---I went to Romania for some, yes. And then I returned back here from Romania.

And, sorry, are you still operating the meat business now?---No, because the
40 pandemic, it kind of, it, everything was, yeah. To, to answer your question, no.

All right. But you went to Romania in relation to the meat business?---Yes.

Is it not the case that you remained out of Australia to try and avoid coming to the Commission to give evidence?---No. If you look at the email correspondence between me and Mr Andrew, the email correspondence says to him I am coming back to assist the Commission, and I came back exactly. And what I, what happened was my tickets were cancelled and I then bought extra tickets to make it within the time frame that I spoke to Mr Andrew about.

10

THE COMMISSIONER: Yeah, come on, yeah.

MR DOWNING: Okay. Can I then just take you back then to the search warrants, 18 June, 2019. Do you remember what transpired that day after the search warrants were executed?---Can you, like, can you refresh my memory and then I can say to you yes or no.

Well, I'd like to try and see if you can recall anything yourself. So let's just pause. First of all, were you at home either at your parents' place or your place that day?---I think on the day of the, on that, on that particular day, I think I assisted Mr Dubois to relocate one of his cars.

20

Let's just go back a step. Were you back, were you at home that day?---So that was roughly two and a half to three years ago. I'm going to give you my best shot in recollecting and, as you know, I do suffer from PTSD. So what I remember - - -

THE COMMISSIONER: Mr Alameddine, I just want to interrupt. You have told us that probably a dozen times now that you've had PTSD and all the rest of it. We've heard it and heard it and heard it over and over again. It just means that this takes a lot longer having you repeat it. I've been very tolerant with you to date in allowing you to rattle on with those explanations, one after another, repeating it over and over again. I regard it as obfuscation now. You've been doing it so often now, you are using it to obstruct this Commission. You will not answer questions directly and you seem now to have shifted ground and you have become obstructive. That is of concern that you will not, you want to argue, you won't answer the questions, you keep seeking explanations. It's very unsatisfactory and it doesn't help you as, in my assessment of you as a witness, to have that sort of behaviour. I'm saying this in your own interests.

40

You keep doing it if you like but it's certainly not making an impression that's favourable on me. I do have regard to the medical evidence, I do accept what you've said about PTSD. I'm not disputing any of that. What I am disputing is that you are becoming argumentative, you're becoming obstructive, you are not answering questions, you're asking it to be repeated, sometimes questions repeated three times this afternoon. Mr Downing, what are we going to do? It's 5 to 4.00. Now, this man could take us another day the rate we've been going since lunchtime. I'll set aside another day if it's going to require it and have him return.

10

MR DOWNING: Commissioner, I'm on the last topic I want to explore and I believe it might be more than five minutes but no more than seven minutes left and I will move - - -

THE COMMISSIONER: This deals with the selection to the panel?

MR DOWNING: No, it deals with the activities on the night of the 18 June, 2019.

20 THE COMMISSIONER: All right. Let's do it.

MR DOWNING: Thank you.

THE COMMISSIONER: See how we go.

MR DOWNING: On 18 June, 2019, Mr Alameddine, you learnt, one way or another, that search warrants had been executed both at your parents' address and at your address, correct?---Correct.

30 And I take it it was a significant shock?---It would have been.

Well, how many search warrants have been executed on you previously?
---None.

All right. So you became aware on that day that large amounts of your documentation and your computers and hard drives had all be seized, correct?---Correct.

40 And you knew it was to do with your business activities through your three companies for the RMS and Mr Dubois?---Correct.

You found out that day, didn't you, that Mr Dubois had also been raided?
---Correct.

And do you recall how it was that you found that out?---I don't recall.

Well, you couldn't call him that day, could you, because your phones had been seized.---I don't recall.

10 Do you recall sending your brother Ahmed somewhere that day to try and make some contact?---I may have, but I don't recall.

Do you recall that there was a person that you sometimes saw for spiritual advice before that date, a person named Ghassan Hawcher?---I used to frequent Ghassan but I don't recall.

You don't recall seeing him or you don't recall sending someone to Ghassan that day, what are you telling me?---Ghassan, may I answer your question? Ghassan, for example, was, I was introduced to Ghassan on behalf of family so he can help me mentally.

20

So is he similar to Mohamad Alameddine in that respect - - -?---That's right.

- - - he was someone who gave you spiritual advice?---That's right. That's right, so (not transcribable) - - -

All right. Can I cut you off because I don't need to know the whole back story, Mr Alameddine, I simply want to know whether you can recall sending your brother Ahmed to see Ghassan Hawcher that day?---I never sent my brother Ahmed to see Ghassan on that day that I can recall. It may
30 have been family because he helped me with my mental health, so maybe he was sent there by someone else but I didn't send Ahmed there that I recall.

All right. Do you recall Ahmed telling you at some point that he had actually run into Mr Dubois at Ghassan Hawcher's place that day?---I was in shock so I don't recall that.

All right. But you arranged to meet with Mr Dubois that night, didn't you?
---I assisted Mr Dubois relocate a vehicle.

40 Please answer my question.---Yes, yes.

Did you arrange to meet with Mr Dubois that night?---I don't recall meeting him but I recall relocating the vehicle. So I'm answering you as straight as possible.

Did Mr Dubois come to your parents' house that night?---He may have, I don't recall, but I recall I did see him but I don't recall where.

He came to your house didn't he, sorry, your parents' house?---He, he, he, I think he did.

10

All right. And you assisted him with two tasks that night, didn't you?
---Two tasks?

Yes. Do you recall that?---What did I do?

Well, one of them, do you recall giving some direction about what should happen with the cash that he had?---What cash, what are you talking about?

20 You knew that Mr Dubois had large amounts of cash from the money that you'd been giving him as well as other contractors that you knew were doing work for him, correct?---Mr Dubois asked me, I think, just to help him with a vehicle.

All right. I'll come to the vehicle, but do you deny sending someone around to Mr Dubois's house to collect the cash?---I have no recollection of any cash.

Do you have a cousin named [REDACTED]?---Yes, I do have a cousin called [REDACTED]?

30

Was your cousin [REDACTED] present that night at your home, that is 18 June, 2019?---I'm not sure who was present at my home that night.

Do you recall directing anyone, and I'm going to suggest that someone was [REDACTED], to go with Mr Dubois to his home and to get money that was in the safe and remove it?---No, I don't recall that.

Do you recall directing Mr Dubois that you should move the, one of his cars?---No, I assisted Mr Dubois in relocating one of his cars on his behalf.

40

THE COMMISSIONER: Mr Alameddine, you should be aware of the fact that this Commission holds a great deal of evidence given by other persons about these matters you're now being asked about and they've given evidence. There is - - -?---Yes, sir.

- - - direct evidence available to this Commission which deals with these matters.---Yes, sir.

10 You're putting your credit on the line now if you don't accept that you have a recollection which you now say you don't have a recollection of, so I'll just caution you. Bear in mind you're now being tested on certain specific matters associated with these search warrants about which the Commission already holds evidence. Now, I've given you a fair warning and a heads-up if you like. Yes, Mr Downing.

MR DOWNING: Thank you. What I'm suggesting is that you told Mr Dubois that he needed to move a particular Porsche that he had garaged to somewhere else. Do you recall that?---I don't recall if I told him to, but I assisted him to relocate a car.

20

And how did you assist him?---I think we took it to a garage in Granville.

And it was a garage that belonged to Ahmed's in-laws, correct? That is your brother's in-laws.---Correct.

All right, can I take you, please, to a photograph of a particular car? A picture of the car should come up in a moment. Do you now have that? ---Yes.

30 That's the car, isn't it, that was moved that night?---Yes, correct.

And was it the case that you went along with your brother Ahmed to assist in moving it to his in-laws'?---Yes.

All right. Now - - -

THE COMMISSIONER: Why did you do that? Why did you assist in removing the car to that location after you heard about the search warrants? ---He wanted to hide the car, Commissioner.

40

Why did you help him?---I think it was just habit.

Habit?---Doing, habit of doing what he said, doing, doing what he wanted.

Oh, really? I see. Yes, thank you.---Just, I think it's just called conditioning. I think we were just conditioned.

Conditioned. Oh, right, I see. Conditioning.

10 MR DOWNING: Is it possible that it was you who actually suggested he needed to move it because of a concern it would be found?---I don't recall suggesting to move his car. Like, I've got, I've got no interest in this vehicle. If he has it or if he doesn't has it, it means nothing to me.

All right. One last topic. That same night, do you recall discussing with Mr Dubois what he might need to confess to when he would be questioned about his work at the RMS and his receipt of money?---No. I don't have that recollection, I'm sorry.

20 Do you recall saying to him that he would need to confess to you having paid some money because there were records of it?---I'm sorry, I don't have that recollection because there's enough evidence so you can see what's going on. I'm sorry, and I don't want to talk too much but, no, I have no recollection of that.

So weren't you interested in discussing with Mr Dubois what might need to be confessed to and what might be not confessed to given that you understood he'd been raided, you'd been raided?---No, it is what it is. We just, you just have to deal with it, and whatever happens happens.

30 All right. Commissioner, they're the questions I have. I'm not sure whether Mr Alameddine's counsel may have some areas he wishes to ask some questions on.

40 THE COMMISSIONER: Well, I'll ask him in a moment. Just a couple of things. Mr Alameddine, we've heard about the dealings that occurred over a period of years with your companies Areva Corp, Seina Group, Efficient Project Management. From the early days when Mr Dubois explained to you how the contracting system would work, and in particular that it would involve improper kickbacks to him and sharing a profit margin with him, it became apparent to you, did it not, that the scheme that Mr Dubois was, in a sense, the architect of or which he, you said, had control exercised over you

was a scheme to effectively defraud the RTA, as it was then, and the RMS in respect of the kickbacks. It became apparent early in the piece that that's really the essence of the scheme, is that right?---May I answer?

Well, yes, are you able to answer that question?---Yes. I think the majority of the work that was conducted was within the pricing structure that other tier 1 companies were, were, were giving, maybe bar a few. Because I think he may have had some form of audits on his, on his work, and they found that they were within the price range.

10

I'll just put this to you. It became plain that the scheme that was operated by Mr Dubois, whereby he would get personal benefits out of the contracting system was a fraud. That became apparent to you.---It was, it was incorrect.

Yes, well, let's not cavil with words. It was a straight-out fraud, wasn't it, that he was perpetrating on the RMS?---It was, yes. It was, yes.

And that continued over a period of years - - -?---Yes, it did.

20

- - - by him effecting the fraud in a number of ways such as, as has been explained in your evidence, the falsification of the costings that went into the quotes. His hand was all over that.---Yes.

And that is quotes that were submitted by your companies.---Yes.

That the false costings found their way into invoices.---Yes.

30 And that the moneys that were paid under the contracts with your companies did provide a source of kickbacks - - -?---Yes.

- - - from which he and you benefited.---Yes.

And you knew that was all part of this fraudulent scheme. That's how it operated.---May I answer?

Yep. Yes.---I started off, Commissioner, I just wanted the experience. I didn't know it was going to go this long.

40 Yep. I'm going to cut you off because you've explained that earlier. Perhaps I'll make it plain. In order to make the scheme work, Mr Dubois

devised the mechanism for how it was to be done using quotes, invoices and the like. Is that right?---Yes. Yes.

And the moneys would be paid out and eventually he would receive his kickbacks. It involved companies with accounts, and moneys would be channelled through those accounts, as we've discussed here today.---Yes. Yes.

10 Right. That was the mechanism by which his scheme, you say, was operated.---Yes.

And you personally also benefited from that.---Yes.

And you received very large sums of money over periods of years through his scheme.---Yes.

20 All right. And it was because this fraudulent scheme which he, that Mr Dubois had devised was so lucrative that you decided to continue to be part of it through your companies.---Yes.

Additionally, the - - -?---(not transcribable)

Sorry? The additional matter - - -?---Commissioner - - -

- - - was the way in which he promoted this scheme was through the dummy quotes.---Yes.

30 Yes. And you fully participated with him in supplying dummy quotes. ---Yes.

You did that in order that he and you would benefit from the fraud. That right?---May I answer?

40 Yes, please.---It was my understanding that the pricing, the price arrangement was within the scope of what jobs cost. So I was under the understanding that tier 1 companies or established companies that were doing this type of work, that's what they're charging. For us, for me, the fact that I had no overheads, okay, means every dollar made was a dollar profited. And so that's why the profit margin looks as what it is. But if you were, if we were to have a, a conventional business in which you're paying overheads in staff and on facilities and in, for facility maintenance and

vehicle maintenance, then the profit margin would be nowhere near what it is. So I did not enter into this arrangement to defraud anybody. And it's my understanding that a lot of the work that was done was to be done within the specific pricing, bar a few that I've been shown.

Now, is that the only matter that you want to rely upon as an explanation for why you participated in Mr Dubois' scheme for years?---And also, Commissioner, I, I tried to set up a, another entity so I can put this chapter behind me.

10

I see. Yes. All right. In any event, over time it became very apparent to you that the way in which quotes, invoices and suchlike matters, and the dummy quotes were engineered was all part of a fraudulent way to get money out of RTA in the old days and RMS after that. That right?
---Commissioner, may I answer?

No, I'm asking you. I'm putting it to you that it became apparent to you that each of those steps was all part and parcel of the fraudulent scheme perpetrated by Mr Dubois, perpetrated by you against the RMS. How do
20 you – do you agree or not?---May I answer, Commissioner?

Yes.---I just wanted to work and make some money, so I was not in a position of being an employee of an enterprise that was then, and he was doing what he was doing. So from, from me, as a contractor, I was fulfilling the contracts. But in the mannerism in which the work was won was not correct.

The other matter I just put to you, these questions are put so that you'll have every opportunity to explain the position - - -?---Yes, sir. Yes, sir.

30

- - - as you see it, truthfully of course. So if it were put that you did become aware from an early stage that Mr Dubois was setting out to defraud the RMS and you decided, of your own free will, to be part of that scheme so that you could make money, if that proposition is put, how would you respond to it?---Commissioner, work was being done, and from my point of view, through my lenses, I was working for my money. It was just the mannerism in which work was won was not one that was ethical.

All right. Is that all you want to say on that point?---Yes, Commissioner.

40

Yes, now, Mr Downing?

MR DOWNING: If I could just tender the image of that Porsche 997 GT2 RS that I just showed Mr Alameddine before. So it should be Exhibit 238 if I'm correct about the numbering.

THE COMMISSIONER: Sorry, 238?

MR DOWNING: Thank you.

10

#EXH-238 – PHOTOGRAPH OF PORSCHE 997 GT2 VEHICLE

THE COMMISSIONER: Yes. That's all you have?

MR DOWNING: That's all. And now - - -

THE COMMISSIONER: Mr Jones, I see the time, but do you have any questions for your client?

20

MR JONES: Your Honour, Commissioner, I don't have any questions. I would appreciate a little bit of time to speak briefly with Mr Alameddine.

THE COMMISSIONER: I'm sorry, I just couldn't pick up the last bit.

MR JONES: I'm sorry. If Your Honour would grant me a little bit of time just to speak with Mr Alameddine and see if there's anything that he would like to address, that would be ideal. But I understand the time constraints.

30 THE COMMISSIONER: No, that's all right. It's more important that if you feel that you should speak to your client, I'll certainly give you that opportunity. I think, I think what – you're suggesting this, that you'll speak to your client, you'll decide whether there is any further evidence you wish him to give, and if you do, you'll notify the Commission and we'll make arrangements, if that's the case, to have your client return for that purpose.

MR JONES: Yes.

40 THE COMMISSIONER: If, of course, you make the judgment call it's not necessary to call further evidence yourself from Mr Alameddine, then you'd simply notify the Commission that's the position and then we can, I think

that would be bringing us very close to the end of this investigation, this public inquiry. Well, Mr Jones – do you want to be heard on this, Mr Downing?

MR DOWNING: Not at all.

THE COMMISSIONER: I was going to propose it to Mr Jones that he let the Commission know one way or the other - - -

10 MR DOWNING: Oh, no, it seems - - -

THE COMMISSIONER: - - - by a certain date.

MR DOWNING: I have nothing to say about that, simply to ask whether perhaps any of the other parties that are participating today - - -

THE COMMISSIONER: Yes.

20 MR DOWNING: - - - whether they may have any application to make to cross-examine Mr Alameddine, just so that we could perhaps find that out now.

THE COMMISSIONER: Yes, all right. Well, perhaps I should make that inquiry now as to whether anybody else wishes to examine Mr Alameddine. If so, please indicate now. All right, just for the record, Mr Downing, those who have a right of appearance here today and are exercising their right of appearance, can you just confirm who they are? Because they are at a remote position if they are. There is - - -

30 MR DOWNING: Well, there's the representative of Mr Steyn who is present here.

THE COMMISSIONER: Mr Steyn's solicitor. Counsel, sorry.

MR SANDILANDS: Sandilands, Your Honour. I don't wish to ask any questions on behalf of Mr Steyn.

THE COMMISSIONER: Thank you. Thank you very much.

40 MR DOWNING: And then otherwise I think it's the RMS.

THE COMMISSIONER: What I'll do is I'll allow Mr Jones until – Mr Jones, if I make a requirement for you to answer the matter I've arranged with you by 5 o'clock on Friday of this week, does that give you sufficient time to take instructions?

MR JONES: It does, Commissioner, yes, thank you.

10 THE COMMISSIONER: Mr Jones, I'll do that. And if you'd notify the Commission by 5 o'clock this Friday as to what you wish to do in that regard.

MR JONES: Thank you, Commissioner.

THE COMMISSIONER: Thank you. Is there anything else, Mr Alameddine? Mr Downing?

MR DOWNING: No, Commissioner. Thank you and the staff for sitting late.

20 THE COMMISSIONER: All right, well, then I won't discharge Mr Alameddine at this stage, but I'll wait till we hear from Mr Jones and then I'll make any orders if necessary in chambers.

MR DOWNING: Thank you, Commissioner.

THE COMMISSIONER: Thank you. I'll adjourn.

30 **THE WITNESS STOOD DOWN** **[4.17pm]**

AT 4.17PM THE MATTER WAS ADJOURNED ACCORDINGLY
[4.17pm]