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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 25 MAY, 2021

AT 11.00AM

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

THE COMMISSIONER: Mr Downing.

MR DOWNING: Morning, Commissioner.

THE COMMISSIONER: Morning.

MR DOWNING: Just before we resume the evidence of Mr Alexander, there is a further updated schedule of documents for tender.

10 THE COMMISSIONER: Yes.

MR DOWNING: Which I hope is in front of you.

THE COMMISSIONER: Yes.

MR DOWNING: And where it picks up from where we were previously is at what is presumptively labelled as Exhibit 126. So it's the items of 126 through to 166 and they're all described, and where they are at particular volumes references there.

20

THE COMMISSIONER: Yes.

MR DOWNING: Can I just say something about just three of the times?

THE COMMISSIONER: Yes.

MR DOWNING: What's proposed to be Exhibit 126 is an email of 4 February, 2020, from Mr Steyn to Helleur, and that's in relation to Mr Steyn's tax returns and that was referred to during Mr Steyn's evidence on day 6. In respect of what's proposed to be Exhibit 127, it's an account-opening form for Peter Manuel Services. Again, it was referred to during evidence but this time in day 8 with Aleesha Steyn. And then finally, at 147, or what's proposed to be Exhibit 147, it's a DFAT travel movements record for Mr Duchesne which I took him to in the course of his evidence on day 10. Other than that, all of the volume references are fairly self-explanatory. So, I now tender what's proposed to be Exhibits 126 to 166, Commissioner.

30

40 THE COMMISSIONER: So you're tendering the documents in the schedule commencing 126 right through to 166?

MR DOWNING: Yes, Commissioner.

THE COMMISSIONER: Yes, I see. Very good. I'll have this schedule marked for identification. That's MFI 3, I think. MFI 3.

#MFI-003 – TENDERS OF MATERIAL FOR 25 MAY 2021

THE COMMISSIONER: And note that the documents now being tendered are set out on the last three pages of MFI 3, that is commencing the fifth page. The first of the documents is the email dated 4 February, 2016, to Helleur, H-e-l-l-e-u-r, concerning Mr Steyn's tax returns, referred to on day 6 of the proceedings in Mr Craig's evidence, and they'll become Exhibit 126.

10

#EXH-0126 – EMAIL DATED 4 FEBRUARY 2020 STEYN TO HELLEUR RE: STEYN TAX RETURNS

THE COMMISSIONER: The remaining documents set out in the three pages I've referred to, that is from 127, 126 I confirm is the first of the documents, the remaining documents as set out in the schedule, 127 and through to 166 will all be admitted as Exhibits and they'll bear the Exhibit numbers in sequential order from 126 through to 166.

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#EXH-0127 – PETER MANUEL SERVICES ACC CBA2867 SIGNED OPENING DOCUMENTS

#EXH-0128 – VOLUME 10.5 PETER MANUEL

#EXH-0129 – VOLUME 4.13 PART A SEINA PART 6

#EXH-0130 – VOLUME 4.13 PART B SEINA PART 6

30

#EXH-0131 – VOLUME 7.1 SYDNEY METRO PART 1

#EXH-0132 – VOLUME 7.2 SYDNEY METRO PART 2

#EXH-0133 – VOLUME 7.3 HABBOUCHE - FINANCIAL

#EXH-0134 – VOLUME 9.1 GHAZI SANGARI

#EXH-0135 – VOLUME 9.2 GHAZI SANGARI

40

#EXH-0136 – VOLUME 9.3 GHAZI SANGARI

#EXH-0137 – VOLUME 9.4 GHAZI SANGARI

#EXH-0138 – VOLUME 9.5 GHAZI SANGARI

#EXH-0139 – VOLUME 10.5A PETER MANUEL TRANSFER STEYN RENT FINANCIAL BRIEF

- #EXH-0140 – VOLUME 14.1 DUCHESNE**
- #EXH-0141 – VOLUME 14.2 DOCUMENTS PRODUCED BY DUCHESNE**
- #EXH-0142 – VOLUME 14.3 DUCHESNE M&M FINANCIAL**
- 10 **#EXH-0143 – VOLUME 16.1 DAROOBALGIE NTH CONTRACTS**
- #EXH-0144 – VOLUME 16.2 DAROOBALGIE STH CONTRACTS**
- #EXH-0145 – VOLUME 17.1 BUILT ENGINEERING FINANCIAL**
- #EXH-0146 – VOLUME 24 SOLIMAN**
- #EXH-0147 – DUCHESNE TRAVEL MOVEMENT RECORDS**
- 20 **#EXH-0148 – VOLUME 5.2 TTS FINANCIAL**
- #EXH-0149 – VOLUME 6.1 PART A ABRAHAM & GOLDBERG**
- #EXH-0150 – VOLUME 6.1 PART B ABRAHAM & GOLDBERG**
- #EXH-0151 – VOLUME 6.3 FINANCIAL - WILKINS GOLDBERG SUNCORP ACCTS**
- #EXH-0152 – VOLUME 11.1B RMS CONTRACTS**
- 30 **#EXH-0153 – VOLUME 11.2A AA STEEL RMS CONTRACTS DOCUMENTS**
- #EXH-0154 – VOLUME 12.1 MASTERS RECORD OF INTERVIEW**
- #EXH-0155 – VOLUME 12.2 MASTERS - RMS CONTRACTS**
- #EXH-0156 – VOLUME 12.3 MASTERS BENEFITS TO STEYN**
- 40 **#EXH-0157 – VOLUME 12.4 MASTERS SCHEDULE & FINANCIAL**
- #EXH-0158 – VOLUME 13.7 RAHME BENFITS TO STEYN**
- #EXH-0159 – VOLUME 19.1 EURO PROJECTS**
- #EXH-0160 – VOLUME 20.1A MERCEDES C63 ADDITIONAL MATERIAL**
- #EXH-0161 – VOLUME 20.2 FINANCIAL VEHICLE PURCHASES**

#EXH-0162 – VOLUME 20.3 FINANCIAL VEHICLE PURCHASES

#EXH-0163 – VOLUME 23.1 NAJJARIN - BMN

**#EXH-0164 – VOLUME 4.14 PART A SEINA HVEP PANEL
CONTRACTS**

10 **#EXH-0165 – VOLUME 4.14 PART B SEINA HVEP PANEL
CONTRACTS**

#EXH-0166 – VOLUME 6.4 MJ WILSONS PAYMENT SCHEDULE

THE COMMISSIONER: Yes.

MR DOWNING: I see Mr Alexander's here, if he can return to the witness box.

20 THE COMMISSIONER: Yes, thank you, Mr Alexander.

MR ALEXANDER: Good morning, Commissioner.

THE COMMISSIONER: Good morning. Mr Alexander, do you take an oath or an affirmation?

MR ALEXANDER: Oath.

30 THE COMMISSIONER: An oath. If you wouldn't mind standing, take the Bible in your right hand and I'll have my associate administer the oath.

THE COMMISSIONER: Yes, just take a seat.

Now, on the last occasion I believe I made a declaration under section 38 of the Act. I confirm that the declaration I made continues to apply to the evidence to be given by the witness today. Yes, Mr Downing.

10 MR DOWNING: Mr Alexander, it may be that I didn't pick it up, but I think when I saw you just give your oath, you nodded, but I'm not sure you gave a verbal response. Can I just ask you to confirm that when you do answer a question you verbally respond?---Okay.

And I take it you were confirming that you were agreeing to what was put to you in the oath?---Yes.

And you agree that you'll be bound by the oath?---Yes.

20 Right. I want to just take you back briefly to some evidence that you gave, and you'll recall you gave some evidence on the afternoon of last Wednesday, the 19th?---Yes.

And I asked you some questions late in the day, and for the benefit of you, Commissioner, and other parties, it's at transcript 699 at about line 14. I asked you some questions about Mr Steyn and him asking you to either give him money or to pay for things on his behalf.---Yes.

Do you recall that?---Yes.

30 And you said – I asked you some questions about when you believed he first approached you with a request of that nature, that is asking you to give him some money or to pay for something, and I asked you this question and I'll just read your response. "Now, it may be that you can recall events occurring and use them as reference points as to when the first approach occurred. Can you put a time on it now in terms of years?" And your answer was, "No, I'll have to, I'll have to go back into the paperwork and check it out."---Yes.

40 Now, when you were referring to paperwork there, were you referring to AA Steel quotes or invoices?---No. He gave a spreadsheet.

Okay, all right. Well, I will come to the spreadsheet in due course, but is that what you were referring to, the spreadsheet that you could go then and look at what has been requested and paid?---Yes.

And is it the case with the spreadsheet that he spoke to you about it and then you received it via email?---Yes.

And is it the case, consistent with your evidence on the last occasion about who operated emails, that your wife would receive emails and she would either show you the screen or print things out and show it to you?---Show me, yeah.

So that you believe, by reference to the spreadsheet you could identify the earliest records of things being paid?---Yes.

10 All right. You also said, and this is at transcript 700.11, that your recollection now is that the first thing he asked you to pay for was something like bins or demolition, one of the two?---Yes.

To try and assist you in that regard, I'm going to take you to some documents now. First of all a schedule that's been prepared by the Commission showing various invoices and also payments from either your AA Steel account or your personal account, and just take you to some of those and see if that assists you in terms of what you can recall paying at points in time. So if we could go, first of all, please, to volume 10.4A page
20 1. I apologise for the delay, Commissioner, and Mr Alexander. If we could go, please, to that volume. So page 1, if we could bring that back up. And just to put it in time context, I'm going to take you to some records in respect of 2013 to begin with. And if you just bear that in mind, and I'll ask you to accept from me that the available records indicate that the application in respect of the putting in the pool and building the pool house was submitted in 2013, whereas the application with the council for the house itself was 2015.---Okay.

30 Now, you confirmed on the last occasion that you did recall being asked to pay for some costs in relation to the pool and pool house.---Yes.

You'll see first of all on page 1 there is a record here of a NetBank transfer and you'll see the account number is 5-1-0-5. And at the top of the page, the customer name is AA Steel Piping. I took you to the records on the last occasion showing that the CBA account for AA Steel Piping was that number. What this record demonstrates, I'm going to suggest to you, is that there was a payment on the 21st of February, 2013, to Cutaway Concrete Cutting Services of 371.69. And if you go, please, to page 3, you'll see that this is a statement from your bank account. You see the number 5-1-0-5.
40 And you'll see there is that entry, 21 February, 2013, Cutaway, debit of \$371.69. Do you have a recollection that one of the perhaps early or earliest approaches that Mr Steyn made was for you to pay for some concrete cutting in respect of the pool or pool building?---Can't recall that, sir.

That's all right. Is Cutaway Concrete Cutting a company that you deal with through AA Steel Piping?---Yes.

Right.---We (not transcribable)

So it's possible that you might pay them from time to time to do work?
---Yes.

Can we go then, please, to page 4, same volume. And you'll see that again this is a record of a payment, banking payment, or a banking record of a payment by AA Steel Piping with the account 5-1-0-5. This time a 13 May, 2013 debit of \$2,310 to Wideline Pty Ltd. You see that?---I see that, yep.

10 And if we could go, please, to page 7. You'll see that this is a quote that Mr Steyn obtained from Wideline, and you'll see from the name, Wideline is a company that appears to provide windows and doors.---Doors.

And it's for doorframes, and if you go over the page, you'll see that the Paragon doorframe quote was \$1,210. And if we go back, the quote date was 29 May, 2013. So, it appears from that document, I'm going to suggest to you, that Mr Steyn was using Wideline to provide some doorframes in respect of, I assume, the pool building at the time. But if we go back,
please, to page 6, you'll see that again this is a bank statement from AA
20 Steel's CBA account, 13 May, there is a debit to Wideline of \$2,310. Can you recall Mr Steyn presenting you with the invoice or – sorry, an invoice or perhaps asking to make a payment for Wideline at the time?---I can't recall that, sir.

THE COMMISSIONER: Sorry, you have to keep your voice up. I can't hear you.---Sorry.

What was your response?---I can't recall that, sir.

30 MR DOWNING: Having seen, admittedly, a quote dated slightly after the date of the payment in that the quote was dated 29 May and the payment was made 13 May, do you think it's likely that this was a payment for some building, some materials in respect of the house?---Could be. Could be.

Is Wideline a company that you deal with through AA Steel Piping?---No, no.

All right. If we could go then, please, to page 4. No, I apologise. Page 9 in the same document, same volume. You'll see, again this is a AA Steel bank
40 account statement with the number 5-1-0-5 as being the last four digits of the account number and on 14 May there was a payment to PK Roofing of \$620.50.---Yes.

And if we go, please, to page 10, you'll see the CBA record confirms payment, that is \$620.50 on 14 May.---Yes.

And if we could go, please, to page 12. You'll see PK Roofing provided a quote to Mr Steyn on 9 May, 2013, for some flat concrete shingle range roof tiles.---Yes.

With a total sum in the quote being \$6,205.---Yes.

10 So, \$620.50 is 10 per cent. If we could go, please, to page 16. You'll see there's some email correspondence between someone at PK Roofing, a Vicki, and Mr Steyn. And you'll see that on 13 May, PK Roofing requests a 10 per cent deposit.---Yes.

In the sum of \$620.50. So that's 13 May, and if we go back, please, to the bank statement at page 9, you'll see that – it's the very next day, 14 May that that amount of money, \$620.50 is paid by you.---Yes.

Can you recall him coming to you with the PK Roofing request?---Yes.

20 All right. And if we could go then, please, to page 21. You'll see that, again, a bank statement for AA Steel. You'll see on 17 May, so now three days later after paying the \$620.50, there's a further PK Roofing payment of 2,482.---Yes.

Accept from me that, doing the maths, that's 40 per cent of \$6,250.---Yes.

Do you recall that in this case you made a number of payments?
---Payments, yes.

30 As the payments date fell due for the deposit and then progress payments?
---Yes.

And the if we can go next, please, same volume, to page 31. You might recall I asked you some questions on the last occasion about whether you might have made some payments related to the pool and in particular to the Dural Pool Shop. I asked you about it last week.---Yeah.

Do you see page 31 there is a bank statement again for the account ending 5-1-0-5, and you'll see 23 July, 2013, there is a transfer of \$1,974.50 for a stainless ring kit?---Yes.

40 And if we could go, please, to page 32, you'll see that the bank record shows that that was the transfer from the AA Steel Piping account into an account named AQUAQUIP, \$1,974.50?---Yes.

On 23 July, 2013. And if we could go, please, to page 134, do you see that Mr Steyn obtained an invoice from the Dural Pool Shop for that sum, \$1,974.50, on 23 July, 2013?---Yes.

And you'll see that it includes as part of the three items that make up the total sum, a stainless steel ring kit?---Yes.

Now, looking at the way in which you've described the transaction in your bank statement, that is stainless ring kit, and the sums, I take it you accept that this is another instance of a bill that Mr Steyn gave to you and you paid?---Yes.

10 Now, after he started asking you for things, I'm going to suggest in 2013, that is to pay for bills related to the pool or the pool building and then ultimately the house, the requests became frequent.---Yes.

And you made multiple payments. Correct?---Yes.

Now you referred to demolition, meaning the cost of demolition, in your evidence last week.---Yes.

20 In that regard, can I take you, please, to volume 10.3, page 102, and you'll see it's a quote from Advanced Excavation & Demolition to Mr Steyn. The date writing is small, but if we enlarge that, please, just for a moment, it's 15 February, 2015. And you'll see that the total sum is \$13,200. Do you see that?---Yes.

And do you recall that this was the company that he asked you to pay for demolition work?---Yes.

30 If we go then, please, to the next page, page 103, you'll see that the tax invoice was for the quoted sum of 13,200, plus, it's handwritten on it, plus 560?---Yes.

And it indicated that there was an amount paid of 7,000, so that the balance to pay, in handwriting, is 6,760.---Yes.

If we could go, please, to page 104. You'll see that this is a bank statement for the Habib Family Trust, the account details are, the account is Advanced Excavation & Demolitions, and you'll see on 20 April, 2013 there is an entry there, \$7,000 credit, with the reference, "Damsel Court, Ashley Alexander."---Yes.

40 And if you go over the page, you'll see on 29 April there's another Damsel Court reference and \$3,000 credit.---Yeah.

And finally if we go to page 106, you'll see 6 May, 2015, a payment or a credit there of 3,760, again with a Damsel Court reference.---Yes.

And if we could then go, please, to page 107, same volume. You'll see this time it's the bank statement, ends in 5-0-8-4, and you might recall I took

you to the statements and accounts last week, that's your personal account?
---Yes.

And you'll see that on 19 April there is a \$7,000 debit on that account to
Advanced Demolition.---Yes.

And if you go to the next page, please, 108. You'll see the bank record
confirms that that was the payment on that day, 19 April, A \$7,000 debit to
Advanced Demolition.---Yep.

10

If we could then go, please, to page 110. You'll see on the 20 – sorry,
before I get to that, this is a bank statement for AA Steel and you'll see it
ends in 5-1-0-5.---Yep.

And you'll see there's a payment on 29 April. It says "Veolia" but \$3,000.
---Yep.

And if you go to the next page, please, to page 111, you'll see that in fact
that \$3,000 payment isn't to Veolia, that is on the 29th of April, it's to
Advanced Demolition.---Yes.

20

And if we could go ahead, please, to page 113. You'll see bank statement
again for AA Steel, so ending in 5-1-0-5. On the 6th of May, the payment of
\$3,760 is made to Advanced Demolition. You see that?---Yes.

And if we go to the next page, please, to 114, you'll see the bank record
confirms that that was a payment on that day from your account to – oh,
sorry, the AA Steel account to Advanced Demolition.---Yes.

30

Now, do you recognise those as the various payments that you made after
Mr Steyn asked you to look after the cost of the demolition?---Yes.

Going back, please, to page 110, and before I ask you a question specifically
about that, you confirmed before that where payments were made you
would direct your wife – who looked after the internet banking – to make
payments from whichever account you wanted the money to come from?
---Yes.

40

So that in this instance, I take it you would have directed her that the initial
payment was to come from the personal account but the subsequent two
payments would have come from the AA Steel accounts?---Yes.

And I take it – going to page 110, please – with that payment, that is the first
of the payments from the AA Steel account with the reference Veolia, that
would have been something that you had directed your wife to put into the
entry for it?---Can't recall. Could be.

Veolia was a company that you used for waste, wasn't it?---For waste, yes.

In any event, it would have been your direction to her that these payments would have come out of the AA Steel account?---Would have been.

With a view to then being able to pay it with pre-tax dollars through AA Steel.---Yes.

10 And then if we could go, please, same volume, to page 116. Do you recall that Mr Steyn also asked you to pay for some of the bricks in respect of the house in 2015?---Yes.

And do you recall that Austral Bricks was the company that he asked you to make payments for?---Yes.

You'll see that there's a quote here from Austral Bricks on 14 August, 2012, but in the sum of \$19,571.20.---Yes.

20 And if we could go then, please, to page 131. You'll see this is a bank statement in the personal account that you and your wife have, ending in 5-0-8-4. And on the 5th of August, 2015, there was a transfer of \$15,000 to Austral.---Yes.

And the reference is "Austral Craig".---Yes.

And if we could then go, please, to page 132. You'll see that the bank record confirms that that payment of \$15,000 was indeed to Austral Bricks. ---Yes.

30 If we could then go please to 135. You'll see on 31 August, 2015, there is a transfer there of \$8,000 but it's entered as Sam Jas Constructions. ---Yes.

Now, pausing there, Sam Jas Constructions was a company that you did some work for, wasn't it?---I've done work for them, yes.

So from time to time they would pay you for various jobs that you'd done, where you'd done steel works for them?---Yes.

40 All right. If we go to the next page, please, you will see the bank record confirms that, in fact, that payment on 31 August, 2015, wasn't to Sam Jas Constructions, it was to Austral Bricks in the sum of \$8,000.---Okay, yes.

And do you recall, in this instance, asking your wife to make the transfer from this part of the payment for the Austral Bricks from the AA Steel account?---I don't recall that one, sir.

But it was you who gave directions as to which account the money would come from?---I gave directions, yes. I gave - - -

And it would have been you, wouldn't it, who gave the direction that it should be entered as Sam Jas Constructions?---Could have been.

Well, it wouldn't have been a decision your wife would have made without reference to you?---No. She wouldn't have made it, it would have been me.

10 Now, I've only taken you to a quick summary or some examples of payments that there are records of either you, that is you and our wife through your personal account, or AA Steel through its account, meeting. But I want to take you to a schedule now and you will see, when it comes up, this schedule lists - - -

THE COMMISSIONER: Where is this to be found, what exhibit?

MR DOWNING: It's only just been added to the restricted website.

THE COMMISSIONER: Oh, I see. It's one of today's exhibits, is it?

20 MR DOWNING: I will need to tender this separately, Commissioner. It's not included in the list of tenders today. So this will need to be added to it.

THE COMMISSIONER: Oh, I see. All right.

MR DOWNING: So, can I tender this now? So it will become - - -

THE COMMISSIONER: It will become Exhibit 167, I imagine.

30 MR DOWNING: 167. Thank you.

THE COMMISSIONER: The document, Schedule of Evidence, Alexander Contributions to Steyn, will be admitted and become Exhibit 167.

#EXH-0167 – ALEXANDER CONTRIBUTIONS TO MR STEYN

40 MR DOWNING: I'm not going to take you through every source document relating to these transactions, Mr Alexander, you might be pleased to know, but what I would like you to do is, if you could have a look at the description for the various items, starting at 1.05, concrete cutting. I've already taken you to the concrete cutting for Wideline and PK Roofing, but can you go down through the list of companies and, starting on this page, tell me which you recognise as being companies whose accounts were given to you by Mr Steyn to pay? And sorry, I should include in that, whether given to you by Mr Steyn or given to your wife and then passed onto you. ---Then passed onto me, yeah.

THE COMMISSIONER: Could I just enquire. Is this a single-page document or is it multiple pages?

MR DOWNING: It is multiple pages, Commissioner. It runs from page – all up, 16 pages.

10 THE COMMISSIONER: Just considering whether the witness should be allowed just to sit quietly and go through it himself. I mean, in effect you're asking him to do that now in the witness box, but it's a question of how long it'll take. He shouldn't be rushed, that's all.

MR DOWNING: Commissioner, it might be more convenient then if we could ask that he have a look at it over the luncheon adjournment and then we can come back and I can ask some questions then.

THE COMMISSIONER: Yes, all right.

20 MR DOWNING: So that you understand, Mr Alexander, what I would like to do is simply look at the names of the companies, the amount might give you some assistance, and also the documentation. There's a reference there to the things involved, that is the item, the work or the material. And if you could perhaps, we could give you a paper copy, and if you could just mark it up over lunch to indicate those where you believe, or you can recall there being a request to pay.---Okay. Thank you.

Now, it's correct, isn't it, that over time Mr Steyn asked you to pay for things, not only relating to the pool or the house, but to personal living expenses?---Yes.

30 And that those requests became frequent over time.---Yes.

Particularly in the years leading up to 2019 when you were aware that a search warrant was executed at Mr Steyn's house.---Yes.

And do you recall now that things – well, let me give you some examples, tell me if you can recall this, that one of the things that you were asked to meet the cost of was Mr Steyn's wife, Aleesha's, 40th birthday party at the Blacktown Workers Club?---Yes.

40 You were asked to pay various travel expenses for the family?---Yes.

Hotels, flights et cetera?---Yes.

You were asked to pay for family dinners or birthday dinners?---Yes.

And sometimes for Mr and Mrs Steyn, sometimes for their children?---(No Audible Reply)

Do you recall that?---Yes.

And sometimes indeed for Mr Steyn's parents.---Yes.

Do you recall that there was one occasion where you were asked to pay the school fees for one of Mr Steyn's children?---Yes.

You were asked to pay cleaning expenses - - -?---Yes.

10 - - - for the Steyn family. And do you recall that you were asked to pay car-related expenses for Mr Steyn's children?---Yes.

And on each occasion you made the decision as to whether it should be or shouldn't be paid.---Yes.

And either – well, I withdraw that – and then gave your wife instructions as to - - -?---Directions to pay.

20 - - - where the payment should be made?---Yes.

Can you recall any instances where you actually refused something that had been put to you?---I can't recall.

As best you can recall, did the approaches typically come from Mr Steyn to you directly or via your wife?---Mr Steyn.

Directly to you?---Yes.

30 So he would speak to you?---Yeah, and then sometimes he'd email Sandy, my wife, yeah.

All right. And when he spoke to you about this, would this typically occur when you were at work, that is doing some work in either a worksite for the RTA or RMS or in your workshop?---He'd come to my workshop.

Was he a frequent visitor at the workshop?---Yes, because we done quite a bit of work there.

40 And would that typically involve him giving you the paperwork to pay or him giving you just a note of what he wanted paid?---I think just a verbal talk, you know.

Sorry?---Verbal talk.

But in order for you to make payments, presumably you needed bank account details and specific sums?---Yes, I think, yes.

So how was it that that was communicated to you in the ordinary course?
---He'd send the email though and then - - -

Sorry, is this in order, he would speak to you?---Speak to me and then he'll,
he'll email something through.

To let you know that this was coming up.---Yeah, yeah.

10 And would then your wife let you know that she'd received an email with
an invoice?---She received this and then we paid.

Now, do you also recall that in addition to paying for things, that there were
requests for cash at times?---Yes.

Do you recall now going back, how far back in time it was that the first cash
request occurred?---Can't recall.

20 Is your recollection that it was, the first request involved a request for cash
or a request that you pay for something for or on behalf of Mr Steyn?---I
think it was pay for something first and then there was cash money given.

You've made reference already to the spreadsheets.---Yes.

And it's the case, isn't it, that over time Mr Steyn would prepare
spreadsheets and then send them through?---Send them through, correct.

And you'd learn about that through your wife. Correct?---Correct.

30 And it's the case, isn't it, that he would provide updates so that there wasn't
just the one spreadsheet, over time he sent different versions of it?---That
was the case.

And I'm going to suggest that they go back to at least 2013, which was
when the work involving the pool began. Do you recall a time frame on the
spreadsheet?---It would be, could be a long time ago.

40 I want to take you, please, to volume 11.2, and to page 1. And just before I
ask you question specifically about this, you confirmed in your evidence on
the last occasion that it was your wife who looks after the books for the
company.---Yes.

And she provided material to your accountant each month, didn't she, so
that your accountant could prepare your accounts, BAS for the Tax
Department et cetera?---Yes.

And do you recall that she would prepare a spreadsheet each month of the
income and expenses for AA Steel?---Yes.

And looking at this, does this appear to be an example of one of those spreadsheets, in this instance from July 2012?---Could be, yes.

Did she show them to you from time to time?---Yeah, I used to look over it. Remember, I was hands-on too.

I understand.---Yeah.

I know you were hands-on doing the work.---Yeah.

10

But before she sent things off to the accountant, would she typically show it to you and say this month we have this much income coming in and this is what we paid in expenses?---That's it.

And does the look of this seem familiar to you in terms of it's showing income at the top and then, sorry, at the top on the left, and then expenses at the top on the right.---Yeah.

20

And you'll see that one of the expenses on – I withdraw that. That one of the amounts received in that month was a sum from Veolia of \$8,249.95 on 20 July, 2012. Do you see that, under Income, go down further to Received. And "2712 Veolia, \$8,249.95".---Yes.

And indeed there's some invoices that have been rendered to Veolia that month according to the spreadsheet. If you go back up further on the top left, 1 July, 2012, and 5 July, 2012, there are, it seems there are invoices sent.---Yes.

30

All right.---(not transcribable)

Now, can I ask that you go ahead, please, to page 41. And what I'm now showing you is one page of a long spreadsheet document, which was found saved on a laptop at your house when the search warrant was executed. But you recognise, I take it, from this that this is in a different format to the spreadsheet I just took you to?---Yes.

Do you recognise this as being one of the pages of the spreadsheet that you received from Mr Steyn from time to time?---Yes.

40

And you'll see there are various entries on this document showing dates in 2013?---Yes.

And indeed you'll see that there are entries there with Concrete Cutting, Wideline and PK Roofing which correspond with the records I took you to earlier of payments being made either by AA Steel or by you and your wife?---Yes.

Do you see above the first of those entries there is a \$5,000 cash entry?
---Yes.

Looking at that, do you believe that that is a reference to cash Mr Steyn asked from you and you provided to him back in 2013?---Yes.

Just thinking about the cash, how would he typically go about it when he wanted cash? Would he approach you or would he approach your wife?
---He'd approach me and ask for cash and then he'd come and fetch it in the workshop.
10

And when it came to then getting the cash, who would go and withdraw it? Was it either you or your wife or could it be either of you?---Either.

And would it mean going to an ATM or to a branch?---Either.

Did you sometimes have cash on hand from other activities that you could use?---Not big sums like that, but I'd, I'd have some. I'd just add to it.

20 And in part you have an interest in cars and I know you're buying some cars at times.---Yes.

Did you sometimes have cash related to that?---Yes.

But looking at a sum like \$5,000, do you believe it's likely that that would have required going to the bank and withdrawing money?---Yes.

And is your recollection that there were a number of requests for cash from Mr Steyn over time?---Yes.
30

And on each occasion did you obtain it for him?---Yes.

Did he ever tell you what the cash was for?---I never asked.

Did he ever volunteer what he wanted it for?---No.

But I take it that, consistent with what you told us about meeting the various bills that he provided to you, that the reason it was paid was because you wanted to keep him happy.---Yes.
40

And you wanted to maintain the work that AA Steel was receiving.---Yes.

Can you recall an occasion where you or your wife, without a request from Mr Steyn, just went and offered cash to him?---No.

Was cash only ever paid where he had made a request either to you or that you learned about through your wife?---Through my wife, yeah.

Now, I've asked you, and you've given some evidence about requests that Mr Steyn – sorry, a request Mr Steyn made for you to meet the cost of things.---Yes.

And also cash.---Yes.

But thinking about his house, can you recall whether he ever asked you to do something, that is some work yourself or provide some materials yourself, in respect of his house?---Yes.

10

And what can you recall in that regard? What was the nature of the request and what did you then do or supply?---There was, there was a few things.

Well, go through them as best you can and start, if you could, with either the pool or the pool building and then the house.---Pool was piping, pump, cover for the motor. The house was steel.

Was that like a steel beam?---The structure. Oh, there was various things.

20

Dealing with the steel, do you have any recollection as to what the actual cost to you would have been of providing – well, first of all, did you provide the steel?---I provided the steel.

And did you install the steel?---I installed it.

What would the cost, in estimate, if, if it needs to be, or a precise figure, have been of the cost of the steel and then the installation?---Maybe 20/30,000.

30

THE COMMISSIONER: Sorry, how much?---20/30,000. Somewhere around there.

MR DOWNING: And do you recall how many days' work that involved? ---There was a couple days fabrication and a couple days installation.

And was that just you or did it involve your staff as well?---Myself and, I think, I think one other guy or, or myself and two guys. Can't, can't recall, can't - - -

40

Now, you've already given some evidence today about spreadsheets and confirmed that you received them over time. I'm going to show you now another document or an email and then an attached spreadsheet. But do you recall that you were still receiving the spreadsheets as late as 2018, that is in the period, or in the year before the search warrant was executed on Mr Steyn?---Could be. Yeah, I think so, yes.

He liked to spreadsheet, didn't he?---He loved his spreadsheets.

So that he would like to – I withdraw that. Over time you received multiple version where it would set out, for instance, the amounts that he claimed he was owed?---Yes.

And the request was always that you then update it to set off against that the amounts that had been paid to him or on his behalf?---Yes.

10 Can I ask that you go, please, to volume 11.2, page 49? And I'm going to indicate to you and ask you to accept that this was found on a phone located at his house when the search warrant was executed on 18 June, 2019. But you'll see that it shows an email from AA Steel Piping to Creative Service. ---Yes.

Just pausing there, did you know what email address Mr Steyn used or not? ---No.

So you wouldn't have knowledge of his work or personal email address? ---No.

20 It was your wife who operated the email for AA Steel?---Yeah, as I said, yeah, that's Craig.

And do you see there's an attachment, an Excel spreadsheet headed, CRAIG AUG 2015.xls?---Yes.

Now, just looking at that, you will see it reads, and this sent from AA Steel Piping, "Morning update with the inclusion of invoice 0608, which has just been paid."---Yes.

30 And do you recall looking at that, your wife showing you an invoice and this is now in December 2018? Oh, sorry, I withdraw that. Showing you a spreadsheet with records of moneys that Craig claimed he was owed and payments that had been made to or on his behalf?---Yes.

If we go to the next page, please. Do you recognise the format of this document?---Yes.

40 And do you recognise this as a spreadsheet that you saw in December 2018?---I think so, yes.

Just looking at the table, you'll see that there are columns first of all headed PO.---Yep.

Or PO Number, sorry. You'll see the symbol as well.---Yes.

And it's the case, isn't it, that the spreadsheets that Mr Steyn sent through from time to time listed the purchase order number so that you could reference the job?---Yes.

Then there was, you see, second column Scope of Works, and his spreadsheets would include that description again so that you could understand what works were done for the different parts of purchase orders?---Yes.

There are then three columns, AA Steel Quoted Price, Dollars Awarded to Job and Ki-Ty Investments.---Yes.

10 Can I ask, did you understand that AA Steel Quoted Price was the price that AA Steel – I withdraw that. AA Steel Quoted Price, in this table, did you understand to be a reference to the price that was originally quoted by AA Steel?---Had been quoted, yes. Yes.

And you gave some evidence last Wednesday that there were occasions where he would ask you to – the quote would come back with an increase? ---Yes.

20 And I'm going to go through that, the evidence in respect of that in a moment, but do you see the next column, Dollars Awarded to Job?---Yes.

And did you understand in this table that that referenced the amount that was ultimately paid?---Yes.

And then finally Ki-Ty Investments.---Yes.

30 You will see that when you go across the tables, where a sum is in that column, it represents – and I'm using the \$30,000 sum and then, that's dollars awarded to job, and then 17,000 in Ki-Ty Investments. It represents the dollars awarded to job, less the AA Steel quoted price.

And did you understand that Ki-Ty Investments represented Mr Steyn's cut on the particular job?---Yes. Yes.

Do you recall him ever discussing with you that that was the name he was going to give to his margin or his cut, Ki-Ty Investments?---Not really.

40 Do you recall seeing that name in the various spreadsheets over time?---I've seen that, yeah.

And I take it you recognise that it's - - -?---Yes (not transcribable)

- - - a name made up of the initials, or the first two letters of his sons' names?---Yep.

Now, looking at this spreadsheet, do you recall your wife showing this to you and looking at the jobs?---Yes.

And I take it that each time you received one you would go through just to make sure that what was in there in respect of the jobs was correct in terms of what your quoted price was, what had ultimately been paid and what the difference was?---Yes.

And it's the case, isn't it, that not necessarily for every item on every quote would you ultimately get paid more than your quoted sum?---Yes.

10 There were some items where what you quoted was what you ultimately paid?---Yes, and then some - - -

But there were also many items on the quotes where you would have an increased payment by reference to what you'd originally quoted.---Yes.

Where Craig had in effect bumped it up.---Bumped it up, yes.

20 And having reviewed each of these, well, the entries in the table, did you then go through with your wife, when you received this spreadsheet, the various items that she had entered for what had been paid to or on behalf of Craig?---Yes.

So you'll see underneath the table, you'll see there's a reference there to "Pool equipment cover, Advanced Demolition, AA Steel beam supply and install onsite, and Austral Bricks."---Yes.

And you'll recall I've already asked you some questions about pool equipment and Advanced Demolition.---Yes.

30 But as far as "AA Steel beam supply and install on site", you'll note that it says, "Ash to price?" and then there's a sum of \$33,000.---Yes.

Now, you gave evidence earlier that the cost in terms of the actual galvanising of the steel and then the installation might have been 20 to \$30,000.---Yep.

Is it likely that that sum, \$33,000, represents the estimate you gave to Sandy as to what you thought the overall cost would be?---Yes, that would have been right, that there, around 33.

40 So that that was being set off against the - - -?---Yeah.

- - - money that Craig was owed.---Yes.

And then you'll see then there's in red "expenses to date".---Yep.

And if you go down the page, please, you'll see then there under balance as at 24 August, 2015, there's "Paid 31 August, 2015, Austral Bricks." And there's \$8,000.---Yes.

And I take it that you were aware that the way this spreadsheet worked was that, in effect, it showed a running balance.---Yes.

So credit items were all the moneys that Craig was owed by reference to the jobs, correct?---Yes.

After adding up his cut or margin.---Yes.

10 And then debit items reflected the amounts that are being paid to or on his behalf.---Yes.

Which your wife would take you, well, would record and you would check with her had in fact been paid.---Yes.

If we go over the page, please, to page 51, you'll see there's a long list there of those items with a description of what had been paid.---Yes.

20 And there are also some credit items there with references to invoices along the way. Do you see on 31 May, 2016 there's a \$20,000 credit and there's a reference to invoice 1705.---Yes.

Then on 27 June, 2016, \$46,000 credit, invoice 2706. See that?---Yes.

And 30 June, 2016, a \$44,000 credit, invoice 3006.---Yes.

So where those credit items occur, that reflected, didn't it, a payment that had been made on an invoice?---Yes.

30 With the sum there reflecting not the total payment, but a cut on that invoice that was due back to Craig?---Yes.

And I take it that you would have gone through the items, that were listed as far as the payments, with your wife, even if quickly, to check off what had been paid?---Not really, but yes.

So she comes to you from time to time where, or you go to her where Craig's approached either of you with the item to pay?---Yes, and I just tell her pay.

40

Did you rely on her to really keep the record up to date, as far as what had been paid and making an entry to reflect it?---You could say so, yes.

Did you - - ?---But I had a look at it.

I take it you wanted to satisfy yourself that ultimately you weren't paying Craig more than what he was actually due?---As you can see, yeah, I mean, yes.

He was paid a lot.---Yeah, he was paid a lot.

But I take it you went through this with a view to at least satisfying yourself that there was actually money coming in so that you could meet the cost of the various things being paid?---Just barely.

But I take it the answer is yes?---Yes.

10 But there wasn't a big margin in it?---Yes.

Looking at the items there, do you recall he came to you for things like furniture?---Yes.

Blinds?---Yes.

Water tanks?---Yes.

Floor heaters?---Yes.

20

The kitchen design and installation?---Yes.

Electrical equipment like TVs, soundbars?---Yes.

All right. If we could go ahead, please, to page 53. And you'll see whereas – or I withdraw that. You see at the top of the page the first entry is, "TC school"?---Yes.

30

And that was the school fees that you met?---Yes.

Going down you'll see there are multiple items along the way involving things such as flights, or "Flight Peter," that was the cost of flights for Mr Manuel, wasn't it, Aleesha's father?---Yes.

"Flights Gold Coast," "Cleaning," "Wedding accommodation," et cetera, but do you see at the bottom of the page, the last entry, 4/8/18, "\$5,000 cash"?---Yes.

40

And then if you go over the page, please, to page 54, you'll see then with dates ranging between 9 August and 11 December, 2018, there are then multiple entries with cash.---Cash, yes.

Do you recall that from about August 2018, Mr Steyn made frequent requests for cash?---Cash, yes.

Can you recall him saying anything at the time as to why it was he needed cash then?---No.

Just going back if we could, please, to page 53. With that cash entry, 4 August, 2018, bear that date in mind for me, \$5,000 cash. If we could go, please, to volume 11.5, page 16. Now, you'll recognise this is a bank statement for the account ending 5-0-8-4, which is the personal joint account you and your wife operate.---Yes.

And do you see on 3 August, 2018, there is a debit there of \$5,000 withdrawal, branch Penrith?---Yes.

10 So that's 3 August, the day before, if we go back to the page 53 and the spreadsheet, you'll see last entry 4 August, 2018 - - -?---Sure, yes.

- - - \$5,000 cash. Looking at those two records, it's likely, isn't it, that on 3 August you, or on or before 3 August, you'd received a request from Mr Steyn for \$5,000 cash?---Yes.

You went to the Penrith branch, withdrew \$5,000 cash.---Yes.

That is on 3 August. And then gave it to him on 4 August.---Yes.

20

And if we go back over the page, please, to page 54 in volume 11.2. With the cash entries that you then see, so you'll see 21 August for 6,000 and there are then seven cash entries that page between August and November. It's likely, isn't it, that each time that cash was sought by Mr Steyn you went to the bank, either you or your wife went to the bank and got the cash out?---I also would have had cash.

On hand?---Yeah.

30 You will also see that on 8 December, 2018, there is an entry, "\$2,000, Gareth."---Yes.

Now, is Gareth Mr Steyn's brother?---Brother, yes.

And did you make some payment to him?---I must have, yeah.

Can you recall that now?---Yes, I think so, yes. I did.

Any recollection as to what it was for?---No idea.

40

Can we go back, please, to page 52? You will see on that page, on 29 August, 2017, there is a \$7,000 payment to Zalda.---Yes.

And do you recall who Zalda was?---That's his step-mother.

And then there are further payments to Zalda, 3,000 on 30 August and 2,000 on 31 August, 2017.---Yes.

Can you recall Mr Steyn asking you to make some payment to his step-mother?---Yes.

Can you recall what that was for?---No idea, sir.

But is it the case he simply came to you and indicated that there was a sum that should be transferred to her?---Yes.

10 THE COMMISSIONER: Did you ever refuse any of these requests for cash?---Near the end of it I started refusing.

Sorry?---Near the end of, when I had enough of this I said, “No more.”

When was that?---Oh, two/three years ago.

Well, you knew that by agreeing to all these requests he was making, you were assisting him in what was an ongoing scheme to defraud, is that right? ---Yes, sir.

20 In other words, there seemed to be an ongoing arrangement, extending over years, whereby, although you knew he was a public official, that he was doing the wrong thing. You knew that, didn't you?---(No Audible Reply)

You knew he was ripping off the system, in other words?---Yes, sir.

Why did you keep going for so long, meeting almost whatever request he made on the items at least that we have examined today?---No idea, sir.

30 And you appreciate it was the wrong thing to assist him in his scheme, is that right?---Yes, sir.

Yes, Mr Downing.

40 MR DOWNING: Now, just going back to the evidence you gave last time about Mr Steyn increasing your quotes. The evidence you gave, and I'll just read it to you. It was only a brief answer, it was at transcript 699.1. I asked you, “At any point has he ever said to you that in return for the flow of work that you were getting from the RTA through him, you wanted a little something in return?” And your answer was, “No. He just used to amend the – well, I used to quote the job and come back and it was changed.” ---Changed. Yes, sir.

And just dealing with that evidence for a moment, you've confirmed in your Earlier evidence that it was you who actually did the costing and the estimates in order for a quote to go out?---Yes.

You would then speak to Sandy, and she would type it up.---Type it up, yes.

Do you recall then occasions when, the quote having been submitted, Sandy would come to you and say Craig sent one back, or did you speak to him about it?---Yes, I spoke to him about, why he sent it back. He said there's more work to be done on that. So I said, oh, okay.

So that did you understand that it meant that there was going to be an increase?---Not really.

10 Well, sorry, an increase in the price.---Price, yes.

Did you regard what he was saying too, there's more work to be done, as him being a bit cute about what's really involved?---Yes.

Did you understand that what was actually involved was him bumping up your price so that there would then be a margin to pay back to him?---Yes.

Now, would you then typically have Sandy come to you and say Craig sent the quote back?---Yes.

20 And would you look at it? Would she print it out and give it to you?---Yes.

And you would then be able to compare what your original price was and what the actual price was.---Price was, yes, and then add the extras that was into it.

And when it came to invoicing, then each time he bumped it up, you would invoice at the bumped-up price.---Yes.

30 Can you estimate how early in the period of work that you did for the RMS that that occurred?---Can't recall.

Was it only on bigger jobs? Did it happen even with smaller jobs?---Small jobs, big jobs. Happened on small and big.

How frequently did it happen?---Couldn't tell you.

I've taken you to records that suggest that there were payments made to or on behalf of Mr Steyn from 2013.---Yeah.

40 Do you have a recollection that the requests for payments occurred at or around the same time that he first bumped up an invoice or were you not able to time them by reference to each other?---Not be able to time them.

Just by way of example, can we go back, please, to the spreadsheet at page 50. So volume 11.2, page 50. And just dealing with the jobs in the box at the top, do you see that there are, first of all, a purchase order number ending in 6428, then with items dash 10, 20, 30 and 40?---Yes.

And do you recall that with purchase order numbers there would sometimes be a purchase order number and then individual line items for different parts of the job?---Job, yes.

Because sometimes it's the case, isn't it, that a particular job, when you build it, would involve work at different locations.---Yes.

So that you would use line items to reflect the different aspects of it.---Yes.

10 And you see in this instance there are four items in that grouping. First of all, "Handrail install top Mount Victoria."---Yes.

"Fabricate container feet times 12."---Yes.

"Modify generator container."---Yes.

And "Mount Ousley gantry locking mechanism."---Yes.

20 And you'll see that with the handrail install top Mount Victoria, the same sum is the quoted price and the awarded to job, 9,800.---Yes.

The same with the fabricate container feet times 12.---Yes.

6,200 appears for both. But do you see that with moderate, sorry, modify generator container the quoted price is \$13,000 and the dollars awarded to job is \$30,000?---Yes.

30 Do you recall that with that particular invoice that the process was that you had originally quoted \$13,000 for that particular work?---Yes.

And that ultimately what it came back bumped up to was 30,000?---Yes.

Do you know, can you recall now where the generator container was?---We built it in our workshop and it was sent to site.

Just dealing with that, first of all, you'll see that across those four line items with that purchase order number - - -?---Yes.

40 - - - when you add up the dollars awarded to job, 9,800 and 6,200, is \$16,000, then \$30,000 for the generator container takes it to 46, and then 1,000 for the Mount Ousley gantry locking mechanism takes it to 47,000 all up.---Yes.

So ultimately what that reflects, doesn't it, is a \$47,000 bill with a \$17,000 margin for Mr Steyn.---Yes.

If we go, please, to volume 11.2A, page 63. Do you recognise that as the quote, 19 February, 2015, that relates to those various items which are

reflected in that purchase order number grouping at the top of the table in the spreadsheet?---Yes.

And you'll see that the amount for the research design as needed and modification of shipping container to accommodate cameras for RMS Safe-T-Cam program is 30,000.---Yes.

So I take it that there was an earlier version of this that in fact had 13,000 for that?---Yes.

10

So this then comes back from Mr Steyn - - -?---Steyn.

- - - with the changed price.---Yes.

And that's ultimately what's billed.---Yes.

And just in that regard, if we could go, please, to same volume, 11.2A, page 70. You'll see that this is a tax invoice that relates to part of that work, that is the first two items, the "Fabricate and install the handrail," which was at Mount Victoria?---Yes.

20

And then the, "Fabricate container feet times 12."---Yes.

And then indeed it includes the last item, the "Mount Ousley gantry locking mechanism."---Yes.

And by reference to the entry in the spreadsheet, all of these were actually the genuine price that reflected your quote?---Yes.

30

If we could then go, please, to page 72, you'll see that this now is the invoice of 11 March, 2015, for the work on the generator container, \$30,000 plus GST.---Yes.

And this was the invoices that included the \$17,000 margin for Mr Steyn. ---Yes.

Can we go back, please, to the spreadsheet at page 50. Do you see the second grouping, it actually has the same number, that is the purchase order number, 4-5-1-0-3-6-6-4-2-8 - - -?---Yes.

40

- - - but now with line items 10, 20, 30, 40, 50 and 60.---Yes.

And looking at that now and looking at the scope of works, do you recognise that work that was done?---Yes.

And you will see that dealing with the first two items, "Antenna fabrication" and "Bulli gantry lock," there is the same price listed as AA Steel quoted and the dollars awarded to job.---Yes.

Sorry, I withdraw that – that’s not right. With the first item, antenna fabrication, the quote price of 1,500 and the dollars awarded to job is 5,000. ---5,000.

So there’s a \$3,000, \$3,500 margin.---Yes.

So in that instance you would have quoted 1,500 and then it was bumped up - - -?---Bumped up.

10

- - - by Mr Steyn to five.---Yes.

And then similarly with the next item, “Bulli gantry lock,” bumped up from one to two by Mr Steyn.---Yes.

With the third item, “modify frame and mount in brackets,” there is no quoted price, the dollars awarded to job is 6,000 and then the amount under Ki-Ty Investments column is 6,000. Do you see that?---Yes.

20

Now, that reflects, doesn’t it, that on that part of the particular work, Mr Steyn was claiming the entire sum billed as his margin?---Every job that we done there was a purchase order for it.

I understand that.---Yeah.

But there is no quoted price referred to.---No quote or - - -

30

And in contrast to the others where either there was some quoted price but perhaps an increased price, or some where there was no increase at all, here the entire amount awarded to job is listed under Ki-Ty Investments as his margin. So just looking at that, can you recall doing that work?---Yes.

Do you know - - -?---As I said, every job we done, we done a job, we worked.

Do you know then how it came to be that here his margin was the entire amount you were paid?---No idea.

40

Go down to the next item, “Install 4RU box.” Looks like Mr Steyn, as per the spreadsheet, has increased your price from 1,000 to 2,000. Do you see that?---Yes.

So that his margin is 1,000.---Yes.

Then next item, “Replace exhaust fan,” looks like he’s increased it from 1,500 to 5,000, so his margin is 3,500.---Yep.

And then finally, "Blacktown yard clean-up," you will see that, again, there is no quoted price, 5,000 awarded to job and the whole 5,000 is his margin. ---Yes.

Now, can you recall doing that job?---Yes, we cleaned up the yard. We cleaned up several, several yards.

Well, indeed you'll see the next group down starts with, "Westmead yard clean-up."---Yes

10

But can you recall why it was that in this instance that the whole \$5,000 is his margin for that aspect of the work, that is the Blacktown yard clean-up? ---No idea, sir.

All right. You will see that across that grouping of items, what that would suggest is that when you add up the dollars awarded to job that there is \$25,000 that has been billed when you add up 5,000, 2,000, 6,000, 2,000, 5,000 and 5,000?---Yep.

20

But when you add up his margin, his margin across all those items comes to \$20,000. That is in the Ki-Ty Investments column.---Yep.

Now, I take it when you received this spreadsheet, if you had regarded that as wrong or not reflecting your actual genuine cost, you would have pushed back to Mr Steyn and said, "That's wrong. In fact our genuine cost for that was \$2,000," or \$3,000 or whatever it was per item?---Is this his spreadsheet?

30

This is his spreadsheet. If you go back, please, to page 49. It's been sent back by AA Steel Piping on 18 December, with an update in respect of an invoice which has just been paid. Do you see that?---Yes.

It refers to 0608.---Okay.

And if we go back, please, to page 54, you will see right at the bottom, it shows that invoice 0608 was paid on 18 December, 2018, so the same day as the email.---3,000, yeah.

40

So it would appear that this has been received by your wife at some point, it's been updated and then sent back to Mr Steyn on 18 December.---Yes.

So, bearing that in mind, it's likely, isn't it, that if there was some error in his accounting of his margin on particular jobs, that you would have either had your wife put that into the email or you would have corrected the entries in the table?---I would have, yeah. But as I said, I'm a one-man band. Get the job, quote the job, fabricate the job, install the job.

Well, in fairness to you, I want to take you to the supporting documents in respect of this work. If we could go, please, to volume 11.2A. So I'm not taking you back to these items, that is the purchase order ending in 66428, line items 10 to 60 that I took you to in the spreadsheet. If we could go, please, to volume 11.2A, first of all to page 75. So you will see that this is a purchase order request form.---Yes.

And you will see the number at the top, 4510366428/50.---Yes

10 Do you see it's received 4 May, 2015?---Yes.

And if you go down to the service items, you'll see that there are six line items?---Yes.

And the sums correspond, I'm going to suggest to you, both in terms of sums and the description of work, with those contained in the spreadsheet? ---Yes.

20 So that the total is \$25,000 plus GST?---Yes.

And if we could go then, please, to page 77. You'll see that this is a 14 May, 2015 email from Mr Steyn to you, although addressed to your wife. ---Yes.

Because he was aware that your wife was the one that received and dealt with emails?---(No Audible Reply)

30 Do you see he confirms the purchase order number has been created for this and it's that number ending in 6428?---Yep.

And then it lists the six line items.---Yes.

Including the Blacktown yard clean-up.---Yes.

And the modify frame and mounting brackets.---Yes.

And you'll see at the end it says, "Please invoice for any works completed upon advice from Ashley and my discussions."---Yes.

40 Now, can you recall any discussions with Mr Steyn at around this time about what it was you were to bill and how it was you were to cost this work?---Can't recall that, sir.

But it's the case, isn't it, that this must have been one of those jobs where there was a quote put in and then it was increased?---Increased.

Can you go, please, to same volume but page 79. And you'll see the invoice at the bottom. Sorry, I withdraw that. The email at the bottom of

the page. 25 May, 2015. From Mr Steyn. Sorry, I withdraw that, from AA Steel to Mr Steyn, indicating invoice work completed May 2015. You see that?---Yes.

And then at the top of the page there's an email that Mr Steyn sends on, confirming that it's approved. That is on the same day, 25 May.---Yes.

10 And if we go to the next page, please. You'll see the invoice. You'll see it actually contains two purchase order numbers ending in 66428 and 6858. ---Yes.

In any event, there are six line items. But the total ultimately is \$22,000 plus GST. You see that?---Yes.

But relevantly you'll see that in respect of the Blacktown yard clean-up the total billed is \$5,000.---Yes.

Which was the amount in the spreadsheet.---Yes.

20 And as far as the modify mounting - - -?---Brackets

- - - brackets and frames, that's \$6,000.---Yes.

As per the spreadsheet.---Yes.

30 Can you recall now how it came to be, perhaps through discussions with Mr Steyn, that the sum that was ultimately billed was a bit different to what had been included in your earlier documents, the quote?---No, never asked him nothing.

In any event, according to the spreadsheet, his margin on this was \$20,000. ---And the subtotal was 24.

We can go back to the table, please, in fairness to you. Page 50 of volume 11.2, I'm sorry. So again I'm dealing with that second grouping.---Yes.

40 Line items 10 down to 60. So you'll see that, with that, what was listed there as awarded to the job was \$25,000 and the Ki-Ty Investments, when you add them up, comes to 20.---Can you - - -

So by reference to what you have actually billed on the 25th of May, which was 22,000 plus GST, he's allocated \$20,000 to himself.---Yes.

Can you recall having any words with him about that or any discussion with him about how it was that, in effect, he was getting almost everything that you were being paid on these jobs?---I never, did not, no.

Was there ever a discussion where he suggested, for instance that, look, just pay it and you'll make it up through other jobs? Did he ever say anything to you to that effect?---I can't recall that, sir. But - - -

But is it the case you can't now recall, in effect, pushing back on him on this job where - - -?---On that one there, no. But it's there on your spreadsheet, so - - -

10 So ultimately it was accounted for and used to set off against the things you paid for for it.---Paid for, yes.

Staying with the spreadsheet, if we could, I want to then go to the next grouping, which has the PO number ending in 6858.---Yes.

And you will see that there are line items there, 10, 20, 30 and 40.---Yes.

And looking across, 10 involves the Westmead yard clean-up.---Yes.

20 And that shows a quoted price of \$4,000 but an ultimate price awarded to job of \$12,000.---Yes.

So that was an instance where you'd quoted a price and he bumped it up or in this instance tripled it?---Yes.

Then the bracket fabrication for Mount Victoria.---Yes.

You'll see quoted price of 5,000 but he'd upped it to 13,500.---Yes.

30 Then controller housing the next item. Only a modest increase from \$1,500 to 2,000.---Yes.

And then the last item, town bridge works to date, there's no difference, \$18,000 quoted and awarded to job.---Yes.

So that you'll see across those items that the total amount billed was 45,500 and that the amount that was his margin was \$17,000.---Yes.

40 And just in that regard, you will see, if we could go, please, to volume 11.2A, page 102. You'll see that this was the purchase order confirmation for that job. You'll see it ends in 6-8-5-8 with the 45,500 being the price. ---Yes.

And if you go over the page, please, you'll see the actual purchase order itself with that number showing that sum.---Yes.

And to the next page you'll see the line items 10 through 40 that make up the 45,500.---Yes.

And just as far as quotes are concerned, if we could go, please, to the same volume 11.2A, page 134. You'll see that this is an 8 May, 2015 quote in respect of fabricating, galvanising and installing a mounting system for multiple cameras.---Yes.

And it's at the Little Hartley point-to-point site.---Yes.

And the price is 13,500.---Yes.

10 But if we go back, please, to the spreadsheet at volume 11.2, page 50. When you look at that item, the 13,500, the original price that you quoted was actually 5,000.---Yes.

So that invoice that I took you to with the 13,500 would have been after it had been received by Mr Steyn and increased.---Bumped up, yes.

And if we could go, please, to 11.2A, page 139. You'll see this is the tax invoice for the yard clean-up part of it at \$12,000 plus GST.---Yes.

20 Dated 17 June, 2015.---Yes.

It doesn't identify the yard but if we go back, please, to the spreadsheet volume 11.2, page 50, it's evident, isn't it, that when you look at line item 10 that it was the Westmead yard?---Yes.

And that your original price has been 4,000 and it had then been bumped up to 12 and that was what was invoiced.---Yes.

30 If we could then go, please, to page 112 in volume 11.2A. You'll see that this was the tax invoice for the Cowan bridge works.---Yes.

In the sum of \$18,000 dated 9 May, 2015.---Yes.

And if we go back, please to the spreadsheet 11.2, page 50. This was the instance where the actual quoted price and the invoice price were the same so there was no bump-up and no margin.---Yes.

40 If we could go, please, then to the spreadsheet, so volume 11.2, page 51. Just dealing with the invoices that are listed there and that I took you to, do you see first of all 31 May, 2016, invoice 1705, the \$20,000 sum?---Yes.

If we could go, please, to volume 11.2A, page 351. Do you see that on 17 May you've submitted invoice 1705?---Yes.

And if you go over the page to 352, you'll see that the invoice relates to, so it's date 17 May, 2016 and it relates to "Annual site maintenance, inspections, vegetation management et cetera and also delivery of under-body vehicle cameras at various offices."---Yes.

And that there's a lump sum on that of 37,500 so that all-up the price is 41,250.---Yes.

And just so that I've shown you the record of the payment, if we could go, please, to volume 11.3, page 42. Bear that sum in mind, 41,250. So 11.3, page 42. Do you see this is the bank statement for AA Steel?---Yes.

10 So the account ending in 5-1-0-5. You'll see 30 May, I'm going to suggest, 2016, you'll see that there is a credit from the RMS and the reference is AA1705 - - -?---Yes.

- - - of 41,250.---Yes.

So that's the amount covered in that invoice, 1705.---Yes.

20 If we go then back, please, to the spreadsheet at 11.2, page 51, what we can work out from that, can't we, is that the \$20,000 sum that's reflected there by reference to that invoice is Mr Steyn's margin?---Yes.

So that of \$41,250 inclusive of GST that was billed, he was taking \$20,000. ---Yes.

So that he had bumped up the quote that you'd done for that work by \$20,000.---Yes.

And if we go to the next items, you'll see 27 June, 2016, invoice 2706, with a sum \$46,000. Do you see that?---Yes.

30 So invoice 2706. If we could go, please, to volume 11.4, page 90. Do you see that that same invoice number, 2706, is this document?---Yes.

And you'll see that the work described there is, "Annual site maintenance, inspections, vegetation management and installation of SPD lines at point-to-point enforcement sites." And then there are lists there of the sites. So Nabitac, Kew, Port Macquarie, Kempsey, Kempsey Bypass, Valla, Tyndale, New Italy, Woodburn and Wardell.---Yes.

40 So that the lump-sum price is 84,750 plus GST, so that all-up, \$93,225. ---Yes.

And if we could then go, please, to volume 11.3, page 45. You'll see there's a credit there for Transport for NSW of \$93,225.---Yes.

And then going back, please, to the spreadsheet at volume 11.2, page 51. What we can determine then is that on that invoice, the \$46,000 amount in the spreadsheet was Mr Steyn's margin.---Yes.

And so that he was taking, of an overall bill inclusive of GST of \$93,225, a cut of \$46,000, correct?---Yes. Sorry.

That's all right. So that this was another instance where he had got your quote and bumped it up?---Yes.

And can you recall that with things like the annual maintenance inspections and vegetation clearings that he did tend to bump things up even more than perhaps in respect of other items?---Yes.

10

From your point of view is it the case that when it came to galvanising steel et cetera, that there was a more definite price that you would be confident would be charged in respect of it?---Yes.

Whereas with this work, your experience with Mr Steyn was that he was more prone to bumping it up, I take it.---Yes.

THE COMMISSIONER: Mr Downing, just to interrupt you for a moment. How much longer do you anticipate being with the witness?

20

MR DOWNING: I don't anticipate I'll be all the day. I suspect I'll be until 1 o'clock and then perhaps he will have an opportunity then to just review some document as per what I had asked him. Then if we return at 2 o'clock, I might be another, no more than 20 minutes to half an hour and that should see us out, I would think, Commissioner.

THE COMMISSIONER: I see.

30

MR DOWNING: Subject to any questions anyone else wants to ask him of course.

THE COMMISSIONER: Yes. Very well. Well, we might adjourn at quarter to 1.00 on that basis.

MR DOWNING: If that's convenient.

THE COMMISSIONER: If you will comfortably finish in the afternoon from what you've said.

40

MR DOWNING: I will, Commissioner.

THE COMMISSIONER: Yes, all right. Well, we'll adjourn at about quarter to 1.00.

MR DOWNING: All right, thank you. If we could go back to the spreadsheet, please, Mr Alexander. And you will then see, on 30 June, 2016, there is an entry, "Invoice 3006, \$44,000."---Yes.

And just bear that in mind, 3006 in the sum of \$44,000. If we could go, please, to volume 11.4, page 118. Do you see that on 26 July, you have rendered an invoice – sorry – an amended invoice and it's number 3006/16, "North-west New South Wales maintenance"?---Yes.

Now, if we go to the next page you will see that the actual invoice 3006/16, dated 30 June is in the total sum of 79,900 inclusive of GST?---Yes.

10 And you'll see there the reference to the various locations of the maintenance inspections, vegetation management et cetera?---Yes.

If we go back, please, to the spreadsheet at page 51, we see that the margin that's reflected there is \$44,000?---Yes.

So that in this instance, \$44,000 of \$75,900 was Mr Steyn's margin?---Yes.

So he had bumped up your original invoice by \$44,000? Sorry, not invoice your original quote, I apologise.---Yeah, yes.

20 Can I ask you to then go ahead, please, to page 54? You'll see there, on the right side of the page highlighted in yellow, "November yet to be added in." Do you see that?---Yes.

And then there's a reference to, "Alex, \$85,000, \$20,000, \$65,000," and a purchase number.---Yes.

Just pausing there, it's the case, isn't it, that from time to time you dealt with Mr Dubois in respect of jobs?---Yes.

30 And there were times when you would get particular jobs, whether they were steel fabrication or the more general maintenance or vegetation clearing or road marking or cats-eye application where it was his job? ---Yes, yes. But Craig handled everything.

Well, what I wanted to ask you was do you recall at times that Craig would say to you there'll be a job coming from Alex?---Yes.

40 Did he say to you at times that even in respect of Alex's jobs that there would still be a margin that he was to get? Can you recall him ever saying that?---No. No, I can't recall.

Just looking at this entry, your wife has confirmed in her evidence that these pages were pages that she created as opposed to the first page with the table where she's indicated that that was part of what was sent to her on the spreadsheet by Mr Steyn. Can you recall any discussion with your wife in November – I withdraw that – in December 2018 when this spreadsheet was received about an amount that needed to be allowed for a job that had just been done?---Was this job done?

Well, I'll take you to the quote in a moment and you can have a look at it and give your evidence about that.---Okay.

But do you recall any discussion with your wife about the time of the spreadsheet as to whether there should be some other job allowed with some other margin in it for Craig?---No.

10 Can you recall any discussion with your wife about whether perhaps some job that had come in under Alex needed to be allowed as a credit for Craig?
---No, I don't. I can't recall that.

Bear in mind first of all those sums, so \$85,000, \$20,000 and \$65,000.
---Yep.

And the purchase order number ending in 5075.---Yep.

20 Can we go, please, to volume 11.4, page 384. And do you see this is a quote with a purchase order still TBA but a quote to Mr Dubois 10
September, 2018 with a lump sum of \$85,000?---Yes.

And you'll see there, it goes over to the next page but do you see there's a breakdown there of what the work involves, and I please just ask that you read that to yourself for a moment.---Yep.

Tell me when you've finished with that page.---Yes.

30 Go to the next page. Just looking at what's described there you'll see that the total is 85,000 plus GST so 93,500.---I don't think, sir, we done this job,
sir.

You don't believe you did it?---No.

So looking at the locations Jerilderie, Narrandera, Albury, Nyngan and Branxton, first of all do you recall quoting for it?---I don't know. Is there a quote there?

Well, that is the quote. If we go back - - -?---Oh, that is the quote.

40 If you go back to page 384 you'll see that that is the quote. And if we indeed go, please, to page 386. You'll see a purchase order and it shows that number 85075.---Yeah.

Sorry, I've just been using the last four digits. 5075 that's the purchase order number.---Yep.

And you recall that was the number that was recorded on the spreadsheet - - -?---On the spread, yes.

- - - in the sum of \$85,000 - - -?---Yes.

- - - plus GST is created.---Yep.

And bearing that in mind can you recall being asked to quote by Mr Dubois or perhaps Mr Steyn in respect of this?---I can't recall this, sir.

10 But is your recollection that in fact - - -?---If there's a quote over there it'll be there.

But you don't recall doing the work or ultimately - - -?---I don't think so.

- - - invoicing?---I don't think so we done this.

20 Do you have any recollection of perhaps having a discussion with your wife around the time of receiving this spreadsheet about the fact that the work had been quoted and it was a sum that might need to be allowed in future if it was ultimately done and paid?---Could be, sir.

Going back to the spreadsheet if we could, please, volume 11.2. Looking at the sums there 85,000, \$20,000 and \$65,000, do you have any recollection of a discussion with either Mr Dubois or Mr Steyn about the fact that of the quote price of \$85,000 there was to be a margin of perhaps \$20,000 or perhaps \$65,000 that was to go to either Mr Dubois or Mr Steyn?---I can't recall this, sir.

30 Did you ever, in the course of the work that you were doing for the RTS, have dealings with Mr Dubois where he asked for anything?---No.

Is it the case that with Mr Dubois you never received any payment? I withdraw that. That you never made any payment to him or on his behalf? ---Never.

Did you ever have any discussion with him about the arrangement that you had with Mr Steyn?---Never.

40 Now, as far as the payments that you were making either to or on behalf of Mr Steyn, did you ever have any discussion with Aleesha Steyn about the fact that that was occurring?---No, no.

So was it always with either your wife or Craig?---Craig.

Commissioner, there is one last subject matter other than the records that I have asked my friend to look at. Although it might be convenient as well that there is another schedule which shows the contracts that were awarded to AA Steel and the payments that were made. I have asked Mr Alexander some questions earlier in the day as to whether he can recall the point in

time at which the first suggestion by Mr Steyn was made that there be an increase on the quote, and I might have that made available so that he can also review that over the break to see if he can assist us, and he's confirmed in his evidence that it was sometimes smaller jobs, it was sometimes smaller jobs, it was sometimes bigger jobs where he was told to bump it up. But again it might assist if he could try and review them with a view to marking the document and indicating as best he can which jobs he believes there was a request that he – sorry – that Mr Steyn sent back an increased version with the margin built in.

10

THE COMMISSIONER: Yes, very well. Well, as necessary, if he could be assisted in understanding exactly what it is that you want him to do so that he can utilise the time to do so. However, he has also got to have time to have lunch. So, should he be given – in other words, do we resume at quarter to 2.00 or slightly after that so that he has time?

20

MR DOWNING: I wonder whether it might be more convenient to resume at 2.00 just so that he has time, given that one document is 16 pages and the list of contracts is also some pages. I do want him to have sufficient time to review that.

THE COMMISSIONER: Yes, very well. Very well. Mr Alexander, you heard what's been said.---Yes, sir.

We will adjourn now and you will be taken to some documents but you will have some time built into the lunch hour to have a look at the documents. So, I will take a longer than normal luncheon adjournment and resume at 2.00pm.

30

MR DOWNING: Thank you, Commissioner.

THE COMMISSIONER: Thank you.---Thank you, sir.

I'll adjourn.

LUNCHEON ADJOURNMENT

[12.48pm]