
TRANSCRIPT OF AFTERNOON PROCEEDINGS

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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

FRIDAY, 30 OCTOBER 2020

(5th day of examinations)

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Paul Lawrie
Mr Joseph Amin

OPERATION ESPERANCE INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

Every effort is made to ensure the accuracy of transcripts. Any inaccuracies will be corrected as soon as possible.

1 UPON RESUMING AT 1.38 PM:

2 <GEORGE HARITOS, recalled:

3 COMMISSIONER: Mr Haritos, I just remind you you're still on
4 oath?---Yes, Mr Commissioner.

5 Mr Lawrie.

6 MR LAWRIE: Thank you, Commissioner.

7 <EXAMINED BY MR LAWRIE, continued:

8 Mr Haritos, shortly before the luncheon adjournment we were
9 speaking about the various phones that you used from time
10 to time and in that context I want to ask you whether or
11 not after the execution of the search warrant on Mr Pinder
12 on 19 August 2020 did you have any discussions with anyone
13 about the transactions that led to the money that went to
14 Mr Pinder to purchase his property in Williamstown?---Did
15 I have any discussions regarding the loan account?

16 Yes. What you say is the loan or the loans, did you have any
17 discussion with anyone about that after the investigators
18 came to Mr Pinder in August 2020?---I may have had
19 discussions with the loan account because I was trying to
20 explore upon Mr Pinder's standing down what could possibly
21 be the investigation about, because we didn't (indistinct)
22 contracts or cleaning contracts.

23 What could possibly be the cause of the controversy; is that
24 what you're saying?---Correct.

25 Did you ever have a discussion with anyone about creating a
26 cover story for those transactions?---Not that I can
27 recall or remember.

28 Can I suggest this, sir. With something as significant as what
29 I'm suggesting, the creation of a cover story, it's not a

1 case of 'not that I can recall'. Either you can say it
2 happened or it did not happen. What is the
3 situation?---I may have discussed it with Marie to refresh
4 a memory as to, you know - because after the loan account
5 all these transactions, all I knew that you put to me
6 before, I mean, it's not an event that I live with every
7 day. I would have - may have needed to refresh my memory
8 as to exactly how much contributions were made or what was
9 Marie's contribution or whatever the situation may have
10 been at the time. Specifically, I cannot recall - - -

11 COMMISSIONER: I think, Mr Lawrie - just a moment, Mr Haritos.

12 I think you need to explain, Mr Lawrie, what is meant by
13 the use of the concept of a cover story. I don't think
14 Mr Haritos appreciates that.

15 MR LAWRIE: Thank you, Commissioner, I will. What I'm
16 suggesting or what I'm asking of you, Mr Haritos, is
17 this: did you have a discussion with anyone to create a
18 fake story, a false story in respect of the transactions
19 that led to the \$320,000 going to Mr Pinder?---I can't
20 recall ever discussing a fake story. The only thing that
21 I would have discussed was the genuine loan account that
22 was executed.

23 Did you have - sorry?---No, I'm right to go.

24 Did you have that discussion that you're referring to with
25 Maria Tsakopoulos?---I would have probably had the
26 discussion with Maria as well, most definitely, or more
27 likely.

28 I'm sorry, you've said 'as well, most definitely or more
29 likely'. Can you just clarify that, please?---More likely

1 I would have had the discussion, probably memorise or how
2 the transaction took place, what funds. I would have had
3 discussions, yes, as to - I may not have remembered what
4 was the amount of the loan account, that only came about
5 as a result of this investigation. I knew was it 300, was
6 it 320, was it 250, was it 200 or whatever the case may
7 be.

8 And you had that sort of discussion with Maria, you say. Did
9 you have that sort of discussion with anyone else?---Not
10 that I can recall.

11 Okay?---And I can't even recall to what extent and what
12 in-depth discussion I might have had with Marie in regards
13 to the loan account.

14 And you say that whatever discussions you had, they were to
15 just remind yourselves about the history of this so-called
16 loan and were not to create a false story or explore a
17 false story; is that your evidence?---Just the
18 transactions so far as the loan account was structured.

19 But you refute any suggestion that you were exploring or
20 creating a false story, do you?---Why would I need to
21 create a false story? They were the facts.

22 I'm going to take you now, Mr Haritos, to a telephone
23 conversation between yourself and Maria Tsakopoulos. This
24 was a conversation shortly after 11 pm on 22 August 2020.
25 It is partly in Greek, it's partly in English. As it is
26 played a transcript will come up on the screen and that's
27 commencing at p.678, please. I would ask you - - -

28 COMMISSIONER: I'm sorry, Mr Lawrie, before that's done, there
29 might be some passages in this conversation that are best

1 not dealt with in public. Could I suggest that this would
2 be better left until the conclusion of Mr Haritos's public
3 evidence and that that conversation can then be addressed
4 in private.

5 MR LAWRIE: Certainly. Thank you, Commissioner. Can I just
6 have one moment?

7 COMMISSIONER: Thank you.

8 MR LAWRIE: Commissioner, can I ask for a stand down of five
9 minutes, please?

10 COMMISSIONER: Yes, of course. I'm sorry to raise that at the
11 last minute with you, Mr Lawrie.

12 MR LAWRIE: No, certainly not.

13 COMMISSIONER: We'll take a five minute break.

14 (Short adjournment.)

15 COMMISSIONER: Are we ready to proceed?

16 MR LAWRIE: Yes, thank you, Commissioner. Thank you for that
17 time.

18 COMMISSIONER: Yes.

19 MR LAWRIE: Mr Haritos, I suggest to you that on 22 August 2020
20 you spoke with Maria Tsakopoulos about concocting an
21 explanation as to how the \$100,000 went through [REDACTED]
22 [REDACTED] account. What do you say about that?---She
23 didn't want to implicate [REDACTED] in this. How would
24 she explain going into [REDACTED] account rather than into
25 her account, for example.

26 But the explanation was innocent, wasn't it, according to
27 you?---Well, she panicked. It was annoying her for a
28 couple of days. She was exploring scenarios, et cetera.
29 What do you mean by 'exploring scenarios'?---Well, she was

1 concerned because she didn't want to implicate [REDACTED]
2 in the whole process. She did not know that, you know, at
3 the time there was no issue, but since the investigation
4 she was panicking, paranoid that, 'My God, you know, what
5 are they going to do. [REDACTED], ' and
6 along those lines. I can't remember exactly the
7 conversation, but it was based along those lines.

8 But if what you say is correct, isn't the simple answer to the
9 problem just what you say is the truth, that this was
10 Maria's money that was coming back to her from Transclean
11 that was being paid to Mr Pinder at her direction through
12 [REDACTED] ---Well, she was panicking about it because she
13 want to get her sister involved and I think (indistinct)
14 et cetera, et cetera, so pretty paranoid.

15 So it's in that context that you explored coming up with a
16 different version of events, is it?---I can't recall what
17 the version of events would have been. There could have
18 been 10 versions of events. I can't recall what the
19 conversation was about, but I did know she did panic and
20 the explanation I had at the time, [REDACTED]

21 [REDACTED]

22 [REDACTED] or

23 something along those lines.

24 In the course of that conversation do you recall saying to
25 Maria, 'We must cover our tracks'?---In regards to if
26 I did say that, again not getting the whole context to
27 explain - to give you an explanation, I can't go by -
28 I need to get the transcript.

29 I understand?---Because she was pretty paranoid, she was

1 panicking that, you know, what explanation would [REDACTED]
2 [REDACTED] have to offer, so she was more worried about that
3 side of the aspect. Until I hear the whole transcript
4 I can't give you a full answer. I need to hear it. But
5 I know she was in a spin.

6 Okay. But if there was to be covering of tracks, it was to not
7 bring [REDACTED] in because Maria felt bad about involving her
8 [REDACTED]; is that right?---Yes, it was mostly along those
9 lines, yes, you know, 'Why would I involve my [REDACTED], it's
10 going to wreck a good relationship.' I'm not going to use
11 the exact words she was using, but it will be on the
12 transcript.

13 How many different versions did you consider?---I didn't
14 consider any. I don't know how many she came up with.
15 That's why I need to hear the transcript.

16 I'm going to leave that subject now, Mr Haritos, and move on to
17 something else; okay?---Thank you.

18 Mr Haritos, I want to ask you about a meeting that you had with
19 Peter Bollas on 21 July 2020 at the Metro yards, the Metro
20 railway yards at Dynon Road in North Melbourne. Do you
21 recall meeting Mr Bollas at that location on that
22 date?---I haven't got my calendar, but I did have meetings
23 with Mr Bollas at North Melbourne yard on a number of
24 occasions.

25 What was the purpose of those meetings?---I've got a meeting
26 invite to attend, which I did, together with Steven
27 Kyritsis.

28 COMMISSIONER: What was the purpose of the meetings,
29 Mr Haritos?---The meeting on the agenda I think was to do

1 with - I cannot recall the agenda, but it would have to do
2 something with - would you be able to enlighten me a bit,
3 Mr Lawrie?

4 MR LAWRIE: Well - - -?---We were meeting with - - -
5 I'm afraid with this one you're going to be in the best
6 position to enlighten us?---I'm trying to remember.
7 Quite frankly, I don't have insight into the entire time that
8 you were with Mr Bollas on this occasion. I'm asking
9 whether or not you remember what the purpose was?---It
10 would have been an online meeting with procurement of
11 Metro.

12 So you're talking about sort of a sit down meeting in the
13 office at Metro, is that right?---Yes.

14 And did Steve Kyritsis join that meeting?---Yes, he did.
15 Did you drive there together?---Yes, we would have driven
16 together, yes.

17 No money changed hands on that occasion, did it?---No.

18 Shortly before that meeting you made some cash withdrawals from
19 your Commonwealth Bank account via an ATM. You made seven
20 \$2,000 withdrawals between 10 July and 19 July; do you
21 recall that?---ATM withdrawals of 2,000?

22 Yes?---Not uncommon.

23 Not uncommon. So what I'm saying - I'm about to ask you about
24 the meeting on 21 July, but what I'm suggesting to you is
25 from the 10th to the 19th you withdrew over seven
26 occasions \$14,000 in cash; does that sound right?---Over
27 what time period?

28 Sorry, say that again?---What time period are you referring to?

29 From 10 July to 19 July?---Nine days.

1 Yes?---Yes, not uncommon.

2 Not uncommon. And then finally on 20 July, the day before the
3 meeting, you withdraw \$8,000 cash; you recall
4 that?---I cannot recall it, but I'll take your word for
5 it.

6 So that would represent \$22,000 cash being withdrawn by you in
7 the 11 days leading up to the meeting; you agree that
8 that's the situation?---That is the situation.

9 I'm going to now produce - I'm sorry, you say that that cash
10 was simply for your personal use for whatever reason that
11 might have been?---Yes.

12 Okay.

13 COMMISSIONER: Well, what was it for, Mr Haritos? Why would
14 you have withdrawn \$8,000?---On the 20th July?

15 Yes?---My daughters, six years apart, their birthdays are
16 20 July. They would have gotten about 5,000 each. Not
17 they would have; I gave them \$5,000 each.

18 MR LAWRIE: What I'm going to show now, Mr Haritos, is a video,
19 a surveillance video that starts at 9.35 am on Tuesday
20 21 July 2020. Can we please cue up video 24. I should
21 indicate there's also transcript that goes with this, but
22 we'll suffer from transmission problems if we try to do
23 both at the same time, so we'll just have a look at the
24 video first. Can we have the audio up as loud as is
25 feasible, please.

26 (Video recording played to the Commission.)

27 MR LAWRIE: We're at 1 minute 24 into the video, Mr Haritos.

28 Do you see yourself getting into the car?---Yes, I do.

29 And you appear to be holding something in your left hand. What

1 is it?---It appears a package.

2 Okay. Were you holding any envelopes or cash at that

3 time?---No, I cannot see any cash, me holding any - - -

4 No, from your memory?---No, I can't recall.

5 Okay. We'll continue playing for a moment, please.

6 (Video recording played to the Commission.)

7 COMMISSIONER: You're on mute, Mr Lawrie.

8 MR LAWRIE: Thank you, Commissioner. Mr Haritos, you see

9 yourself of course getting into the driver's seat of that

10 vehicle. Getting into the passenger seat is Mr Steven

11 Kyritsis, isn't it?---Yes.

12 You're very faint. What was that?---Yes.

13 And the time of - I'm sorry, Commissioner.

14 COMMISSIONER: It's all right. He was asking can we hear him.

15 MR LAWRIE: I suggest you can - do you want to replay it, do

16 you, to listen again to the audio?

17 COMMISSIONER: No, no. Mr Haritos was asking can we hear him

18 now.

19 MR LAWRIE: I'm sorry. Sorry, Commissioner. You've heard

20 yourself speak in that video and you heard Steven Kyritsis

21 speak, didn't you?---Yes.

22 And tell me if I get any of this wrong, but this is what the

23 transcript says of the conversation between the two of

24 you, Mr Kyritsis says, 'Which one's heavier?' And you

25 say, 'Put two into that. Hang on, hang on to this. At

26 some point, at some stage we've got to give him, got to

27 give him both, good payout.' What was that a reference

28 to?---At that particular time Peter had bought a motorbike

29 and he was stirring Steven about paying him for his

1 motorbike, jokingly of course. What the other figure
2 refers to is that - can you go through the transcript
3 again?

4 What we might do is bring the transcript up for you. That
5 might be easier. Can we bring up, please, p.702, and
6 again if you need us to replay the audio, we can do
7 it?---Yes, Mr Lawrie.

8 So my question was when you were referring to 'Hang on to this,
9 at some stage we've got to give him both', my question to
10 you was what was that a reference to, and then you started
11 talking about something between Steven Kyritsis and
12 Mr Bollas about a motorbike?---Peter was stirring Steven
13 because he had bought a motorbike and he was joking about
14 it asking to help him - help him out.

15 So is this - - -

16 COMMISSIONER: I'm sorry, who was asking who to help them
17 out?---Peter and Steven would be together very frequently
18 with work and jokingly Peter would have asked Steven to
19 'Tell your uncle from you, you know, I need 30,000,' for
20 example, 'for a motorbike that I bought.'

21 Yes?---But treat it as a joke.

22 MR LAWRIE: And when you say, Mr Haritos, 'That's 10, that's
23 20,' what does that refer to?---Twenty would
24 have - I would have - Steven would have kept to give to
25 his mother, and the 10 would have been the birthday gift
26 that I would have given my daughters.

27 COMMISSIONER: You're referring to the content of the two
28 envelopes that we see in the audio - in the video?---No,
29 in the audio there's no - there's no - you can't see the

1 contents. You cannot see - - -

2 Mr Haritos, I'm asking you: the two envelopes that we see, one

3 of which we see you pass across to Steve, did they contain

4 10 and \$20,000?---Mr Commissioner, I don't think so.

5 That's the best you can do, is it? Say you don't think

6 so?---I can't see what's in the envelopes. In those

7 envelopes there's also masks as well, face masks. The

8 20,000 was Steven to pass on to his mother for his

9 mother's care, and together - and masks, et cetera, in

10 what I took in the car at that time.

11 Have you carefully read this transcript, Mr Haritos, and when

12 you've finished reading it I will ask you do you think the

13 explanation that you've offered is consistent with what we

14 read in this transcript?---Mr Commissioner, it's Steven,

15 not on this occasion but on previous occasions, Peter

16 talking to him jokingly about it, but he is talking about

17 his bike. I've heard that on a number of occasions from

18 Steven. First time I hear this motorhome.

19 Is that all you want to say about this conversation,

20 Mr Haritos?---Mr Commissioner, I can't add any more to the

21 conversation.

22 Who's the 'he' that's referred to there? 'That's 10. That's

23 20. There's his bike. There's his bike or he's gonna put

24 it to his motorhome.' We're talking about Bollas, aren't

25 we? The 'he', the male person that you and Steve are

26 referring to is Bollas; correct?---In this jokingly manner

27 it has to be Peter.

28 Yes. And then you say, 'Just got to find an opportunity to

29 give it to him. Maybe leave me alone with him I can' -

1 and there's something that's unclear. Did you say
2 that?---It's on the transcript, but that could be
3 referring to - that could have been referring to a package
4 that I left with Peter, masks or maybe a note or - it's
5 quite unclear. It's not quite clear to me, Commissioner.
6 And your nephew says, 'He's earned it.'?---Yes.
7 What's that a reference to?---Obviously continuing on with
8 the previous - with the previous conversation.
9 Mr Commissioner, but you also have got to take into
10 perspective what was discussed before this transcript.
11 Yes. Yes, Mr Lawrie.
12 MR LAWRIE: Mr Haritos, with respect, the answer that you've
13 just given about what the reference to 'he's earned it' is
14 is really a non-answer, if I might say. You simply say it
15 follows from the last conversation or the earlier
16 conversation. What had Mr Bollas earned?---Well, that's
17 not coming from me, Mr Lawrie. It's coming from Steven.
18 Did you think - - -
19 COMMISSIONER: But you agree with him. You then agree with
20 him?---Yes, I agree with him, but - I've got to see
21 previous transcripts to arrive to this conclusion.
22 Yes.
23 MR LAWRIE: Well, we've seen where this picks up. This is you
24 getting into the car; do you understand that?---Yes.
25 And we've heard the entirety of the audio of those few minutes
26 in the car between you and Steven Kyritsis; you understand
27 that?---Yes.
28 You've also been following the evidence, haven't you,
29 Mr Haritos, and you would have heard the evidence of

1 Mr Bollas about this meeting, wouldn't you?---I don't
2 think he made it specific.
3 You don't think he made it specific? Let me remind you.
4 Mr Bollas, I suggest, was very specific about this meeting
5 and he said at this meeting he received \$10,000 from you.
6 Sorry, \$20,000 from you. Ten represented a regular
7 payment or a semi-regular payment; the second 10
8 represented a bonus payment. Were you watching any of his
9 evidence when he said that?---I was watching his evidence,
10 yes.
11 That must have come as a big surprise to you to hear him
12 characterise this meeting in that way; would you agree
13 with that?---Yes, it did.
14 Because if we're to understand your evidence, that's simply not
15 what - that simply did not happen, according to your
16 evidence; is that right?---That's right.
17 That can come off screen.
18 COMMISSIONER: Mr Haritos, before we leave it, you commenced
19 the conversation by referring to, 'At some point, at some
20 stage, we've got to give him - got to give him both.'
21 You're referring to the contents of the envelopes, are you
22 not? That shrug, does that mean you might have
23 been?---Well, it doesn't make sense, Commissioner, 'got to
24 give him both', and then we're talking about 10 and
25 talking about 20, and Peter claims - - -
26 And then you say, 'Good payout,' Mr Haritos. Can there be any
27 doubt, Mr Haritos, that you are doing precisely what
28 Mr Bollas swore that you did with him on this particular
29 morning, namely pay him \$20,000?---On this particular

1 morning, Mr Commissioner, to the best of my recollection,
2 what I left Mr Bollas was a package of face masks. There
3 was a meeting that took place in North Melbourne.

4 MR LAWRIE: Are you saying that one package of face masks
5 contained 10 face masks and one contained 20 face masks;
6 is that what you're saying?---What I'm saying is, 'That's
7 10, that's 20' - - -

8 Face masks, not thousands of dollars?---As I said earlier, the
9 10 and the 20 - - -

10 COMMISSIONER: Yes, Mr Lawrie.

11 MR LAWRIE: That can come off screen, please. Commissioner,
12 I tender the video, the surveillance video number 24,
13 together with the transcript at p.704.

14 COMMISSIONER: That will be GH3.

15 #EXHIBIT GH3 - Surveillance video number 24, together with
16 transcript at p.704.

17 MR LAWRIE: Mr Haritos, I'm going to take you now to a video
18 which picks up some few minutes later on the same morning,
19 Tuesday 21 July 2020, at 9.52 am. Again there is some
20 transcript which we can go to, but first of all we'll just
21 consider the video and the audio. Can we play
22 surveillance video 25, please. Again can we have the
23 audio as loud as is feasible.

24 (Video recording played to the Commission.)

25 MR LAWRIE: If we just pause there for a moment. Mr Haritos,
26 we're about to hear you make a brief conversation that
27 occurs in Greek and I'm just forewarning that I will ask
28 you to tell us what you were saying in Greek at the
29 conclusion of the video. Continue, please.

1 (Video recording played to the Commission.)

2 MR LAWRIE: Mr Haritos, on that video we can see, as you drive
3 in, you're discussing with Mr Kyritsis where Peter
4 Bollas's car is; is that right? Where his car is
5 parked?---Along those lines, yes.

6 And also in that context there's a partial readout of what is
7 understood to be Mr Bollas's number plate, isn't
8 there?---I could not recall Mr Bollas's number plate.

9 What we might do is bring up the transcript, please, at p.704.

10 This will assist you. Just have a read of this. In total
11 it's only the one page and then I'll ask you some more
12 questions?---Yes.

13 So you'll see there when you say '3UP', that's a partial
14 readout of a number plate when you were looking for
15 Mr Bollas's car, isn't it?---It appears correct.

16 Were you to meet Mr Bollas in the car park or inside the
17 office?---I can't recall where I met up with Mr Bollas on
18 this occasion.

19 I thought you said this was a meeting that you had - I asked
20 you whether it was a sit down meeting inside the offices
21 and you said 'yes', didn't you?---Yes. Is this on the
22 same day or the day after?

23 No, this is the same day, 21 July 2020?---No, I thought the
24 previous meeting was on 20 July.

25 No, this is the meeting at the Metro yards?---On 21 July?

26 Yes. The 20th of July, what you might be confusing and I'll
27 come to it a little later, is a meeting you had with
28 Mr Pinder at the offices of V/Line in Flinders Street
29 Melbourne?---M-hmm.

1 This is the day afterwards?---Okay.

2 At Metro yards at Dynon Road, North Melbourne?---Yes.

3 And that's the one where I asked you did you attend with Steven

4 Kyritsis and you said 'yes', and I asked you whether it

5 was essentially a sit down meeting inside the office and

6 you said 'yes'?---Yes.

7 Do you remember that?---Yes.

8 Well, just having thought about that, is it possible that

9 rather than being a sit down meeting it was a meeting in

10 the car park or somewhere nearby a car park?---It may well

11 have been because we left the car and would have went to

12 the office. I can't recall. By saying 'with the car',

13 it's not unusual for my supervisor to deliver Peter

14 products for home use.

15 As you're driving in, you say at line 13 to Steven Kyritsis,

16 'Is there cameras?' Are you referring to security cameras

17 in the vicinity of the car park?---I may be, yes.

18 Why would you be worried about cameras?---Because on occasions

19 my supervisor will deliver products to Peter for home use.

20 Chemicals, et cetera, et cetera, et cetera.

21 But that's not what you were doing?---Sorry?

22 I'm sorry, and you say that was improper, was it?---Well, yes,

23 it could have been mistaken the wrong way.

24 COMMISSIONER: Why didn't you tell us about that any earlier,

25 Mr Haritos?---What in particular, Mr Commissioner?

26 Well, you've been questioned now over the last day about your

27 relationship with Mr Bollas and counsel assisting has

28 asked you many questions in relation to whether you would

29 have been meeting him, whether there were any cash

1 payments, and you are now saying that there were a number
2 of meetings with him in which he was given home
3 products?---Not by me, Mr Commissioner, by my supervisor.
4 Yes?---And I do not remember maybe on that particular occasion
5 Steven may or my supervisor may have had something for me
6 to pass on to him.
7 And none of this refreshes your memory about why you were in
8 the car with Steve and what it was you were going to give
9 him on this occasion?---The only thing I would have given
10 Mr Bollas on this occasion would have been a packet of
11 face masks, not only on one occasion, also maybe on a
12 previous occasion when he may have come to the office
13 during the epidemic.
14 And - - -?---The other thing that I would have - - -
15 Thank you. You were so concerned, were you, about the fact
16 that you might be seen giving health safety masks to
17 Mr Bollas that you wanted to be sure that there were no
18 cameras around?---No. What I'm saying, Mr Commissioner,
19 was that we could have given Mr Bollas cleaning products
20 for his house or - I can't possibly remember what else it
21 could have been.
22 Yes, Mr Lawrie.
23 MR LAWRIE: Thank you, Commissioner. You ring up - - -
24 COMMISSIONER: Mr Lawrie, the conversation which Mr Haritos had
25 on the phone - - -
26 MR LAWRIE: Yes.
27 COMMISSIONER: That was in Greek, that's not yet been
28 transcribed, has it?
29 MR LAWRIE: No, no, that's why I was - - -

1 COMMISSIONER: You're going to ask him about that?

2 MR LAWRIE: I am.

3 COMMISSIONER: Yes, very good.

4 MR LAWRIE: Mr Haritos, we hear you ring Peter Bollas and you
5 make the introduction in English and then you move to
6 Greek; do you agree with that?---Yes.
7 What were you saying to him? I think I picked up one word, and
8 that's the extent of my knowledge. What were you saying
9 to him?---Would you be able to play it again for me?
10 Yes, we can. Just give me a moment, please. We're just going
11 to bring it up again and start at 1 minute 45 seconds.
12 (Video recording played to the Commission.)

13 MR LAWRIE: Mr Haritos, having heard that again, can you say
14 what you were saying to Mr Bollas in Greek?---I asked him,
15 'Are you going to come out for a cigarette?' 'Are you
16 going to come to the car?' He was on the site. 'Are you
17 going to come out for a cigarette?' He said, 'No, bring
18 it inside. Bring it with you inside.'
19 Okay. And what were you bringing inside?---I could have
20 been - - -
21 No, don't speculate, please, if you may. If you have a memory,
22 that's good. If you don't, just say so. What were you
23 bringing inside?---Possibly paperwork for Peter to have a
24 look at.

25 COMMISSIONER: We saw you - - -

26 MR LAWRIE: Was this in addition - - -

27 COMMISSIONER: Mr Haritos, we saw you in the video put what
28 appears to be the two envelopes, one in each of your
29 jacket pockets; is that correct?---It doesn't appear to be

1 two envelopes there, Mr Commissioner, so I'm a bit
2 confused.

3 What does it appear like to you?---Would I be able to have a
4 look at the video again?

5 MR LAWRIE: Yes, what we'll do, we'll just play the video
6 again, picking up at two minutes and 20 seconds, please.

7 (Video recording played to the Commission.)

8 MR LAWRIE: I think we can stop it there. That can come off
9 screen. The balance of that video is you lighting your
10 cigarette and getting out of the vehicle?---Yes, yes.
11 We've replayed what the Commissioner's asked you about. Sorry,
12 Commissioner, did you want to ask the follow-up question?
13 Mr Haritos, what we see is a white envelope apparently
14 with a bulky contents going into the left pocket of your
15 jacket, don't we?---Correct.

16 We also see a similar envelope go into the right pocket, you
17 placing it into the right pocket of your jacket, don't we,
18 or do you dispute that?---I can't see the right pocket.
19 We don't see it for as long, but I suggest to you that the
20 video shows you placing some - after a short delay,
21 placing a similar bulky white envelope into your
22 right-hand jacket pocket. Do you dispute that?---I was
23 focusing on the package on my left pocket.

24 Would you like me to replay the video one more time?

25 COMMISSIONER: I really don't think that's necessary,
26 Mr Lawrie.

27 MR LAWRIE: Certainly, Commissioner.

28 COMMISSIONER: Mr Haritos doesn't seek to acknowledge what it
29 is he would say he put in his right

1 pocket - - -?---Certainly the package that goes on my left
2 pocket is definitely - is most likely masks or definitely
3 masks, because it's not an envelope.

4 MR LAWRIE: Definitely face masks?---It's not an envelope, yes.

5 And is the paperwork - I'm sorry, is the paperwork - - -?---It
6 could be face masks. It could be paperwork on the other
7 one or may have been not even - may not even be paperwork.
8 But definitely the package that's visible in my left
9 pocket to me appears to be face masks.

10 The paperwork that you're thinking of, what sort of paperwork
11 would that be?---It could have been paperwork that Peter
12 would have emailed to provide costings for - at that
13 particular time I think it was Nar Nar Goon that we were
14 discussing.

15 Nar Nar Goon?---For discussion purposes.

16 Okay. Commissioner, I tender both the video and the
17 transcript, that is video 25 and the transcript at p.704.

18 WITNESS: Mr Commissioner would it be appropriate if we had an
19 afternoon break?

20 COMMISSIONER: Yes, we'll do that in five minutes.

21 WITNESS: Perfect. Thank you.

22 COMMISSIONER: GH4, video, 22 July, of interior of car, and
23 transcript, at about 9.54 am.

24 #EXHIBIT GH4 - Video, 22/07/20, of interior of car, and
25 transcript, at about 9.54 am.

26 MR LAWRIE: Thank you, Commissioner. I want to play you a
27 third surveillance video, Mr Haritos.

28 COMMISSIONER: If you're going onto another video, we might
29 take that break now.

1 MR LAWRIE: Certainly, Commissioner.

2 COMMISSIONER: Let's just make it five minutes, though, please.

3 Five minutes?---Thank you.

4 (Short adjournment.)

5 COMMISSIONER: Are we ready to proceed?

6 MR LAWRIE: We are, Commissioner.

7 COMMISSIONER: Thank you.

8 MR LAWRIE: Mr Haritos, I want to take you to a third

9 surveillance video on the same day, that is 21 July 2020.

10 This one is at about 10 past 11 in the morning, and just

11 for your - no, I won't ask that question, but what we'll

12 do, just to indicate, we'll start at five minutes

13 20 seconds into the video, and I want you to pay

14 particular attention, please, to what's being said. Can

15 we cue that to 5.20, please.

16 (Video recording played to the Commission.)

17 MR LAWRIE: Mr Haritos, you could hear what was being said

18 between yourself and Steven Kyritsis in that excerpt,

19 couldn't you?---The video was pretty poor.

20 Yes, as I said, I'm not so concerned about the video. I wanted

21 you to focus on what we could hear?---The audio was very

22 poor.

23 We'll bring up transcript 707, please. Again, if you need to

24 replay the audio, we will. Have a read of that. Have you

25 read that?---I'm reading it.

26 So what you say at the start of that video, 'So Peter better

27 not' or 'Peter' - sorry, 'Peter be', and then you stop and

28 then you say 'better not leave his backpack around'. What

29 was that a reference to?---Maybe the masks that I left him

1 or a discussion letter or - that's the only thing that
2 I can interpret from that.

3 Was that perhaps a reference to the fact that Peter Bollas had
4 placed one or both of those envelopes in his backpack and
5 that his backpack now contained \$20,000 in cash?---No, I'm
6 not referring to 20,000 in cash, Mr Lawrie, because never
7 20,000 was delivered. To me, it looks like a discussion
8 paper that I would've provided for Peter regarding project
9 costings around that time.

10 So let's be clear. This conversation that we have from this
11 surveillance video is after you have completed your
12 meeting with Mr Bollas, isn't it? You've come back to the
13 car?---Yes, yes.

14 And your reference to 'Peter better not leave his backpack
15 around' is because he put those sensitive papers that you
16 delivered to him in his backpack; is that what you're
17 saying?---I wouldn't say sensitive papers. Paperwork or
18 possibly the package of masks.

19 So either - can I put it this way - commercially sensitive
20 papers - - -?---No, Mr - - -

21 Or confidential - - -?---No, not confidential. Just workings
22 out that were provided to Peter that he needed to work on.
23 I think it was the various scenarios regarding Nar Nar
24 Goon at that particular meeting.

25 So you're concerned - sorry, continue?---I would have given him
26 three or four versions in writing.

27 And so was your concern that he simply not lose them?---Well,
28 I think he wanted to have - the meeting on that particular
29 place was regarding Nar Nar Goon, and, yes, for Peter not

1 to lose it because I would have spent hours giving him the
2 various scenarios of costings in my handwriting.
3 It wasn't that the papers were sensitive or anything like that;
4 it was just that it would be an inconvenience?---Just
5 various scenarios for him to consider.
6 What about the face masks? If they were put in the backpack,
7 are you saying that that would make the backpack valuable
8 because they had face masks in there?---I'm not saying it
9 would have made it valuable. I was probably referring to
10 the paperwork.
11 Okay?---Or maybe Peter was on the way out together with us and
12 I probably said, 'Don't leave your backpack leaving
13 around' or 'behind', or whatever the words were used.
14 When Steven Kyritsis says, 'That'll go straight to the bus.
15 Not a bad idea, doing his bus up. No-one's going to be
16 travelling overseas any time soon so at least he's got
17 that to piss fart around the country.' That's Steve
18 Kyritsis talking about Mr Bollas potentially having a
19 recreational vehicle of some sort, isn't it, or buying one
20 or acquiring one?---No, he's saying, 'That'll go straight
21 to the bus.'
22 COMMISSIONER: He's not talking about masks or some business
23 papers, is he?---I'm not sure what he's referring to,
24 Mr Commissioner. 'That'll go straight to the bus. Not a
25 bad idea, doing his bus' - I don't know what he could
26 possibly be referring to.
27 MR LAWRIE: You spoke earlier about - something about a
28 motorbike in the context of questions about Peter Bollas;
29 do you remember that, that there was some joking or

1 some - - -?---There were some joking around with Peter
2 because he'd bought a bike, also bought a pushbike at the
3 time, et cetera. So I'm not sure how it relates to his
4 bus. I didn't even know Peter had a bus.

5 Now we're talking about a bus or a campervan or something like
6 that. What I suggest to you, that this is Mr Kyritsis
7 saying or speculating how Peter Bollas will use the cash
8 that has just been delivered to him. What do you say to
9 that suggestion?---I'm not sure if he's speculating. I'm
10 not sure how far afterwards I spoke to Peter Steven's
11 conversation comes up. There could have been a lot of
12 transcripts in between that you are not - because I could
13 not have gone from Peter, 'Better don't leave your
14 backpack behind' or whatever the case may be and
15 then - - -

16 Sorry, I can't hear you. Can you just slow down a bit, please,
17 and just lean forward and say that again?---Mr Lawrie,
18 I can't go from Steven, 'Peter, don't leave your backpack
19 behind' or 'around', and then I can't go straight into
20 Steven Kyritsis saying, 'That'll go straight to the bus.'
21 There's got to be something in between. I can't go from
22 one conversation and Steven to jump on board and said -
23 there's got to be something in between that relates to
24 that, which I can't - looking at the transcript, I can't
25 work out.

26 Well, we heard the audio. There is nothing in between,
27 I suggest?---No, there's got to be - in the
28 transcript - - -

29 You go - what is said, and we can hear it on the audio,

1 I suggest, is that you make the comment that he'd better
2 not leave his backpack around, and then immediately
3 following from that Steven Kyritsis says, 'That'll go
4 straight to the bus. Not a bad idea, doing his bus up.'
5 There's nothing in between. It's the same - it's the same
6 subject matter. It's the money that was delivered, isn't
7 it?

8 COMMISSIONER: I'm sorry, I think - Mr Lawrie, I think what
9 Mr Haritos is adverting to is was there earlier
10 conversations but subsequent to the point when we see
11 Mr Haritos exiting his car with the envelopes. This is
12 the conversation on the return to the car, is it?

13 MR LAWRIE: That's correct, Commissioner.

14 COMMISSIONER: Do you follow, Mr Haritos, that this is the
15 conversation that's picked up once you come back to the
16 car? So what is it that you and Steve thought that he
17 might have that would be good [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 It's costly?---Yes, yes. I'm not sure if it's referring to
21 that - - -

22 And so what is it - well, you say, 'For him it's good, you
23 know, [REDACTED] .' What
24 was good? Good that he had masks, or good that he had
25 some paperwork from your organisation? Was that what you
26 were referring to, or good that he had received the money
27 which he claims he got from you?---Peter has not received
28 any money from us, Mr Commissioner. This would have been
29 a general conversation, and at that particular time I may

1 not have been in tune as to what Steven was saying. Mind
2 you, in the conversation - - -

3 Perhaps we might move on, Mr Lawrie.

4 MR LAWRIE: Thank you, Commissioner. I tender that excerpt of
5 video surveillance, video 26, together with the transcript
6 at p.707.

7 COMMISSIONER: That will be GH5, video and transcript of
8 interior of car and conversation, 22 July, 11.10 am.

9 #EXHIBIT GH5 - Video and transcript of interior of car and
10 conversation, 22/07/20, 11.10 am.

11 MR LAWRIE: In the lead-up to this meeting, Mr Haritos, you had
12 a telephone conversation with Maria Tsakopoulos on
13 17 July. Do you recall speaking to her at about that time
14 to organise the getting together of some funds?---Not
15 uncommon for me to have done so, I guess - recall.

16 Any such conversation you say would have had nothing to do with
17 the meeting we've just seen?---I need to know details of
18 the conversation.

19 I'm sorry?---I need to know further details of the actual
20 conversation.

21 What we will do now then, we'll play call No. 48, please, and
22 at the same time we'll bring up transcript - Commissioner,
23 this is not according to the habitual page numbering
24 system, it's a new document, so it might just take a few
25 extra seconds.

26 COMMISSIONER: What's the date of the conversation?

27 MR LAWRIE: The date of the conversation is 17 July 2020,
28 commencing at 6.41 pm.

29 COMMISSIONER: There's no transcript here, Mr Lawrie?

1 MR LAWRIE: It will come up. It's just going to take a couple
2 of seconds, Commissioner.

3 COMMISSIONER: Very good. Thank you.

4 (Audio recording played to the Commission.)

5 WITNESS: Yes, I can recall the transcript, Mr Commissioner.
6 Yes.

7 COMMISSIONER: You mean you can recall the
8 conversation?---I can recall the conversation, yes.
9 You're on mute, Mr Lawrie.

10 MR LAWRIE: My apologies, Commissioner. This conversation is
11 had on 17 July, and you refer to your upcoming meeting
12 with Mr Bollas on Tuesday; do you agree with that? Ou
13 say, 'Peter I'm going to see on Tuesday', don't
14 you?---Yes. Why is that referencing - why is that a
15 reference to Peter Bollas?

16 Is it some other Peter, is it?---It's [REDACTED] that
17 works for me.

18 I see?---One of my supervisors.

19 Were you to give him money on that Tuesday?---Yes.

20 How much?---I can't recall. It was whatever his invoice money
21 was that Marie would have cashed - or Marie would have
22 given me the money to give him. What time was this,
23 Mr Commissioner?

24 This is 6.41 pm on 17 July 2020?---Yes, 17 July being what day?
25 Stand by. A Friday. So it's Friday evening.

26 COMMISSIONER: Mr Haritos, do you remember asking Marie to get
27 you some funds for a Peter that you were going to have a
28 meeting with on the next Tuesday? Do you remember asking
29 her to do so?---According to the transcript, I can

1 remember her doing so, but not - - -

2 No, no, no, no, no, no, no. Do you remember asking her to do
3 so?---Yes, I do. That's why I asked for the date.

4 And who was the Peter that - and what was the meeting about for
5 whom you needed funds?---There's no reference to a
6 meeting. I'm going to see him on Tuesday. There's no
7 meeting.

8 MR LAWRIE: Mr Haritos, can I suggest that when you are
9 referring to 'I'm going to' - sorry, I'll start again.

10 Can I suggest when you use the phrase 'Peter I'm going to
11 see on Tuesday'?---Correct.

12 You're referring to an anticipated meeting, whether
13 it's a - I'm not talking about a sit-down, formal meeting
14 necessarily, but a face-to-face meeting of some
15 description with a person called Peter the following
16 Tuesday, aren't you?---I am meeting a Peter on Tuesday,
17 correct.

18 And who do you say that Peter is?---

19 And is he a supplier to you, is he?---He's a supervisor of
20 mine.

21 And you said that he had invoices; is that right?---He could
22 have had unpaid invoices, yes, and I needed to have a
23 meeting with him on that particular morning.

24 So do you say that this - - -

25 COMMISSIONER: I'm not interested in what he - Mr Haritos, the
26 Commission is not interested in what could have happened.
27 We're wanting you to tell us what you remember?---What
28 I can remember - - -

29 Do you remember having arranged - do you remember having

1 arranged to meet with your supervisor the following
2 Tuesday for the purpose of providing some
3 funds?---Correct.

4 You remember that?---I remember that.

5 Yes.

6 MR LAWRIE: So do you say that this supervisor was holding
7 invoices that Transclean had to pay and you were giving
8 him cash in order to pay those invoices; is that what
9 you're saying?---I am saying that I have to give Peter
10 some money on that Tuesday morning.

11 For what purpose?---It could have been work related, it could
12 have been whatever. It's work related.

13 You must - this is - - -

14 COMMISSIONER: Mr Haritos - - -

15 MR LAWRIE: I'm sorry, Commissioner.

16 COMMISSIONER: I've tried to emphasise for you, Mr Haritos,
17 that there's a distinction between 'could have', 'would
18 have' things where you can't remember but you're
19 speculating as to what might be, as distinct from when you
20 say, 'I have a memory of having to meet Peter for a
21 particular purpose.' Now, which of the two is it? Do you
22 actually have a memory that you were to meet your
23 supervisor to pay him - - -?---I have a memory that I met
24 my supervisor early that morning, yes.

25 Yes. And?---What's the question?

26 MR LAWRIE: Perhaps it's this - - -

27 COMMISSIONER: Do you remember - - -

28 MR LAWRIE: What was the purpose of that meeting?---He works
29 for me. He's also a personal friend.

1 Were you taking cash to him, do you say?---I told Marie to
2 organise it, yes.

3 Why?---Sorry?

4 Why were you delivering cash to a supervisor?---Maybe he was in
5 need. But it's only referring to a Peter. There's
6 hundreds of Peters.

7 When you say 'maybe he was in need', is that your memory or are
8 you speculating, sir?---I can't recall what it was for.
9 But I told Marie to organise some money because I was
10 going to see Peter on Tuesday. I'm not referring to Peter
11 Bollas.

12 How much was it?---I've got no idea. It could have been 3,000,
13 it could have been 5,000, it could have been more.
14 I can't recall. But this is not related to Peter Bollas.
15 It may be coincidental, but it's not relating to Peter
16 Bollas. It's a Peter.

17 Do you say it's common for you to provide cash to supervisors
18 within your organisation because maybe they need it?---If
19 they ask me for it, yes.

20 Not for any business related expenditure, just to help them
21 out; is that what you say?---Well, it could have been
22 business related expenditure. It could have been to help
23 them out. It could have been a whole host of things.

24 Does Transclean pay its supplier invoices in cash, does
25 it?---No.

26 It would be extraordinary, wouldn't it?---
27

28 What time did you meet him?---Would have been early in the
29 morning.

1 Where?

2 COMMISSIONER: Mr Lawrie, I don't see the point in persisting
3 with this.

4 MR LAWRIE: I understand.

5 COMMISSIONER: Because Mr Haritos has made clear he doesn't
6 actually remember that he needed to pay Peter for
7 something specific. It's really speculation on his part
8 that that must be what it relates to.

9 MR LAWRIE: Certainly?--- [REDACTED]

10 I tender call No. 48 - - -

11 COMMISSIONER: That will be GH6.

12 MR LAWRIE: Together with the transcript, Commissioner.

13 #EXHIBIT GH6 - Call No. 48 and transcript.

14 MR LAWRIE: I'm going to play you another call between you and
15 Maria Tsakopoulos. This is a call at 5.03 pm on Sunday,
16 19 July 2020. Can we put up the transcript as well,
17 please.

18 (Audio recording played to the Commission.)

19 MR LAWRIE: Thank you. The figures you're referring to are in
20 thousands of dollars; is that right, Mr Haritos?---That is
21 correct.

22 Is that a reference to you gathering funds for the meeting on
23 Tuesday, 21 July?---No.

24 What do you say it's for?---That's for my mother's care, carer,
25 and possibly with Alex reference it's probably money for
26 Alex's father's carer as well.

27 Okay?---20,000 a month - 20,000 on a single month between the
28 two of them.

29 And you pay those carers' expenses in cash, do you?---Well, my

1 sister - my sister makes payments, and it's more
2 convenient to do so because they could be working long
3 hours or unsuitable hours. As a convenience, that's the
4 way they want to get paid and we have to honour that.

5 Are these carers employees?---Sorry?

6 Are they employed by you with an employment contract?---No, my
7 sister has made that arrangement. I am not familiar. She
8 makes all payments.

9 Are they employed by your sister?---I'm not sure what the
10 arrangement is. My sister is responsible for paying the
11 carers.

12 Okay. I tender the audio and the transcript of call No. 49,
13 Commissioner.

14 COMMISSIONER: That's 19 July 20.

15 MR LAWRIE: That's correct.

16 COMMISSIONER: Exhibit GH7.

17 #EXHIBIT GH7 - Audio and the transcript of call No. 49 on 19
18 July 2020.

19 MR LAWRIE: Thank you, Commissioner. The last call I want to
20 play to you, Mr Haritos, is call No. 50. This is a call
21 at 9.52 pm on 20 July. So that is the Monday prior to
22 your meeting at Dynon Road in North Melbourne.

23 (Audio recording played to the Commission.)

24 MR LAWRIE: What are you saying in Greek there,
25 Mr Haritos?---We're having a conversation and she asks me,
26 'What are you doing,' and I said, 'I'm putting some money
27 together.'

28 COMMISSIONER: No, the part in Greek?---Sorry?

29 The part in Greek, what are you saying? Mr Lawrie's asking you

1 to translate what you said in Greek during that
2 conversation?---The translation is on the transcript.

3 No, it's not.

4 MR LAWRIE: See the reference to 'foreign language'?---Sorry?

5 'Foreign language'?

6 Do you see where the operator is using the cursor at

7 line 10?---Yes.

8 You revert to the Greek?---Yes.

9 What were you saying?---That's normal for me to reverse
10 conversations. I can't recall.

11 But could you hear it then? What did you say?---Can you play
12 it again for me, please?

13 (Audio recording played to the Commission).

14 MR LAWRIE: So, Mr Haritos, it's specifically at line 13 where
15 you revert to Greek. What did you say?---I said, 'I'm
16 putting the money together.' She says - she goes to me,
17 'It's already counted,' and I say, 'I need to break it
18 up.'

19 And at line 15 what are you saying?---Sorry?

20 At line 15 what are you saying?---I haven't taken note. You
21 have to play it to me again.

22 Is it something similar, you need to put it together, something
23 like that?---Could you play it again for me, please?

24 No, I don't think we'll bother, Commissioner, unless - - -

25 COMMISSIONER: No, we won't.

26 MR LAWRIE: What's the money being referred to in this
27 conversation?---What was the date of this conversation?

28 This is 20 July 2020?---That's the money that I got from Marie
29 for the carers and breaking it up between myself and Alex,

1 in the previous transcript.

2 I'm sorry, say that again?---Can we go through the previous
3 transcript?

4 Can we bring up GH7, please? Can we bring that up? Just
5 scroll to the start, please?---Yes, it's the same. It's
6 the same. It relates to this particular - the money that
7 Marie would have - gave me for my mother's carer. It's
8 the same phone call, almost identical, and she asked me
9 the day after what am I doing at that particular moment,
10 and I said, 'I'm sorting out the money.'

11 That's a follow-on from the earlier phone call?---Correct.

12 Can we please bring up call No. 50. Now, there's a derogatory
13 term used by Maria at line 12. But what she's asking you
14 is, 'Are you leaving some money behind' for
15 someone?---Yes.

16 Without going into the way she expressed it, but that's what
17 she's asking you; are you leaving some money behind for
18 someone else; that's right, isn't it?---
19 I'm not taking it with me. I'm
20 leaving it behind.

21 No, Maria asked you in the course of arranging these funds,
22 'Are you leaving some money behind,' and she's obviously
23 referring to someone in derogatory terms, isn't
24 she?---Yes.

25 Did you understand who she was referring to in derogatory
26 terms?---Yes.

27 Who was it?---
28 I see. Okay. It wasn't Mr Bollas, was it?---Certainly not.

29 Okay. Commissioner, I tender the audio and the transcript for

1 call No. 50.

2 COMMISSIONER: Yes, that's 20 July 20, phone conversation
3 between Mr Haritos and Ms Tsakopoulos, GH8.

4 #EXHIBIT GH8 - Audio recording and transcript of phone
5 conversation between Mr Haritos and Ms Tsakopoulos dated
6 20/07/20.

7 MR LAWRIE: Thank you. Do you recall meeting Mr Pinder - so
8 I'm changing subject now, Mr Haritos. I'm leaving the
9 Dynon Road, North Melbourne, meeting and I'm going back to
10 March; do you understand that?---Yes.

11 Do you remember meeting Mr Pinder on 20 March 2020 at a cafe
12 and bar in South Yarra? We'll bring up image number - can
13 we bring up JP35, please? Image 4?---Yes.

14 Do you recall this being a meeting between yourself, Mr Pinder,
15 Alex Kyritsis, Steve Kyritsis and Maria
16 Tsakopoulos?---I wouldn't call it a meeting. We're having
17 a coffee.

18 Were any funds delivered to Mr Pinder on that occasion, any
19 money?---Not that I'm aware of, no. 20 March? I can't be
20 sure.

21 Okay?---Just we're going back a fair bit now, so I've got to
22 switch across.

23 Yes, that's why I announced it to try and assist you. Okay.

24 How often would you see - how often would you see
25 Mr Bollas, do you estimate, during 2020?---Pre-COVID, not
26 many. Maybe three times. And that's always in a meeting.

27 Just to be aware so that your memory is not thrown around too
28 much, we've moved back to March of 2020 and this is the
29 next series of questions that I'm asking you about. So

1 it's in March of 2020. Do you understand that?---Yes.
2 I'm going to play you a phone call between yourself and Alex
3 Kyritsis on 24 March 2020. This took place at 9.16 in the
4 morning. Can we bring up, please, call No. 17 and the
5 transcript at p.568.

6 (Audio recording played to the Commission.)

7 MR LAWRIE: Mr Haritos, you agree that that's a telephone call
8 between you and Alex Kyritsis?---Correct.

9 In that call he asks you whether you're 'going to see Peter
10 today'. Is that a reference to Peter Bollas?---I'm not
11 quite sure if it relates to Peter. I'm not sure who it's
12 referring to. Maybe can you help me out, and did I see
13 Peter that day? I'm not sure. And I'm not sure which
14 Peter he's relating to.

15 You say, 'No rush just chuck in 10 from the safe. Doesn't
16 matter, I'll put it back later.' Is that a reference to
17 \$10,000?---It could possibly be referencing \$10,000, yes.

18 And is that a reference to getting \$10,000 from the safe for
19 the purpose of giving that to Peter?---No, I say that's
20 from - I say that's from carers' money.

21 Okay. Is it possible - are you saying that this Peter is not
22 Peter Bollas but the same Peter we spoke of earlier?---It
23 could be a number of Peters.

24 All right. I tender that transcript and audio, Commissioner.
25 That's call No. 17 and transcript at p.568.

26 COMMISSIONER: Mr Haritos, the conversation with Alex rather
27 suggests he already knew that you were going to meet Peter
28 that morning, and he's asking you whether you are, and
29 he's already got the 10,000 with him; you agree?---No,

1 I don't think the 10,000 related to whichever Peter I was
2 going to see that morning, Mr Commissioner.

3 So whoever the Peter was you can say - - -?---(Indistinct).

4 Just bear with me; just bear with me. Whoever the Peter was
5 you can say the 10,000 didn't relate to that Peter?---No.

6 Any money that coming from Alex only relates to the
7 carers.

8 Yes. Yes, Mr Lawrie.

9 MR LAWRIE: Thank you, Commissioner. So I'm tendering the
10 transcript and audio of that.

11 COMMISSIONER: That will be GH9.

12 #EXHIBIT GH9 - Call No. 17 and transcript at p.568.

13 MR LAWRIE: Thank you, Commissioner. Mr Haritos, moving
14 forward in time now to 3 April 2020, that's the date that
15 this next series of questions relates, did you meet
16 Mr Pinder on that date outside your offices in
17 South Yarra? To assist you I can bring up image
18 No. 5?---Yes.

19 You have a memory of it anyway?---I've got a vague memory, but
20 the image will help.

21 Okay. We'll bring up image 5 for you.

22 COMMISSIONER: Is that JP24, Mr Lawrie?

23 MR LAWRIE: Sorry, it is, thank you, Commissioner. Do you
24 remember meeting him that day and giving him some cleaning
25 products?---Yes. He came past the office to say hello
26 to - yes.

27 This photo is taken at about 1.30 pm. That accords with your
28 memory?---It doesn't accord with my memory, but it's got
29 the time stamp on it, so I agree.

1 Did you take that opportunity to pay out any funds from what
2 you say was the gambling syndicate group number 3 that you
3 say was in operation?---I can't recall. I would never - I
4 wouldn't have - I can't recall if we paid any syndicate
5 money on that particular occasion.

6 So we know that you withdrew some money from your Commonwealth
7 Bank account that morning prior to this meeting?---What
8 was the amount?

9 \$10,000 in cash. What would that be for?---Not uncommon.

10 I appreciate that. What was it for on this
11 occasion?---Probably living expenses. Maybe part of it
12 would have went to my mother's care, probably.

13 Weren't you using cash money from a safe for paying your
14 mother's carers?---Sorry?

15 Weren't you - - -?---The money from the safe?

16 Yes?---No, that had long run out in 2018, 2019. When we got
17 the bulk of the money from Marie it went into my mother's
18 safe, and we used that.

19 COMMISSIONER: I'm sorry, I thought one of the last few
20 conversations that was played you said in relation to the
21 money taken out of the safe that was for the carers, and
22 that's in 2020?---There was the previous text where Alex
23 got 10,000 from his safe.

24 MR LAWRIE: No, what we're referring to, Mr Haritos, is there's
25 been a previous reference of getting money from the safe
26 in the telephone calls leading up to the meeting on
27 21 July 2020 with Mr Bollas in North Melbourne, there's a
28 reference to retrieving moneys from a safe. I asked you
29 questions about that and in that context you said, 'Yes,

1 these were funds that were used to pay for
2 carers'?---That's right. Alex is giving me money to pay
3 for my mother's carer and I said, 'I will replace it
4 later. I will give it to you back later,' along those
5 lines. He's given me 10 and I'm giving him back. That's
6 the way I read the text.

7 So the fact that you've withdrawn \$10,000 in the hours before
8 you've seen Mr Pinder in the car park near your offices in
9 South Melbourne - in South Yarra is purely coincidental,
10 is it?---Purely coincidental. The only 10,000 Mr Pinder
11 would have received would have been in August.

12 Thank you. That can come off screen. I'm taking you forward
13 now to 2 May 2020. This is a meeting outside a cafe. Can
14 we have image 6. I'm going to show you an image. It's
15 image 6 and the exhibit number is - I don't think it's
16 been exhibited. We'll bring it up now. Do you recall a
17 meeting near your - first of all - no, I'll withdraw the
18 question. I'll start again. That black Mercedes, is that
19 yours ?---Yes, it is.

20 Or dark blue?---It is.

21 Do you recall a meeting with Mr Pinder where you walk to your
22 car or near your car on 2 May 2020?---Now that I've seen
23 the image, yes, that's James; yes.

24 And the actual location is near a cafe in Toorak; does that
25 prompt your memory?---Yes, that looks the case.

26 Was this an occasion that you met Mr Pinder and took the
27 opportunity to pay out any funds from what you say was the
28 gambling syndicate?---(Indistinct).

29 Did you pay him any money that day?---I can't recall, but

1 during that particular period March to August Mr Pinder
2 would have received, minus the 10, about 15,000 in various
3 lots, maybe more.

4 So - - -?---It could have been.

5 It could have been?---Looking at the image, it tells me
6 nothing, because we didn't - if we come to that matter
7 with Mr Pinder for a coffee or whatever, it doesn't mean
8 that he was receiving a distribution or vice-versa, giving
9 me money for the - - -

10 That's why I'm asking you the questions to see if you have a
11 memory of it?---All I've got is an image, because I didn't
12 meet up with Mr Pinder on each occasion for the purpose of
13 giving him a distribution.

14 On this occasion we know that three days beforehand, on
15 30 April 2020, you withdrew \$12,000 in cash from your
16 Commonwealth Bank account; you would agree with that?---If
17 you tell me so, yes.

18 I can show you the bank statement if you wish?---No, no, not
19 necessary.

20 Would that be coincidental that it just happens to be a few
21 days before your meeting with Mr Pinder on this
22 occasion?---Yes.

23 Is that what you say?---Yes. I've got living expenses.

24 Commissioner, I tender that image, which is image No. 6.

25 COMMISSIONER: Of 2 May?

26 MR LAWRIE: That's correct, Commissioner.

27 COMMISSIONER: That will be GH10.

28 #EXHIBIT GH10 - Image 6 dated 02/05/20.

29 MR LAWRIE: The next date I want to take you to is 6 May. Do

1 you remember - I'll bring that image up, which is image
2 No. 7 to assist your memory. Do we see in those images
3 yourself and Mr Bollas as well as Steve Kyritsis?---Yes,
4 holding some paperwork, yes.

5 I'm sorry, I couldn't understand that answer?---Yes, I do.

6 Thank you. Was this a meeting at the Epping train depot?---It
7 appears, yes.

8 What was the purpose of the meeting?---Work related.

9 In what way?---This is during COVID times and I would have seen
10 Peter more times during this last six month period than
11 I would have seen him going back in the previous eight
12 years. Whatever was on the agenda on the day.

13 Was there any cash transaction that day?---No, there's never
14 been any cash transactions.

15 Okay. I tender that, Commissioner. That's the surveillance
16 image No. 7 for 6 May 2020.

17 COMMISSIONER: Will be GH11.

18 #EXHIBIT GH11 - Surveillance image 7 of 06/05/20.

19 MR LAWRIE: The next date I want to ask you about is 12 June.

20 Do you recall meeting Mr Bollas together with Alex
21 Kyritsis and Steve Kyritsis, and this is a meeting that
22 takes place at the cafe and bar in South Yarra?---Is there
23 an image?

24 What I'll do for you is I'll play you video No. 20. Can we cue
25 it forward, please, to 3 minutes 24 seconds?

26 COMMISSIONER: What's the date, Mr - - -

27 MR LAWRIE: Sorry, this is - the video itself is 11 June 2020.

28 Sorry, it's the day before the meeting at South Yarra.

29 And again we've got transcript, but we'll just play the

1 video first. Sorry, this is audio only, I think,
2 Commissioner.

3 (Audio recording played to the Commission.)

4 COMMISSIONER: Mr Lawrie, I don't think that's satisfactory.

5 Is there a transcript of that conversation? You're on
6 mute. Is there a transcript of that conversation,
7 Mr Lawrie? You're on mute, Mr Lawrie.

8 MR LAWRIE: Sorry, Commissioner, there's just a technical
9 problem at my end. There is a transcript.

10 COMMISSIONER: Yes.

11 MR LAWRIE: I appreciate the audio - - -

12 COMMISSIONER: The audio is so difficult he really needs the
13 transcript to look at it in conjunction with it.

14 MR LAWRIE: Look, I think I'll come back to that one,
15 Commissioner, if I may.

16 COMMISSIONER: Yes.

17 MR LAWRIE: So that can come off screen. Do you recall
18 meeting - and I can play a video to show who's present at
19 the meeting on 12 June 2020 at the cafe and bar in
20 South Yarra - Peter Bollas, Alex Kyritsis and Steven
21 Kyritsis?---Yes, I could recall having a coffee around
22 that time. It could have been on that particular date.
23 It's very hard for me to remember the calendar of the last
24 two years in half a day. I'll take your word for it, yes,
25 we did have a coffee with Peter and Alex at the coffee
26 shop.

27 It's just that again in the week prior, on 4 June 2020, you
28 have withdrawn another \$10,000 in cash from the
29 Commonwealth Bank account. That's got nothing to do with

1 that meeting; that's what you would say?---No. You've got
2 to realise I have living expenses. I have to attend to my
3 mother's care and carers. We've got to maintain a house.
4 And I also have got daughters and granddaughters with
5 birthdays and so forth that come up. And there's always a
6 gift involved. So 10,000 every month for me is not out of
7 the ordinary, or more.

8 COMMISSIONER: No, Mr Haritos, it's the conjunction between the
9 withdrawal of these large cash payments from your bank
10 account - - -?---What date - sorry, Mr Commissioner, I
11 don't mean to interrupt you - - -

12 It's the conjunction of the withdrawal of these payments
13 together with conversations that occur at around about the
14 same time which are suggestive of you obtaining money for
15 the purposes of making payments to either Mr Pinder or
16 Mr Bollas, followed by the surveillance evidence of you in
17 fact having those meetings; you understand?---I do
18 understand. But what day are those withdrawals normally
19 - have you got a specific date of the week that these
20 withdrawals have been made? Presumably you've got some
21 dates. What actual day of the week was that? Just give
22 me two or three examples the last time (indistinct) just
23 throw a bit of light onto the - - -

24 MR LAWRIE: No, I'll come back to you with that, unless someone
25 can assist me. Excuse me?---Because you'll find it's
26 regularly on a Monday, from the best of my recollection,
27 to see me through the week. Now, irrespective of who
28 I see on Tuesday, Wednesday, Thursday, Friday, it's
29 probably not related.

1 4 June was a Thursday?---And the previous ones?
2 I'm not going to - - -?---From my memory, I would make a
3 withdrawal at the beginning of the week to see me through
4 the week and through the weekend.
5 So how much would you withdraw per week for living
6 expenses?---I might withdraw once a week or I might
7 withdraw once a month, sometimes twice in a week,
8 depending on what my expenses were.
9 How much would you withdraw on average per month for living
10 expenses, do you say?---At least 10 (indistinct) minimum
11 10. Minimum 10.
12 Did you ever have an arrangement with Mr Bollas where he would
13 assist to solve problems that Transclean might be having
14 with the performance of its cleaning obligations to Metro
15 Trains?---No arrangements with Mr Bollas. If anything,
16 the opposite.
17 Did Mr Bollas ever offer to cover up problems for you?---There
18 was no need for Mr Bollas to cover up any problems for me.
19 That's not the question. Did he ever offer to cover up
20 problems?---Why would he cover up a problem if no problem
21 existed?
22 Did you have - and I'll focus your mind to a specific time
23 period. Commencing, say, at February of this year and
24 moving forward to June and July of this year, okay, so
25 we're talking in that time period, were there any
26 performance difficulties whatsoever in respect of the
27 Metro contracts that Transclean had, and particularly the
28 carriages contract?---Absolutely not. Our performance is
29 always at 98 to 100 per cent.

1 Were there any complaints by Metro?---Never. Minimal
2 day-to-day complaints maybe. Minimal.
3 So none of these complaints required any significant escalation
4 in order to sort them out; is that what you
5 say?---Absolutely correct.
6 Was there any - do you recall Mr Bollas complaining to you
7 about spraying of carriages in February of 2020 that had
8 been claimed to be done but was obviously not done because
9 there was CCTV footage to show that? Do you remember
10 that?---My sanitisation program with Metro I managed
11 mid-April, mid-March or shortly thereafter. Nothing in
12 February. There was a safety - according to - from what I
13 could - when Mr Bollas was giving his evidence there was a
14 video of supposedly a safety incident where
15 somebody - I couldn't work it out. That's probably what
16 you're referring to. February?
17 Do you remember in February Mr Bollas pressing you for
18 information about the chemical that you would use?---In
19 February?
20 Yes?---COVID was not around in February.
21 All right. We might play, I think, call No. 9. This is call
22 No. 9. This is 26 February 2020, and we'll start at one
23 minute 40, please.
24 COMMISSIONER: Is this already an exhibit, Mr Lawrie?
25 MR LAWRIE: No, I don't think so, Commissioner. I'm just
26 checking that. Transcript p.545.
27 COMMISSIONER: 26th, was it?
28 MR LAWRIE: 26 February 2020, Commissioner.
29 COMMISSIONER: Thank you.

1 MR LAWRIE: Time stamp at 1.40, please, and moving forward to
2 3.40.

3 (Audio recording played to the Commission.)

4 MR LAWRIE: Can you bring up the transcript at p.545, please?
5 Okay, continue.

6 (Audio recording played to the Commission.)

7 MR LAWRIE: Can we pause, please? I think we might need to go
8 up a page. I'm sorry, Commissioner, we're just trying to
9 locate the correct page of the transcript. Take it from
10 the start. We'll go from 00 - go from the start,
11 commencing at 543. Sorry, Commissioner, I'll just play
12 this.

13 (Audio recording played to the Commission.)

14 MR LAWRIE: Mr Haritos, in that call we can hear Mr Bollas
15 pressing you for the name of a chemical that was to be
16 used to spray carriages in February 2020, can't
17 we?---That's not correct the way I read it, Mr Lawrie.

18 I suggest to you that what Mr Bollas said at the conclusion of
19 that was, 'Just make anything up. Just give him a
20 chemical name. Just make it up so he can take it to this
21 3.30 meeting.' Do you not agree that that's what - that's
22 included in this conversation?---No. What I can conclude
23 from this conversation, this is at early signs of the
24 Coronavirus. Panic started to kick in. And because
25 no-one at Metro, including Peter himself, does not know
26 what is required to control the virus. We tell him - in
27 his mind he wants me to provide him with information.
28 And it seems as though, doesn't it, it doesn't matter whether
29 that information is true or not; do you agree with

1 that?---What information?

2 The name of the chemical?---I have not committed to a chemical,
3 and I probably started the process of sourcing the right
4 chemical.

5 He says, 'Make shit up, George,' doesn't he?---He says that?

6 Yes?---I totally disregard what Peter says because Peter's got
7 no idea, in particular to the Coronavirus. I put the
8 program together by sourcing an American product that
9 guaranteed public safety at its maximum. The product they
10 introduced has been in use from day one. The Coronavirus
11 has been around for six, nine months now. In the last
12 lockdown not much movement, but March, April and during
13 the brief stage where the transport system got up to
14 30 per cent, there has never been a case, cluster, coming
15 from a train. A person could have had the virus boarding
16 the train, still had it at the other end, but whatever
17 virus bacterial elements were left in the train were
18 effectively cured by the product that I used. I have been
19 in operation for over 35 years. I've met - I've
20 experienced challenging situations like that, not on a
21 global scale. Fifteen years or 20 years, the CSIRO
22 laboratories; that's where they practice with virus.
23 I would send staff in in astronaut suits and oxygen. That
24 was a - this Coronavirus for me is a plague. In reading
25 what Peter is saying I'm getting the picture that at the
26 back of my head I'm in the process of knowing there could
27 be an outbreak, how could we best be prepared. The
28 product that I brought over is a (indistinct) product,
29 biodiversity. Kills the virus in two minutes on the label

1 of the product, and that's the product that Donald Trump
2 said you injected into your arm and within two minutes
3 you're cured. So what I introduced during this program
4 has been highly effective.

5 But at that stage, at the stage of this February meeting, you
6 didn't have a product in mind, did you?---I had a number
7 of products of mine due to my experience because I was in
8 the process of sourcing this particular one.

9 Why couldn't you tell Mr Bollas about those products? Why were
10 you short of an answer for him when he said, 'I've got to
11 have a name, George. I've got to have a name,' and then,
12 'Make shit up'? Why couldn't you have told him about some
13 of these products that you had in mind?---I would never
14 make shit up to tell him. This is a great responsibility.
15 This was early signs of the outbreak. I'm not going to
16 make names up. I've had suppliers here when the Covid
17 spread and they said, 'We've got this product for you.'
18 Because you've also got to realise that the product was in
19 short supply - - -

20 Can I just interrupt you, if I may. Why was Mr Bollas dealing
21 with you about this issue and not dealing with Maria
22 Tsakopoulos, who was the contract manager, or her
23 assistant, Alex Kyritsis?---We got our wires a bit
24 crossed, Mr Lawrie. Maria Tsakopoulos was V/Line, not
25 Metro. Peter knew - my most experienced - - -

26 You're right, sorry?---I am the expert in this field.

27 You regard yourself as the contract manager for Metro, do
28 you?---No, I don't regard myself as the contract manager.
29 But in this particular situation, we're talking about

1 before the COVID outbreak, I would have been the best
2 person to provide the answers that he wanted.

3 See, I suggest that this call is - sorry, Commissioner.

4 COMMISSIONER: This was a conversation about you getting more
5 work to deal with the COVID emergency - - -?---This
6 conversation was about - sorry, Mr Commissioner, to
7 interrupt you. This conversation was about a suspected
8 passenger may having the Coronavirus that apparently
9 travelled from Japan. So they were going to pull a
10 train - - -

11 No, Mr Haritos, when you're asked a question that doesn't mean
12 you should make a speech that really doesn't address the
13 question. We've all seen what the conversation is about.
14 What I'm asking you is do you acknowledge when you look at
15 that conversation that what Mr Bollas was exploring with
16 you was you getting additional work?---Yes.

17 Mr Lawrie, you're obviously not going to be able to complete
18 the witness today.

19 MR LAWRIE: Thank you.

20 COMMISSIONER: We might have an adjournment for a few moments
21 just to assess the position before we resume. I'll
22 adjourn for five minutes.

23 (Short adjournment.)

24 COMMISSIONER: Mr Haritos, I interrupted because it's now
25 evident to me that there's no prospect of counsel
26 assisting completing the areas that need to be explored
27 with you today. Mr Lawrie, when do you propose we adjourn
28 to?

29 MR LAWRIE: Commissioner, it seems as though there's the best

1 part of a day remaining at my estimate. I propose Friday,
2 6 November, would be an appropriate date, if that's
3 convenient with the Commission.

4 COMMISSIONER: Very good. So, Mr Haritos, we'll need to
5 adjourn your hearing until Friday, 6 November, at 10 am.
6 Your confidentiality notice will continue. That means
7 that you of course are at liberty to discuss the issues
8 that have arisen in the course of today's hearing, the
9 restricted matters that are set out in your summons, with
10 your immediate family and with your legal representatives,
11 but with no-one else. So I just caution you that,
12 notwithstanding there's a livestreaming, it's not
13 appropriate for you to be having discussions either with
14 witnesses that have been called or with witnesses that
15 might be called that have anything relevant to say in
16 relation to the issues that have been explored. Is there
17 anything, Mr Collin, that you need to raise at this point
18 of time?

19 MR COLLIN: No, Commissioner.

20 COMMISSIONER: Very good. I'll adjourn the hearing then until
21 10 am on Friday, 6 November.

22 MR LAWRIE: Thank you, Commissioner.

23 <(THE WITNESS WITHDREW)

24 ADJOURNED UNTIL FRIDAY, 6 NOVEMBER 2020

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