

## New Recording

[Start of recorded material 2.45]

FV: I think it's [? 2.45] keylogger. [indistinct 2.48]. I'm not familiar with a keylogger. I don't know what it is.

Matt: My understanding, and anyone can correct me, is it records the keystrokes on the keyboard [indistinct 3.05] passwords and usernames and that of people who have logged into internet sites. Is that right?

Brent: Yeah, it's my understanding.

FV: So this investigation [indistinct 3.21] has been continuing for almost a year, is that correct?

Matt: Yes.

FV: And the employee has not been brought to have a meeting prior to that? Has not been advised? I'm going from an HR point of view here. You've come in here with this document where it's a document that should've been probably presented a lot earlier and instant dismissal is massive so you have the authority to do that?

Brent: Yeah, it's under the employment contract. Ask [indistinct 3.52].

FV: Yes, but he should be given the opportunity. This is pretty heavy handed without Olivia, his employer, being here. This is more looking like civil, not employment.

Matt: If someone's an employee of a company, it can only be an employment law issues you don't have ...

FV: No, you deal with it one way or the other. One way or the other.

Matt: Okay, but this is the dismissal [indistinct 4.21]. I appreciate what you say, however, ...

FV: He cannot be dragged in here like this without having [indistinct 4.29].

Matt: Do you guys wanna have an opportunity to talk to each other around that?

- FV: No, I'm just absolutely shocked that you guys, as professionals, whoever you may be ... you said Matt – I don't know who you're from, whatever.
- Matt: I'm Matt, a lawyer, and I've been working in the area of HR for the last fifteen years.
- FV: So you would be totally aware of this – that you can't just drag someone in for a disciplinary meeting without giving them the opportunity to know what it was about?
- Matt: Depending on what it is. If this is true – has this happened or are you denying it's happened?
- FV: We're not even gonna talk about that first.
- Matt: Well, it's obviously relevant because if he's denying it's happened, that's relevant. Has it happened? Have you accessed ... did you ...
- FV: No, I don't think he needs to answer anything, guys, until we get this sorted. You say you've worked in HR for fifteen years. I've got an HR degree, right?
- Matt: That's good.
- FV: So I'm not stupid about what goes on here. I think that this obviously is news to me, which is news to everybody or whatever. ...
- [indistinct 5.27].
- FV: ... You guys have obviously known for the last year but you can't just get him like this and lay this on him.
- Brent: This is an opportunity for Karl to respond. We're having a meeting to discuss the issue.
- FV: Yes, but his employer should be here as well. Olivia should be here.
- Brent: We're here on behalf of the employer.
- FV: But she has not contacted ... these guys have tried to ring her this morning to find out what this is about. She must give either a delegation of authority or be here because they are contracted to her.

- Brent: I can confirm, sorry. I'm a lawyer from [indistinct 6.01] Law. I have received instructions to deal with this matter on behalf of the employer. I have authority to deal with this.
- FV: Have these guys been advised of that?
- Brent: We're here right now to discuss this issue and we're here to give you an opportunity to respond. Like Matt said, the first point is, do you deny this?
- Karl: Should I answer any of this?
- FV: No, honey, don't because at the end of the day you guys have come here and you've got this document or this thing, you've obviously been doing this for the last year – you said since the 15<sup>th</sup> April it states that you've been ongoing ...
- Matt: The company's had an ongoing investigation into it, yes.
- FV: But you yourselves would know that getting the kid ... I'm sorry, I apologise for that, he's not a kid, obviously he's a man, but this is very heavy handed to come in here and not give him a chance to see what the allegations were and to respond to those allegations.
- Brent: The allegations are serious and I think we can all agree on that.
- FV: Oh, absolutely, but if they're so serious he has to have the opportunity to refute them.
- Matt: If there is someone in a business that's accessing the owner's personal emails and obtaining that data and then distributing it, that's right up there on super serious, okay? That's a criminal offence. It's a criminal act.
- FV: It's a serious ...
- Matt: No, I've let you talk, hear me out. It's a very serious offence in that it's an offence under two accessing crimes under the Crimes Act – accessing a computer system without authorisation and accessing a computer system for dishonest purpose if they have dishonest intent with that content. Right now, on the face of it, and this is my area, I've been working around electronic crime and working around this particular, very narrow sphere of law for a very long time now, probably more than most and, on the face of it, there is clear, no questions asked evidence of Crimes Act offences being committed by an employee. Those are yet to be proven but today the police have been given the file and charges

have been laid with the police and, yes, we do take a big risk but it's a balanced risk coming in here and laying [? 8.24] out for an opportunity ...

FV: Excuse me, you just said the files have been given to the police. Correct?

Matt: We have given the police a detailed complaint of what the issues are and, yes, we do take a ...

FV: So you understand then that if the police have been involved that you can do nothing in employment law, he is suspended on full pay pending investigation.

Matt: No, we can take the risk ...

FV: You just told me and you heard him say that's been taken to the police.

Matt: Excuse me, if you have an HR degree, you know this. We are taking a risk by letting him go, if we decide to let him go cos he has his opportunity to respond. We're taking the risk on the basis that we believe the evidence that proves he's been doing this is overwhelming. We may be wrong and if we're wrong that's a risk the company will take and you'll be able to take a grievance against the company and all things will follow.

FV: No, I'm going back to this point that you said that you have lodged the complaint with the police, right? Once you do that, and you would know this, you cannot do any employment issues. You have to suspend that employee pending the court investigation. You look at Clint Rickards – he was on full pay until it was done. If you have employment issues, you deal with them first and then go to the police. If you've lodged it with the police, you cannot do the employment side.

Matt: You're welcome to take that argument then he can lodge a complaint if he's dismissed through [indistinct 9.45].

FV: No, I'm just saying, if it's a police case we need to know that you've got it.

Matt: The owners of the company can choose to do whatever they like.

FV: But *you* said you have lodged it with the police. Can you verify that please? Has he lodged a complaint with the police at this point?

Brent: There is a police complaint.

FV: Okay, well then you cannot continue with this.

- Brent: Matt's made the position quite clear. We're having the meeting here today to discuss the issues raised in this letter and we're giving you an opportunity to respond for any other actions taken. You can fight us on these points or we can engage ... the simple answer is either you deny the allegations, which I'm not hearing from you, or that you've done this and you wanna discuss it further with us but you need to engage with us.
- FV: No, you need to actually tell us absolutely whether you have lodged a complaint with the police and if you both say yes then I guess we're waiting for the police to come and they take over the investigation because there is no employment investigation if you have lodged a police complaint. Don't smirk, it's serious.
- Matt: I'm not smirking at all, what I'm doing is ...
- FV: I just think this is bully tactics what you're doing.
- Matt: No, you're incorrect in law.
- FV: I'm incorrect in law?
- Matt: Yes, I have numerous examples and I'll give you an example of an extreme one with hospitality workers who are caught smoking marijuana.
- FV: I'm interested in the same point of law, not your experience. I need to know, and you should know this as a lawyer, if you have lodged a complaint with the police against Karl Roe for these acquisitions, you cannot do employment here – you have to stop and let the police complaint take over.
- Brent: I don't believe that's correct.
- FV: Can you verify that? Can we ring somebody and make sure that that's the point?
- Brent: If you wanna take a minute to ring someone, you're free to take a minute and ring someone but what I'm telling you is I don't believe that's correct. We're here to discuss the issues that are here in this letter. If you want a minute to discuss amongst yourselves or make a phone call, we can facilitate that.
- FV: I think I'll make a phone call. I think I need to find that out.
- Matt: Would you like us to go out so you can sit here and talk without us?
- FV: Yep, that'd be good.

MV1: Fuck's sake. Are you serious?

Karl: Deadly serious. That's why she hasn't come in, cos she knows I'll [indistinct 12.31].

MV1: When you say "legal", whadda you mean like?

Karl: The other guy's a lawyer.

MV1: What are they doing?

Karl: I guess they're coming in here to get me to admit to stuff ...

FV: They want him to admit to things and then they're gonna instantly dismiss him.

MV1: Their legal proceedings against you are for what? Shit that happened a year ago?

FV: They've got Circle IT who have analysed all the documentation. You can read this.

[pause 12.52 – 13.14]

FV: Basically their advice the advice was that we need to dig deeper into that side of things and the advice to Karl is you've presented your documentation and he needs the opportunity to look at it and get his own legal defence and go from there.

Matt: We're gonna make a decision on what happens today so we're giving you an opportunity to respond now. Whether you think that's unfair or not, that's up to you but we are concerned about the allegations here and we wanna deal with it right away.

FV: Under employment law you can't, you have to give him the opportunity ...

Matt: The company owners can do whatever they like as far as ...

FV: But you're not the company owner. Hear what I have to say. I'd like to have a look at the employment contract.

Brent: I do have a copy of it.

FV: What are you proposing? To suspend him?

Matt: I would like to say some things to Karl now. Firstly, I'd like to ask you are you gonna respond. Can you tell us, are you denying the allegations, is what I'd like to ask.

FV: Karl's not saying a word. He needs an opportunity. You've just come in here and laid this on him. You haven't given him an opportunity to actually analyse, have a look. I haven't analysed the whole lot, I've just looked at the process.

Matt: I'll be totally straight with you and I'll speak frankly, okay? You should like that I'm gonna speak frankly cos I may trip myself up.

FV: I should like it?

Matt: I may trip myself up and it'll give you the basis for a claim. I was approached about this matter because of some real concerns from Olivia and Craig over Karl's conduct. Those concerns included some outrageous messages. I've seen messages where he's talking about killing himself, I've seen these myself where you've talked about what a bitch your boss is, Olivia, and then that you love your boss. I've read a multitude of what can only be described as one of the most fascinating groups [? 15.30] of messages ...

FV: But you've actually introduced a whole new thing here.

Matt: No, I'm just being straight with you. Let me finish it. From a Crimes Act point of view and on the face of it, we've got a person who works for a husband and wife who's hacking into their computers, stealing – and this is what it looks like to me, I'm saying it's been proven because the police can prove it – stealing information and then threatening to distribute that information to the wider public. The stealing itself is an imprisonable offence. Simply accessing a computer system without authorisation is up to five years' imprisonment. Accessing for dishonest purpose, up to seven years' imprisonment.

FV: Sounds like a Cameron Slater type ...

Matt: Well, I know a lot about Cameron Slater, which, if you've done your [indistinct 16.30] ...

FV: I've done my homework.

Matt: ... you'll know that I produced about 40,000 pages of this subject, so I know it inside out and I've never hidden that, which means you should trust me when I say I know the laws about what the prosecutions are and how serious an offence this is. This is a very serious offence.

- FV: Exactly. That's bully tactics coming in here to an employee doing this. You're not going through the right process.
- Matt: No, we're not going through the process because we've got a person with a firearm's licence who has said he brings his gun to work in his car ...
- FV: Really?
- Matt: ... to protect himself from the owners of the business. Well, this is what our clients have said. This is the information we have to deal with.
- FV: This sounds like Los Angeles, guys.
- Matt: Well, of course, you can imagine how staggered we were by those comments.
- FV: Okay, I'm just listening to what [indistinct 17.21].
- Matt: Our choice is we have to take our client at face value of what we've heard.
- Brent: Let's be clear. This is not misconduct, this is serious misconduct.
- FV: Hang on a minute. We have jumped from what I quickly read here about a key locker and we've jumped to guns in cars, we've jumped to killing himself or whatever.
- Matt: None of that's been substantiated yet because we'll substantiate that. That, we're confident we can substantiate today and it's already serious misconduct; if the rest came into it, I would suspect the police will be pulling up.
- FV: Yes, but see that's where the whole process you are doing is wrong.
- Matt: No, it's not.
- FV: You should've got ...
- Matt: We're employment lawyers and we've checked the legislation. We're right. We can dismiss today if it's the right thing [? 18.04].
- Brent: This is a serious misconduct process.
- FV: I understand that but I believe he should be suspended, investigation, waiting and then having another meeting. He's got to be given the opportunity to look at what you're actually claiming against him.



Matt: That's a decision the employer can make and the employer in this particular example ...

FV: No, employees have rights, mate. Don't ever take those rights away from these guys.

Matt: No one's taking their rights away.

FV: You are. You said the employer can make that decision. These guys ...

Matt: No, an employer can make any decision. Whether it's right or wrong, they have to suffer the consequences later.

FV: So that's what you're saying?

Matt: If they make a decision that's wrong, they will suffer the consequences later ...

FV: They will suffer the consequences of that incorrect procedure.

Matt: If we've got it totally wrong here, then that'll be a mistake that the employer's made and they'll have to deal with the consequences of that mistake.

FV: Okay, so as long as you are totally aware ...

Matt: Of course.

FV: ... and you are obviously supporting this in your capacity as a lawyer?

Brent: I've tried to make this quite clear that if these allegations are correct, this is serious misconduct. They're following a [indistinct 19.11] process.

FV: No, they're not.

Brent: Because of the nature of the offending here. It's not ...

FV: If you have the employment at the back is the serious misconduct ...

Brent: Can I finish? If these allegations that Mr and Mrs Baker have said is correct, they can't have an employee inside their business who is doing this to their computer systems, right, so we are raising these issues with you and we are giving you an opportunity to respond. If you don't want to respond ...

Karl: When did they learn about such things?

- Brent: It's in the letter.
- FV: Fifteenth of April?
- Karl: Eighteenth of March 2015. That's almost a year ago.
- Brent: When you gave Mrs Baker the information, you told that you installed keyloggers, right? That's the allegation you're facing. What I'm not hearing is any response from you to that allegation.
- Karl: That's probably solid advice not to answer any of your questions.
- Brent: Okay, so what you're saying is you're not gonna respond to any of that?
- FV: What he's saying is, and regardless of what's in this, I understand it's serious except it's from last year and it's taken a year so you can't just walk in and get rid ... he needs an opportunity to have a look at this, to decide what he's going to come back with and you can't tell me ...
- Matt: There is a logical explanation for why it's taken so long, though.
- Karl: What's that?
- FV: What's that?
- Matt: Cut to the chase, you've obtained a whole lot of highly personal information and the reports back from Olivia and Craig is that that information that you've said to them on several occasions, to Olivia in particular, that if this goes wrong, you're going to distribute that information to all of her extended family, her family and all of the clients which would be hugely damaging. So, the short answer is, and this is being covered off with the police, you've been blackmailing them for over a year. This is an allegation and the police will confirm whether it is blackmail or not but you've been doing this for over a year so they've been absolutely petrified as to how to deal with Karl.
- You take the example of Olivia. I feel huge sympathy for her. She's going, "I think I need to be nice to him because he might do something crazy," and then she'll back away. I've seen the text messages, I've seen this firsthand so I'm not basing this on anything other than the stuff I've seen firsthand and I'm going, "Are you for real?" And this poor woman is torn between ...
- FV: What information is there? It's obviously [indistinct 21.45].

- Matt: You're more than welcome to file a personal grievance against the company and make a claim for wrongful dismissal and do all those things if the decision's made to dismiss Karl but I'm just saying at a personal level, what I've seen, it's crazy stalker behaviour and it's quite astonishing. It's like nothing I've ever seen and I would be nervous about firing the guy too. I'm nervous about meeting him, to be perfectly fair.
- FV: From what I've heard, and this is only jigsaw puzzle pieces of what you've said, you've got this information which is devastating. I don't know how much ... from what I saw you were logging into Facebook. Okay, obviously that's not. We've got guns involved, we've got everything involved.
- Brent: To answer your question though, this is context to why it's an issue today and not a year ago.
- FV: But you're not talking about a month ago.
- Brent: What he has to answer today is the information in that letter. If he doesn't want to answer the allegations, that's his choice and we can ...
- Matt: [indistinct 22.52].
- FV: He needs an opportunity to actually speak with a lawyer and take this letter and analyse what's happening today. What you choose to do, I can't stop you doing whatever you're going to do.
- Brent: Okay. Maybe we'll just take a two-minute break and have a chat to the owners.
- Matt: We'll have a chat outside about what we're going to do. Can I ask you one more time cos today is an opportunity for you to respond and I understand it's short notice and I've tried my hardest to explain why it's short notice. If there's anyone in this room who can explain the context of what's going on, he's sitting next to you and it may be that he says, "It's all out and out lies," it may be that he says, "Yes, it's all true and it's much worse than that." But the person who can answer that for you right now is sitting right next to you and we'll be right over the other side so we don't have to be party to this conversation. I think that you two should have a really serious discussion about the background of this letter and take some time to really consider what you wanna do at this point. I'm not gonna take it much further than that but assuming everything is true and there are threats of bringing guns into work ...

- FV: So where are the police? If he had a threat of a gun, I would be calling the police straight up. Do you know what I mean? I would have the police here straight away. If I was threatened with a gun, mate, there's no way in hell I wouldn't be [indistinct 24.19].
- Matt: I'll answer that question right now. We're the messengers. I don't think this guy's gonna fire up and shoot us. If he was gonna shoot something, he wouldn't be shooting us, he could think of much better targets – I'm just theoretically pointing this out to you. The police are aware that this meeting's going on and they've said that they've got people here who will turn up on site if it fires up so that's the answer to your question.
- FV: So you actually believe ...
- Matt: I don't know this person, I know nothing about him so I don't believe anything one way or the other but I have to take my clients at face value.
- FV: So you have actually got police on standby?
- Matt: They have told us they will come here straight away if there's any issues.
- FV: Really? It's just like, oh my God.
- Matt: Like I said, you need to talk to your client.
- FV: My main thing is that employment contract. The serious misconduct has got a procedure – it has to be followed as per the employment contract. That's where I'm coming from.
- Matt: I know, it's crazy, eh? It's outrageous but if it's true then it's much worse than anything in the letter and the letter's basis for an instant dismissal.
- FV: So obviously if it goes further, and I'll talk to Karl anyway regarding all this, then whatever information that you've sussed or Karl has supposedly sussed from somewhere and guns and the whole lot ...
- Matt: It's all been given to the police. The police are dealing with it and they'll be doing their own investigation and I don't think we'll be party to that. I'm just giving that information to you as context to why we're fast-tracking the process here.

FV: Do you have a contact at the police so that we can actually contact them cos I don't think it's actually fair to say that all this has been given to the police and that they're investigating.

Matt: We've got a reference number for you, a file number.

FV: Yep, that'd be good.

Brent: One six zero three one four slash one five oh eight.

FV: And the complaint was made at the Albany police station?

Matt: North Shore.

FV: North Shore police station up at ...

Brent: Constellation Drive.

FV: Oh, in the Constellation one there? I'm thinking of the [indistinct 26.38] so 160314/1508.

Brent: Shall we take a couple of minutes?

Matt: We'll give you guys enough time for Karl to have a good chat and then we'll come back and have a final chat, eh?

FV: Thank you.

Karl: [indistinct 27.14]?

FV: What we discussed.

Karl: I'm not gonna give you any answers today at all. I don't know where it's coming from, to be honest. It's quite interesting because I actually slept with Olivia last Thursday so you can pass that on to whoever's put you up to this and they'll be able to put that together and then ...

FV: It actually sounds all like a demented love affair to me.

Matt: Look, we have the benefit of one side of the story and we can make a decision and we have to give a recommendation based on that side of the story and based on that side of the story we laid out our facts, you laid out yours and it's our client's decision one way or the other whether they wanna keep Karl on.

- Karl: When you call Craig just let him know it was while he was at the pub with his mate and I was invited over.
- Matt: That's something we'll pass on for you.
- Karl: Thanks.
- Matt: It is an ugly situation, no doubt about it but we've ...
- FV: It's just getting more complicated as it goes on and I think the more it goes on there'll be a lot more coming out.
- Karl: I've been sleeping with her for the past year as well. It's not as one-sided as it sounds.
- Matt: Karl, appreciate it from our side. I talked about shooting the messenger ...
- Karl: I'd like you more if you weren't Craig's friend, you know what I mean?
- Matt: That's just unfortunate that my job is this and no one's gonna argue that I work in this space and I was asked to look after this particular issue. I've based it on the facts now and your side of the story hasn't been heard and I've been proven to be wrong plenty of times making these calls and based on what we've seen and the evidence that's in place and the direction we've got, it does look terrible from our side. If it comes to pass there's a whole other side of the story, as I said earlier, the owners of this business make this decision at their peril if it's based on incorrect information.
- FV: Just be aware, your side of the story and all of the text messages you have, there's another whole side of that story to it. I've just learnt this because I'm just trying to [indistinct 29.35].
- Matt: This is what I've said to you. The person sitting next to you will know more about what's gone on than anyone.
- FV: And the people that you're dealing with that somebody's not letting known the other side. Hey, guys, anyway, at the end of the day Karl has decided he needs to consult a lawyer and, obviously, get his side of things in place and what happens.
- Matt: We've just had a conversation with Craig and we've filled him in on our conversation so I'll lay out to you guys what I've been told and what my

directions are now and then, of course, Karl's free to go and consult a lawyer and talk to whoever he wants to talk to about it.

There was three points that I was asked to make. I'm under no illusions as to portions of the other side of the story, we'll call it. I've seen the information that was pulled from Craig's personal hotmail address, I've seen the entire pile of paper that was given to Olivia so I know what information you had in your possession and what was given to Olivia and I know that for obvious reasons, Karl, ...

FV: Were you getting involved in all this [indistinct 30.521]?

Matt: Not by choice. Obviously, I read it through squinted eyes going, "Okay." I say that so Karl can appreciate I do understand that there's a lot going on here. But, of real concern and if you cut to the chase, that information does belong to Craig whether it's good, bad or indifferent information, it does belong to Craig and it's private information and I think in that particular case it is very private because there's obviously some real concerns. This is passing on that obviously they've put the matter with the police and caution you, I won't say for your own benefit but just to do my job to caution you that if something happens to that information and it's distributed to a wider audience or if it became a tactic – and I'm gonna say it as it is – to dump information that you've obtained in an unlawful means out to a wider public, that would be aggravating any offence that's been alleged that you've committed.

FV: You are aware that this was actually investigated by Olivia way back last year with Steven aware and, obviously, I was not aware of anything that was happening here, and Olivia said the matter was sorted and finished?

Matt: That's fine. I don't know about it.

FV: So she actually put that all to bed with that information. It's going to come out big time, like obviously ...

Matt: The simple fact is, the law says you can't take something that's not yours and in the case of data, data is seen as property. You can't take property that you've taken from someone unlawfully and then distribute it to a wider audience because that's receiving stolen goods and then sending them on to a whole lot and it will aggravate an accessing computer system.

FV: He actually hasn't done that.

- Matt: If he hasn't accessed the computer system and obtained data that wasn't his and has it in his possession then what I'm saying here can be ignored. If he has and he holds that data and he chooses to distribute it then he will be increasing his potential liability around any potential criminal charges. That's my opinion on it, I could be totally wrong because you may not have done anything in that letter cos at the moment you haven't told me what you've done or whether you have or haven't done it.
- FV: You're just accusing or implying that he's done it?
- Matt: No, I'm telling you what I've been told and based on what I've been told, cos at the moment I've got one side saying nothing and one side saying it happened and I have to balance. If we were in a court of law, it would be a logical thing if you've got one side saying it happened and one side saying nothing, the courts would go with the person who's saying something.
- FV: No, that's why he needs an opportunity to say something but he needs a lawyer and there's a love triangle going on so I'm not sure what mess we're gonna get into here.
- Matt: Yeah, me, too. That could be incredibly exciting and something all new and interesting to get into but we're not gonna get into that.
- FV: You said there's three points you wanna make. One's information.
- Matt: That was the first point. The second point is that Craig has made the decision that we are going to dismiss you today so that ...
- FV: Craig is the director of the company as well? Correct?
- Brent: Yes.
- Matt: The solicitor of the company is here as well and there's been an engagement letter and he's an authorised agent so he can make that call. If you wanna [indistinct 34.38] say it as well.
- FV: We do need a copy of the engagement letter.
- Brent: No, you can't have a copy of the engagement letter, it's Craig's.
- FV: Maybe we'll just let you finish. Craig wants dismissal, is that correct?
- Karl: Craig wants dismissal.



FV: Olivia does?

Matt: Olivia does as well. They're both together and they've both said that they would like him to be dismissed today. Matt, you called them, that's their instructions?

Brent: Yep, I spoke to him when we went out last time and those were the instructions, which was based on the allegations being made. You've elected not to respond to them.

FV: He needs an opportunity to respond. He can't respond now.

Matt: Today, he has elected not to respond.

FV: He needs an opportunity. He will respond and it's an employee's right to respond and it doesn't need to be immediate.

Brent: The business has decided that based on the information that they have, they're going to make a decision to dismiss Karl today. I understand that you wanna go talk to a lawyer, that's fine, but the decision has been made and it is instant so you're going to need to leave the premises straight after this meeting and you're not to come back.

FV: And you will have that in writing?

Brent: Yes, it will be followed up with a confirmation in writing.

FV: And the grounds for dismissal is?

Brent: It's outlined in the letter. The grounds that have been raised are the grounds thrown for dismissal so there's been a conduct in terms of accessing a computer, that's defined as serious misconduct in the employment agreement and the consequence is instant dismissal based on that serious misconduct.

FV: Accessing a work computer, is that correct?

Brent: Yes, that's correct.

FV: Accessing work computer on these premises. Correct?

Brent: Yes.

FV: Accessing work computer on premises here at Tint a Car. I guess you have no option at the present time to take your belongings and then we will go from there.

Karl: Okay.

Brent: What's the best email address to email that confirmation in writing to you?

Karl: I'd rather you just actually posted a physical copy.

Brent: What's the best address for you?

Karl: Shall I have it sent to you?

FV: Yeah, 51 Apollo Drive. Just address it to Tint a car New Zealand, 51 Apollo Drive, Rosedale, 0632, I think it is.

Matt: I'm gonna walk round with you and get your stuff.

Karl: Okay.

Matt: One of the things they've asked for is that I give you those. Those are just trespass notices.

Karl: Okay, well if I don't take them, I didn't get them so I don't really want them. You're welcome to pick them up [indistinct 37.52].

Matt: I've given them to you and if you've refused to take them that's your choice but they're trespass notices for 17 Huntington Drive and for the office here at Wairau Road so your choice.

Brent: For your information, that's effective service. Even though they've been placed next to you, that's service of those notices and they're now binding on you.

Karl: Okay, I didn't even touch them.

Brent: It doesn't matter.

FV: That's okay. It's alright. Do you want to speak to Steven as well?

Matt: Yeah, only for a minute but we'll do that [indistinct 38.28].

Karl: I might see you outside.

Matt: You're gonna have to leave the area though. You'll have to meet up the road or something.

[indistinct 38.36 – 39.20]

Karl: Interesting, huh? Oh, I don't hold any ...

Matt: No, I wouldn't suspect you do. Most people don't shoot the messenger and [indistinct 39.30] and sometimes I'm bang on the money with what the client's said and sometimes I'm not.

Karl: I doubt you've seen what you think you've seen.

Matt: Like I said, I'm not [indistinct 39.43]. I've had all manner of things thrown at me over many years.

[pause 39.45 – 42.16]

Karl: If I think of anything [indistinct 42.18].

Matt: [indistinct 42.20].

Karl: Good luck with all the work they've booked in [? 42.23].

MV1: Yeah.

Karl: Sorry people don't care about you enough. Alright, see ya, dude.

MV1: [indistinct 42.35].

Karl: No, can't say it has been nice.

Matt: [indistinct 42.41].

[indistinct 42.47 – 43.]

Karl: Shall I take these?

FV: Yes. You've got the other letters?

Karl: Yep.

Matt: Karl, once we're finished up here today [indistinct 43.37].

Karl: [indistinct 43.39].

Matt: So if you wanna just walk over to your car and we'll talk over there. I'll be five minutes.

Karl: Make sure you pass on my message.

Matt: Yep, no worries.

[pause 44.00 – 45.22]

[End of recorded material 45.22]