

SUPPLIED IN CONFIDENCE TO THE NSW I.C.A.C.

[Service NSW 2021 COVID-19 Micro Business Grant] 'Retrospective Clawback and Extortion Scam'

[2022 - present]



Witness Personal Account and Victim Impact Statement [Complainant #22]

The following written evidence received from Steven Ridd by email to steve@naturetrail.com.au .

[Emails (most recent at top)]

START OF EVIDENCE

From: [REDACTED]
Sent: Friday, 11 October 2024 6:21 PM
To: Steve@naturetrail.com.au
Subject: Service NSW: Release from further action letter from service nsw

Hi Steve, fyi and fyr please see letter from service nsw in confidence. Apologies for the delay in forwarding this but as you know I'm caught up in strata/ builder NCAT issues also at the moment.

Today (11/10/24) I had another call from "scott" (no last name) from service nsw "resolutions dep" re my "current application of appeal" to service nsw re my Covid micro grant 2021 review???????

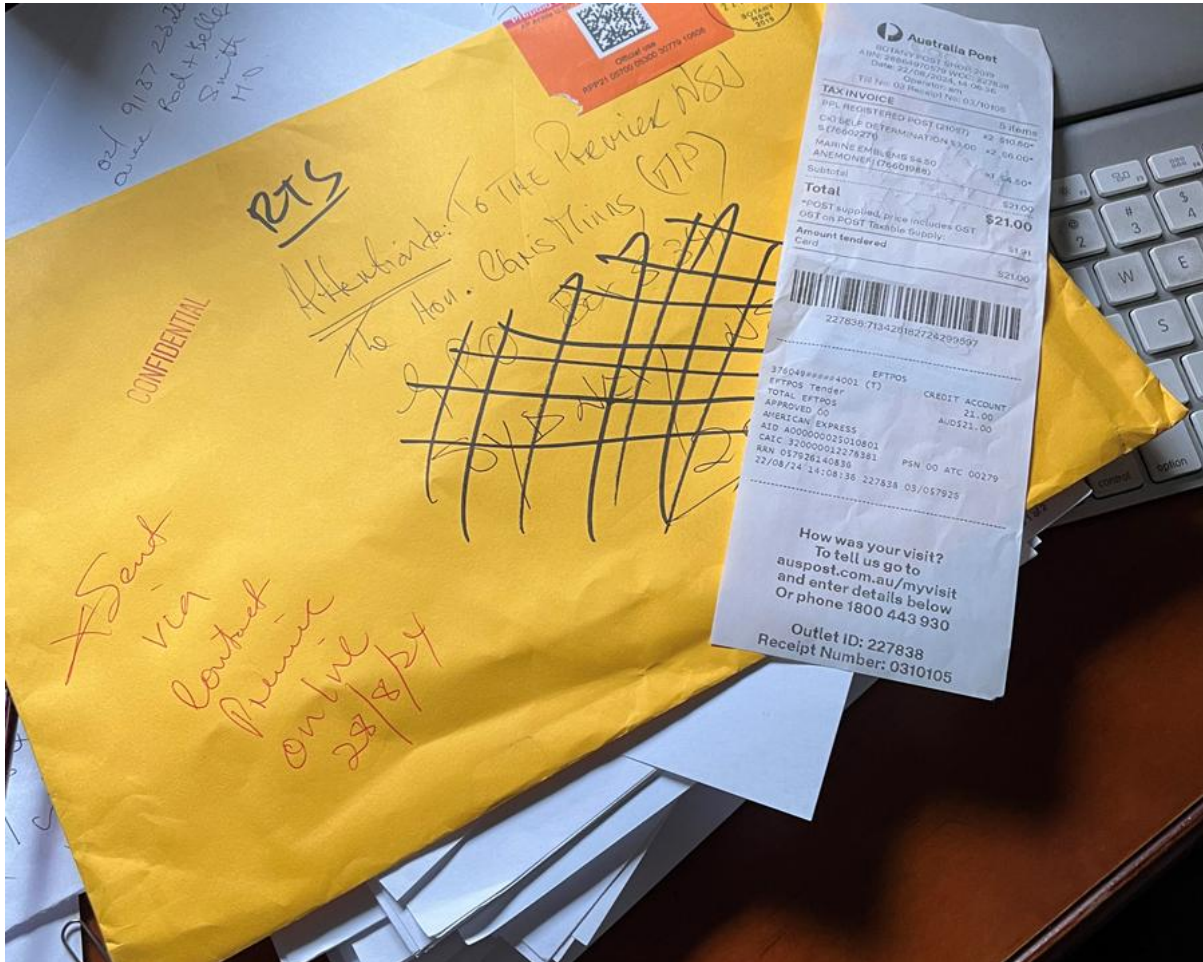
I was astounded when he was talking present tense and I stopped him right there with "clearly no one in service nsw has any clue what anyone's is doing on any day, at any time, on any matter".

He wasn't happy and informed me "I was being recorded to-wit I replied.... " I'm perfectly aware of this " but how is it these recordings disappear when an enquiry from someone under the inquisition is made???? No reply from scott.

Best for now,



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From: [Redacted]

Sent: Friday, 9 August 2024 11:10 AM

To: Liberal Leader <Liberal.leader@parliament.nsw.gov.au>

Subject: Re: Urgent letter for your attention from a NSW constituent re: *Service NSW questionable conduct - retrospective "review audits " of the previously approved COVID Micro Business Grant applications with small business and sole traders treated like cri...

Good Morning Mr Speakman and team @ the Office of the Liberal Leader - Leader of the Opposition Government NSW,

Thank you for your reply to this gravely serious matter, it is appreciated and valued.

In regards to your questions I believe that the retrospective audit has had no transparency at all as to:

1/ the reason for the “audit” of my originally approved grant at 2021 which has never been disclosed and all questions I have reasonably asked (both verbally and in writing) as to the how what, where and why have been ignored so clearly I have had no right to question the authority, process or criteria of this review under retrospective “audit” at all

2/ “documents” re requested documents by Service NSW at October 2023 were not specific but rather “we do not have all documents” etal and there was a list of documents we could provide so I resent at October 2023 the original application documents of 2021 (none of which were acknowledged as recieved by the 2023 retrospective “audit” personnel) then there was a pause of the audit

Until

3/ at 31/7/24 telephone calls came with further documents being demanded as to my birth and marriage certificates plus drivers licence and passport - this was when “my case” was allegedly still in the “retrospective review and “audit” phase

4/ only a day later @ 1/8/24 I received more telephone calls and then another letter via email at 1/8/24 stating a decision had been made in my case and I was deemed “ineligible” for the already approved grant at 2021 **see email below as attached 1/**

and

5/ I now have 28 days to lodge an appeal or my case would be referred to Revenue NSW for commencement of the debt recovery

6/ I sent a letter to Gregg Wells (CEO Service NSW) on 6/8/24 which commenced the appeal which is in train I understand

7/ on 8/8/24 I had two calls from service nsw which I missed - this was followed by the next email stating that the “appeal” process had commenced and “once determined it was irrevocable with no further appeal avenue availed “ - **see email here below as attachment 2/** which is just more intimidating behaviour by Service NSW

8/ the terms and conditions of the Buisness Micro Grants of 2021 at 4.8 suggest that this whole unquestioned and unconscionable retrospective review and unorthodox “audit” has expired - **see extract of t&cs at 4.8 fyi and fyr below at attachment 3/**

9/ as to wether I believe the terms and conditions has changed or been varied since the original at 2021.... I cannot be sure what version is currently being used but the Service NSW website carries an acknowledged update of t&cs at 2023 - I am trying to find the original pdf of 2021 to confirm but frankly it would not be surprising that variations have been made given the audacious behaviour by Service NSW since this retrospective nightmare began - tbc when original pdf of 2021 is identified (**note:** all nsw government documents should have version control numbers and be recorded as such)

10/ if you require any further information please do not hesitate to contact..... ***clearly my situation is now being fast tracked by Service NSW.**

Sincerely,

██████████

*

August 6, 2024

Attention To: Mr. Greg Wells, CEO, Services NSW

Re: *Service NSW Special Unit conducting questionable retrospective "reviews" of the previously approved COVID Micro Business Grant applications with small business and sole traders treated at best as plebeian and worst, criminals.

Dear Sir, I write to you in your capacity as CEO of Services NSW.

My name is ██████████ and I am only one of the many small businesses /sole traders caught up in this shameful Service NSW retrospective "audit" of the previously approved COVID Micro Business Grants in NSW.

I write to you in total disbelief and despair regarding the incomprehensible actions by Service NSW to claw back previously assessed and approved COVID Micro Business Grants.

This is a gravely serious matter that you, in your capacity should be aware of and seek action immediately to stop as this is an unconscionable process by Service NSW.

Service NSW established a "Special Unit" to conduct questionable retrospective review "audits" of the previously approved COVID Micro Business Grant applications with small business and sole traders now treated like criminals.

These "grants" (now referred to as revenue recovery) are being extorted from struggling small business and or sole traders by the Service NSW established "big brother" style investigative unit which frankly appears to be a debt collection arm of Revenue NSW.

I have been dealing with this nightmare of the retrospective Service NSW audit of my previously approved Covid Micro Business Grant of 2021 since October 17, 2023, and I know I'm not the only one.

At first, I thought the initial telephone cold call (from an unknown and de identified telephone number) was a scam, unfortunately that was not the case.

The communication methods utilised by the multiple Service NSW reps align with that which scammers use (phone and email), and worse, that such conduct by a governmental demand may likely cause business owners to suffer serious mental health consequences, akin to the 2016 Centrelink robo debt recovery tragedy.

The tone of these initial and following Service NSW “informing letters” (via email) from nameless and unaccountable representatives has been intimidating, trite, condescending and patronising — see original letter ref number FYI & FYR.

*Original Service NSW letter ref number sent via email:

Please contact us about your 2021 COVID-19 Micro-business Grant application [ref: [REDACTED]:ref]

The frequent and multiple telephone calls were exactly the same with demands as to our names, addresses, abn numbers, birth dates, bank details etc all in the guise of security checking measures for “my safety and privacy”. Really, in this digital scam age ! Would you provide personal details to an unknown source from an undisclosed telephone number?, I think not.

Over the past nine (9) plus months plus I have had countless emails and phone calls from sur-nameless and unaccountable persons representing themselves to be from Service NSW demanding documents (already supplied and supported at the time of the original micro grant eligibility criteria assessment by my accountant to the then state government in 2021) - all demanded documents have been resent last year at which time the “audit” was paused for a few months.

As of (31/7/2024) more calls and emails commenced from Service NSW reps demanding proof of identity by way of birth and marriage certificates, a driver's license and or passport, then again on 1/8/2024) stating a decision has been made in my case and that I am now considered non-compliant and ineligible for the already approved application in 2021 and, I will now be facing debt recovery by Revenue NSW. Another email then followed.

I now have had another email from Service NSW (1/8/24) stating I have 28 days before Revenue NSW commences debt recovery on something that was approved by the previous NSW Government in 2021 if I do not go through the Service NSW Appeals process the debt recovery action by Revenue NSW will be activated.

This is my appeal and it stands as my reply to the Service NSW labyrinth process. Yes, my reply has also been sent to appropriate NSW MPs et al, and Shadow Ministers.

This is a nightmare for all of us targeted by Service NSW.

With everything that has happened over the past three plus years to small business and our families including the loss of family members to COVID and for some of us, our homes, this is the last straw for people who are trying to survive in these extremely challenging economic times.

As for this retrospective process by Service NSW it is at best unconscionable with the process and decision having no transparency and no continuity as to the retrospective audit criteria utilised by the faceless and nameless decision maker/s who have not provided any reasoning at all for their ultimate decision after months of harassment.

Service NSW, by transfer of the audacious "audit/review" outcome to revenue nsw basically assigns and affirms guilt to the previously approved applicant without anyone-one of us knowing on whose authority the reps had to act as they have, the process undertaken in the retrospective audit, or even having the ability to have this action tested outside of the Service NSW framework.

All the questions I have asked of Service NSW to try to ascertain the who, what and why of this have been ignored. Yes, all questions were also in writing, but ignored.

Service NSW have not disclosed the processes they have employed resulting in a complete lack of transparency, accountability or efficacy of any process with no qualifying questions answered rendering the recipient of their verdict subject to the vagaries of the debt collection process and associated credit status issues plus the domino impacts to personal and professional transactional abilities should this progress to the debt collection stage by Revenue NSW.

I'm exhausted on every level by and from this horrific experience at the hands of the Service NSW personnel.

There has been no continuity of case management from the start to date with:

- gross mismanagement treating the "grants" as loans and citizens like criminals

and

- no ability to even discuss a hardship pathway as would have been the case should my initial application had not complied 100% with the terms and conditions and assessment criteria in 2021, which it did.

I truly believe that Service NSW (multiple representatives - (too many to be on any one case with any real action or outcome within control by management) have acted without cause, unethically and without consideration of the presumption of "innocence until proven guilty" at all.

I have acted in good faith at all times and according to the terms and conditions of the COVID Business Micro Grants of 2021.

My application was submitted in good faith to the processing officer/s and my application was assessed for eligibility. It was approved based on the criteria of the day.

I did have several conversations with a Service NSW Team Leader during this initial process in 2021 and was told that " there are thousands of applications and the assessment team will be taking some time to assess all applications as it is a time-consuming process". Fair enough. We also discussed multiple issues with the required Service NSW app (a requirement of the then process) which had incorrect information uploaded. It got sorted eventually by actual engagement directly with a Service NSW Team Leader.

I do not believe that my application was an "auto processing application" as has been suggested (which is a go to position) used by most of the reps from Service NSW I have had to deal with.... It's like they are reading from a script.

I reiterate that all documents demanded have been resent. Maybe the bureaucrats shredded or deleted my records, but that's not my fault. Given most of this "team" probably work remotely with no real oversight (save for a set criterion of who knows what), it would not be surprising with so much data transference and harvesting (from one database to another) mistakes are made nothing in the digital/web space is secure or appropriately safe these days, as well we all know.

This whole thing is a retrospective action. It is wrong and intimidating to me causing undue stress and anxiety every-time the phone rings and an email pings in.

This process must stop, immediately!

It is a misuse of power and authority over legitimate small business operators who do not have the finances to seek legal representation or have the energy to continue to carry on in the face of this unjust and continuing adversity.

At the very least the you and the Minister responsible for the Service NSW conduct, (The Hon, Jihad Dib, MP) plus the Premier of NSW, (The Hon. Chris Minns, MP) need to have questions asked and answered before anymore hard working people's lives are ruined and not just accept that all that is being handed in from the bureaucrats and their rep teams in departments of Service NSW are as if they are conducting themselves in accordance with the vision and mission statements as published on the Service NSW website. Clearly, they are not.

Thank you for your consideration of this serious NSW community issue.

If you require any further information, please do not hesitate to contact me on the mobile below or by reply by email.

Sincerely,

[REDACTED]

*

From: [REDACTED]

Sent: Monday, 5 August 2024 3:52 PM

To: Steve@naturetrail.com.au

Subject: From [REDACTED] Urgent letter re: *Service NSW establishes a Special Unit to conduct questionable retrospective "reviews" of the previously approved COVID Micro Grant applications with small business and sole traders treated like criminals.

Hi Steve,

Thank you for your calming chat to day re this horrible experience.

Please see letter I wrote to Ben @ 2gb below and original from service nsw also.

Many thanks again in assisting us all with this issue.

Speak soon,



...

Dear Ben and Team, I hope you are all well and safely returned from Paris, what a sensational experience the Olympics are... our team is making us all proud.

On another note, sadly I write to you in total disbelief and despair regarding the incomprehensible actions by service nsw to claw back previously assessed and approved COVID Micro Business Grants.

Service NSW established a "Special Unit" to conduct questionable retrospective "review audits" of the previously approved COVID Micro Grant applications with small business and sole traders treated like criminals.

These grants (now referred to as revenue) are being extorted from struggling small business and or sole traders by the Service NSW established big brother style investigative unit which frankly appears to be an arm of Revenue NSW.

I have been dealing with this nightmare of the retrospective service nsw audit of previously approved Covid micro businesses grants of 2021 since October 17, 2023 and I know I'm not the only one.

At first I thought the initial telephone cold call was a scam, unfortunately that was not the case.

I am trying now to find others who have been the subject of the NSW established Special Unit to conduct a shameless retrospective "review/audit" of the previously approved COVID Micro Grant applications to see how they have navigated and managed this service nsw inquisition.

I am also be writing letters to MPs, and the Ombudsman regarding the service nsw (after the fact audit / review process for some small business and or sole traders) re the appalling way we have been subjected to this heavy-handed inquisition which is basically a robo debt replay which was ruled unlawful at federal level.

The tone of these initial service nsw "informing letters" (via email) from nameless and unaccountable representatives is intimidatory, trite, condescending and patronising - see original letter at the foot of this email FYI & FYR.

The telephone calls were exactly the same with demands as to our names, addresses, abn numbers, birth dates, bank details etc all in the guise of security checking measures for "my safety and privacy".

I wrote to and called state members in NSW last year regarding the unorthodox process and the lack of transparency of the processes and had no response.

I have since contacted Ron Hoenig MP at his parliamentary Office and spoke to his assistant plus that of Mark Speakman's Office also (re this matter) only to be told by both "send an email". I have written again as of last Friday..

I now have had another email from Service NSW (1/8/24) stating I have 28 days before Revenue NSW commences debt recovery on something that was approved by the previous NSW Government in 2021.

This is a nightmare for all of us targeted by Service NSW.

Over the past 9 plus months plus I have had multiple emails and phone calls from nameless and unaccountable persons representing themselves to be from Service NSW demanding documents (already supplied and supported at the time of the original micro grant eligibility criteria assessment by my accountant to the then state liberal government in 2021) - all demanded documents have been resent last year at which time the "audit" was paused for a few months.

As of (31/7/2024) more calls and emails commenced from Service NSW's nameless reps demanding proof of identity by birth and marriage certificates, driver's license and or passport then again on 1/8/2024) stating a decision has been made in my case and that I am now considered non-compliant and ineligible for the already approved application in 2021 and i will now be facing debt recovery by Revenue NSW. An email followed.

With everything that has happened over the past three plus years to small business this is the last straw for people who are trying to survive in these extremely challenging economic times.

I fully intend to fight this action by Service NSW which is akin to the federal robo debt recovery rort which was ruled unlawful.

As for this retrospective process it is at best unconscionable with "the decision" having no transparency as to the criteria utilised and the faceless and nameless decision maker/s who have not provided any reasoning at all for their ultimate decision after months of harassment.

Faceless and nameless people making retrospective adjudications with no accountability which can ruin people's lives without due process, all under the veil of "Service NSW".

Service NSW, by transfer of the audacious "audit/review" outcome to revenue nsw, basically assigns and affirms guilt to the previously approved applicant without anyone of us knowing on whose authority the reps had the authority to act as they have (if they had), the process undertaken in audit, or even having this action tested outside of the Service NSW framework.

All the questions I have asked of Service NSW to try to ascertain the who, what and why of this have been ignored. Yes they were also in writing but ignored.

Service NSW have not disclosed the processes they have employed resulting in a complete lack of transparency, accountability or efficacy of the process they employed with no qualifying questions answered rendering the recipient of verdict subject to the vagaries of the debt collection process and associated credit status issues plus the domino impacts to personal and professional transactional abilities.

Seriously... what a world. None of this would pass the pub test.

I'm exhausted on every level by this horrific experience.

I can appeal the Service NSW decision within 28 days of 1/8/2024 but to engage further with any process by Service NSW does not fill me with any faith or confidence given my experience to date surely this issue requires further examination and an inquiry as to the efficacy of this whole thing which is akin to the robo debt recovery debacle at federal level. How it got to this point is just bizarre.

At the very least responsible ministers need to have questions asked and answered before hard working people's lives are ruined.

Can you help reveal this issue as it's gone on for too long and mostly under the radar ????

Thank you for your consideration.

Sincerely distressed,

[REDACTED]

***Original Service NSW letter sent via email:**

Please contact us about your 2021 COVID-19 Micro-business Grant application [ref: [REDACTED]:ref]

----- Forwarded message -----

From: **Service NSW Small Business Assistance** <smallbusinessassistance@service.nsw.gov.au>

Date: Tue, 17 Oct 2023 at 4:35 PM

Subject: Please contact us about your 2021 COVID-19 Micro-business Grant application [

ref: [REDACTED]:ref]

To: [REDACTED]



Dear [REDACTED],

I am writing to you about **your application for the 2021 COVID-19 Micro-business Grant** for [REDACTED]. Our records show that you received **\$15,000.00** under this grant. Your case number is [REDACTED].

We are carrying out a review of this grant and have identified that **we do not have some of the supporting documents needed to ensure you are eligible** for the payment you received. We would like to work with you to complete this review, which is part of our commitment to ensuring that funds are allocated and distributed in line with the Terms and Conditions. By applying for this grant, you agreed that you may be subject to an audit.

<https://www.service.nsw.gov.au/2021-covid-19-micro-business-grant-terms-and-conditions>

We understand that this request may be unexpected, and we are here to help.

Our team is **available to provide you with ongoing support** and guide you with the documents you need to submit for this review. We will ensure the review is carried out in a way that **takes your situation into consideration**.

We have attempted to contact you via phone today without success, additional information is required to determine your eligibility for the payment.

What do you need to do?

To confirm your eligibility, please provide the documents outlined below **by replying to this email by 31/10/2023**. Please ensure to redact tax file numbers from documents where applicable.

Evidence that the business has a national aggregated annual turnover of more than \$30,000 and less than \$75,000.

Please provide evidence that the business has an aggregated annual turnover of more than \$30,000 and less than \$75,000 for the year ended 30 June 2020 by providing **one** of the following documents:

- letter from a qualified accountant, registered tax agent or registered BAS agent
- Business Activity Statement (BAS)
- business bank account statement (separate from any personal accounts)
- **Australian tax return for FY 2019-2020** (businesses can choose to redact their tax file number)
- a profit and loss statement from an accounting software for a minimum three-month period during the 2019-20 financial year, **AND:**

- an annotated personal bank statement for the same minimum three-month period, **OR**
- a 2019-20 personal income tax return.?

Please note that it is an offence under the Crimes Act 1900 to make a false declaration when applying for grant funding. Any application deemed fraudulent will be referred to NSW Police for further action.

Next steps

When we complete our review, we will confirm your eligibility for the payment you received and advise you of the outcome.

If you believe you have complied with the Terms and Conditions or can provide additional information relating to your eligibility under the Terms and Conditions, please reply to this email before **31/10/2023**.

If you need more time, please reply to this email.

Will I need to repay the money I received?

If we do not receive the information requested or do not hear from you by **31/10/2023**, you will be referred to Revenue NSW to recover the payment.

Revenue NSW will mail you a notice that includes information on how to request a payment plan or apply for hardship options if you require additional support.

You can also find information on payment plans and hardship options at <https://www.nsw.gov.au/money-and-taxes/finances/fees/difficulty-paying-your-fee>.

Need more information or support?

If you have any questions, please reply to this email or book a call with your designated grant assessor at <https://book.service.nsw.gov.au/services/grants-mbg/landing?bookingSource=sfcase&bookingSourceId=5008v000002os3w>

Alternatively, you can call Service NSW on 13 77 88.

Kind regards

Pinak

Service NSW

T: 13 77 88



ref: [REDACTED]:ref

Sent from iPhone

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End of supplied evidence

This document submitted by Steven Ridd, Managing Director, Wistmans Wood Holdings Pty Limited [ACN 600 331 931] as trustee for Wistmans Wood Trust [ABN 51 965 308 493] trading as Nature Trail. Registered Address: 5 Kundibar Street KATOOMBA NSW 2780.]

By email icac@icac.nsw.gov.au

ICAC

INDEPENDENT COMMISSION
AGAINST CORRUPTION

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