

## Westpac employee likely aided fraud

Margaret Scheikowski | The Daily Telegraph | December 28, 2010 6:48am

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Fraud victim ... Many of Westpac's customers were victims of Ersever Toksoz's \$1.1 million fraud

Source: The Daily Telegraph

A WESTPAC employee probably helped an identity fraudster steal more than \$1.1 million, a judge has found.

Westpac Banking Corporation took civil action in the NSW Supreme Court, claiming that Sydney man Ersever Toksoz, also known as Gino Versace, was the chief architect of the frauds.

In a decision last Thursday, Justice George Palmer concluded Mr Toksoz was "directly and actively involved in each of the frauds on the 27 victims".

He entered judgment against Mr Toksoz for \$868,655 plus interest.

Justice Palmer also found that \$742,836 of those funds was deposited into accounts held by Gulay Toksoz, his wife during the relevant period.

"It follows that, of her remaining assets, both in cash and in real estate, assets to the value of \$742,836, together with accrued interest, are held by Mrs Toksoz on trust for the bank."

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Between February 2005 and October 2007 Westpac was defrauded of more than \$1.1 million.

"The addresses and telephones numbers of 27 bank customers were changed to addresses and numbers used by the fraudsters so that debit cards, credit cards and banking details of the customers could be diverted to the fraudsters and used to misappropriate the customers' money," the judge said.

As soon as the frauds were discovered, Westpac reimbursed the funds taken from the customers' accounts.

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Some of the misappropriated funds were discovered before they were disbursed to the fraudsters and were recovered by the bank.

Most of the frauds related to telephone banking, where the supposed customer was asked to be given a new access code.

The judge said there was no evidence as to how Mr Toksoz, or the person acting with him, knew the correct answers to questions designed to verify the caller's identity.

"That remains a matter of speculation," he said.

"It is highly probable that an employee of the bank was an accomplice in the frauds and supplied the information."

In concluding Mr Toksoz was the fraudster - undoubtedly helped by others - the judge noted CCTV evidence showing him making withdrawals and purchases on fraudulently procured credit cards.

Addresses of victims were changed to addresses associated with Mr Toksoz.

No explanation was given for the deposits of large sums of money into the accounts of Mr Toksoz, Mrs Toksoz and G-Star Solutions Pty Ltd, their company, the judge also noted.

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