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HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION SONET

Reference: Operation E14/1727

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY, 18 AUGUST 2015

AT 10.03AM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

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

<RONALD DAVID CORDOBA, on former affirmation [10.03am]

THE COMMISSIONER: Yes. Yes, Mr Robertson.

MR ROBERTSON: Commissioner, can I first tender a bundle of documents produced by the Commonwealth Bank of Australia. These are a series of vouchers and related documents which underlie Exhibit S2 which are the spreadsheet documents I discussed with Mr Cordoba yesterday. I  
10 tender those documents.

THE COMMISSIONER: Yes. They'll be Exhibit S6.

**#EXHIBIT S6 - COPY OF COMMONWEALTH BANK DOCUMENTS**

MR ROBERTSON: And the direction you made yesterday under section  
20 112 should apply with respect to those documents as well.

THE COMMISSIONER: Yes.

MR ROBERTSON: Because they contain account numbers.

THE COMMISSIONER: Yes. Those account numbers and any identifying information is suppressed under section 112 of the Act.

30 **THE ACCOUNT NUMBERS AND IDENTIFYING INFORMATION CONTAINED WITHIN EXHIBIT S6 ARE SUPPRESSED**

THE COMMISSIONER: I understand that there is only the morning session of the transcript available at this stage.

MR ROBERTSON: That's so as far as I'm aware, yes.

THE COMMISSIONER: If anyone is affected or constrained by that they  
40 can let me know at a later time but for present purposes can we continue with Mr Cordoba's evidence.

MR ROBERTSON: If the Commission pleases.

THE COMMISSIONER: Mr Cordoba, you're of course bound by the affirmation that you took yesterday and by the terms of the section 38 order. You understand that?--Yes, I do.

Yes, Mr Robertson.

MR ROBERTSON: Mr Cordoba, as an employee of TAFE you're aware that before money can be paid to a supplier they have to be recorded in TAFE's finance system as a vendor. Correct?---Correct.

And that's usually done by a form called a request for vendor maintenance form?---Correct.

10 And is it correct to say that in January, 2014 you requested Sharon Ambrose, the ICT co-ordinator, to prepare such a form?---Correct.

And that was a form with respect to ITD Pty Limited?---Correct.

Can the witness be shown volume 2 of Exhibit S1. Mr Cordoba, can I ask you to turn to page 1 of volume 2, Exhibit S2 and do you see there an email from Ms Ambrose to you of 16 January, 2014?---Sorry, I don't have that here.

20 Is the folder in front of you entitled - - -?---I can see it on your screen, yeah.

Is the folder in front of you entitled volume 2?---Yes, it is.

And - - -?---I've just got loose papers.

If you turn about four pages in or so in the bottom right-hand corner you'll see a number 1?---It starts from number 2.

If you just look at the version on the screen?---Yeah.

30 Can you see at the top of the screen vendor maintenance form?---Yes.

And does that appear to be an email from Ms Ambrose to you of 16 January, 2014?---Yes.

And looking at the first paragraph of the email can you see the words there "as requested"?---Yes.

40 And do we take it from that that you had a discussion with Ms Ambrose probably on the morning of 16 January, 2014 regarding a SAP vendor maintenance form?---Yes.

And do we take it from this email that she sent you a blank version of the form?---Correct.

And her email in effect says can you call us for the details to be inserted? ---Correct.

And looking towards the middle of the email do you see the words “to set up the online vendor”?---Yes.

And she has then requested you to provide a quotation and document showing bank details. Do you see that there?---Correct.

And that’s standard practice isn’t it for when one sets up a new vendor - - - ?---Yes.

10 - - - in TAFE’s finance system?---Yes.

If you can turn to page 2 which I think you do have in the physical volume, volume 2?---Yeah.

Does that appear to be the complete version of the request for vendor maintenance form which relates to the email we were just looking at?---Yes.

20 And did you provide Ms Ambrose with all of the information to complete this form?---Yes.

And so for example about three-tenths of the way down the page can you see a heading “reason for create/change”?---Yes.

You provided that information to Ms Ambrose. Correct?---Yes.

And about seven-tenths of the way down the page you see the vendor name ITD Pty Limited?---Correct.

30 And you’ve provided that name as being the name of the vendor?---Correct.

And it was in fact ITD Pty Limited that was the name that you provided, it wasn’t ITD Solutions, ITD Systems - - -?---Correct.

- - - or some other form of ITD. Correct?---Correct.

Turning to the next page, page 3 of the bundle, can you see an address there level [REDACTED] and following?---Correct.

40 And that’s the address of a serviced office?---Yes, it is.

And that’s a serviced office that you maintained at the time. Correct? ---Correct.

Looking towards the bottom of that same page, can you see a telephone number ending with the numbers [REDACTED]?---Correct.

And is that a in effect virtual telephone number that you maintained at the time?---Yes.

And is that also the case with respect to the fax number a little bit further down the page?---Yes.

And then can you see an email address which starts with the words “accounts”?---Yes.

And it’s truncated but it seems to be accounts@itdsystems.com.au?  
---Correct.

10

Now, itdsystems.com.au is a domain name that you have registered?  
---Correct.

And does it follow from that that if an email is sent to accounts@itdsystems.com.au that’s an email which becomes accessible to you?---Correct.

And then turn to the next page. Can you see a section entitled “vendor contact person”?---Yes.

20

And the first contact is Oscar Centos, C-e-n-t-o-s?---Correct.

And that’s your brother. Is that right?---Correct.

Now, he has nothing to do with ITD Solutions. Correct?---Correct.

Nothing to do with ITD Pty Limited?---Correct.

30

And you of course knew that at the time you provided this information to Ms Ambrose?---Correct.

What about Isaac David, the second contact. Who is that?---Doesn’t exist.

So you made it up?---Yes.

And you made that up with a view to concealing your relationship with ITD Systems or any connection with ITD Pty Limited?---Correct.

40

Correct. And that applied – that same reasoning applies to Mr Centos as well?---Correct.

And that’s why you didn’t put your name on this form at all because you wanted to conceal any relationship you had with ITD Solutions or ITD Pty Limited?---Correct.

A little further down the page can you see a bank account number?---Yes.

And that’s your personal bank account?---That’s my business account.

And, but it's a bank account that you control?---Correct.

And have access to?---Yes.

And can in effect send money out of if need be?---Yeah.

And if you have a look towards the right-hand side of that section do you see a heading "Name of account holder"?---Correct.

10

And underneath that it says "ITD Pty Limited"?---Correct.

That's incorrect isn't it, it's not ITD Pty Limited?---Correct.

It's a bank account in your own name?---Yes.

And that bank account is currently in the name of Ronald Cordoba trading as ITD Systems, is that right?---Correct.

20

A little further down the page can you see an ABN?---Yes.

And that's not the, that's not the ABN of ITD Systems is it?---Correct.

And you know that to be the ABN of ITD Pty Limited?---Correct.

And you deliberately used that ABN so as to further conceal your connection with the bank account number we referred to before, correct? ---Correct.

30

Has that always been your position?---Oh, at the beginning it was that I used it as a, as a copy and paste onto that and obviously I've used it afterwards as being - - -

But do you now accept that when this information was provided by, to you to Ms Ambrose you knew that this ABN ending with the numbers 1-4 was not your ABN?---Correct.

You accept that?---I accept that.

40

And to the extent that you might have said something to the contrary in the past that was false?---Yes.

And you knew that it was false at the time?---Yes.

And you knew it was false – I withdraw that. To the extent that you said to anyone else that you accidentally used the ABN of ITD Pty Limited - - -? ---Correct.

- - - that was a lie wasn't it?---Correct.

If you can then turn two further pages along to page 6. Do you see a large heading called "Comments" and then another heading called "Previous comments"?---Yes.

And the comments there underneath the words "Sharon Ambrose", those are comments that you provided to Ms Ambrose?---Yes.

10 She didn't make them up herself?---No, she, she copied it from the previous part.

If you can then turn to page 7, the next page, does that appear to be the quotation that Ms Andrews, I'm sorry, that Ms Ambrose asked for in the first email we went to today which was at page 1 of volume 2?---Correct.

And you prepared this quotation?---Correct.

20 And when you did that you deliberately used the name ITD Pty Limited?  
---Correct.

And it wasn't a mistake for example that you used ITD Pty Limited rather than ITD Solutions?---Correct.

And it was deliberate that you used the ABN of ITD Pty Limited rather than ITD Solutions, correct?---(No Audible Reply)

30 Looking towards the bottom of that page do you see a box that has the words "Strictly 30 day term"?---Yes.

And can you see a bank account number directly underneath that?---Yes.

And that's the business bank account number to which you referred earlier?  
---Correct.

That's the one that you have control of and can pay money out of?  
---Correct, correct.

40 And at the very foot of the page those address, telephone number, fax number and email details are all details that you control in the way that we've already discussed, correct?---Correct.

Can I then ask you to turn to page 9 of the same volume. Can you see towards the bottom of the page about seven-tenths of the way down the page something that appears to be an email sent from you to an Alicia?---Yes.

And do you see at the start of that email the words, "Thanks for your time on the phone"?---Yes.

You never had a discussion – I withdraw that. In point of fact there wasn't a discussion on the phone with an Alicia regarding the subject matter of that email was there?---Correct.

In fact Alicia has nothing to do with ITD Systems, ITD Pty Limited or anything the subject of this email?---Correct.

10 Then moving slightly up the page do you see something that appears to be an email from accounts@ITDsystems.com.au to you of 21 January, 2014 at about 11.01am?---Yes.

And can you see that that appears to be signed off by the same Alicia Accounts Officer, ITD Systems?---Yes.

You prepared and sent that email didn't you?---Correct.

20 And so you were attempting to make it look like there was an external person by the name of Alicia from ITD Systems or ITD Pty Limited who was corresponding with you?---Correct.

And that was to conceal what you were in fact doing, correct?---Correct.

And so in effect what's happened here is you've sent an email to yourself at 10.59am and you've then responded to it pretending to be Alicia at 11.01am, correct?---Correct.

30 Now moving just to the previous page, page 8, the very foot of the page, so nine-tenths of the way down the page, can you see your name and then the time stamp of 11.06am?---Yes.

And starting with the words "Hi, Alicia" at the foot of page 8?---Ah, yes.

If you then back to page 9 to see the substance of the email, can you see the substance of the email saying "Thanks for that (very quick)?---Yes.

And so that's a response to the email that you sent to yourself at 11.01? ---Yes.

40 So in effect you're congratulating yourself on your very quick response to yourself, is that right?--- Yes.

And was that an email that was copied to Ms Ambrose?---I'm not sure.

But at least, if you have a look on page 8 - - -?---It seems to be.



And do you agree with me that it at least appears through one way or another Ms Ambrose got access to this full chain of emails on page 8 and 9 of the bundle?---It seems to be.

And you wanted her to have access to that, that chain of emails, correct?---I would assume so.

10 But the reason you wanted her to have access to that chain of emails was to make her think that Alicia was a third party person acting on behalf of either ITD Pty Limited or ITD Systems?---Correct.

And you were intending to conceal that arrangement from Ms Ambrose?---Correct.

If you then look at the top of page 8, still in volume 2, and can you see there an email from Ms Ambrose to Alicia but also sent to you at about 3.26pm?--  
-Yes.

20 And can you see that it starts "ITD has been set up on our financial system as a vendor?---Correct.

And you obviously approved or agreed with ITD Pty Limited being set up as a vendor on the finance system?---Correct.

And can you see in the second sentence Ms Ambrose talks about raising an order for one item on the attached quote?---Yes.

30 And the attached quote, that's a reference to the quote that we saw at page 7?---Yes.

And when she says "Raise an order" you understood that to mean she's set up a shopping cart to use the language that's often used internally in TAFE?---Correct.

And she then says in the third sentence of the first paragraph "Once approved by Ron you should receive the order by email", see that there?---Correct.

40 And then you in fact approved that order?---Correct.

So you made the vendor be created in TAFE's finance system?---I requested that the vendor to be created.

You requested that the vendor to be created?---Yes.

You issued the quotation pretending to be ITD Pty Limited?---Correct.

You caused for Ms Ambrose to set up a shopping cart with respect to that quotation and that order?---Correct.

You approved that shopping cart?---Yes.

If you then turn to page 154 of the same bundle?---Yeah.

Can you see a document there misspelt Taxc invoice?---Yes.

10 Is that invoice which matches the quotation I took you to before?---Yes.

And you prepared this document as well?---Yes.

And again you deliberately used the company ITD Pty Limited rather than ITD Solutions?---Yes.

You deliberately used the ABN of ITD Pty Limited rather than ITD Solutions?---Yes.

20 And then can you see in about the middle of the page there's something that looks like a stamp being added to the top of the invoice?---Yes.

And can you see your name adjacent to the word "Buy"?---Yes.

Underneath that that's your signature?---Yes.

And that you signed, you put your signature on this invoice?---Yes.

30 And you can see, can't you that the stamp says "The above goods were received in good order and condition"?---Correct.

And those goods were in fact not received whether in good condition or bad at all on the 28 January, when you signed that particular stamp?---Ah, the goods were received. There was one item.

And so you say that particular item was received?---Yeah.

40 Is that the case with respect of all of the goods that you signed as being received in good order and condition for ITD Pty Limited?---Not all the goods, the majority of them.

Well are you saying that at the time that you signed to say that goods were received in good order and condition they were all received as at that time?--On this particular invoice or on all goods?

Well let's deal with, let's deal with this one first?---Yeah.

Can you see a date of the 28 January, 2014?---Yes.

And do you accept then that this was signed on or about the 28 January, 2014?---I accept that.

As at the 28 January, 2014 was a Samsung SSD MZ-7PD25W, was a good of that sort received in good order and condition at TAFE?---I received a – I do have a solid state drive for it. I can't confirm the model number at the moment.

10 THE COMMISSIONER: But what about the date? The question is whether or not you received it when you, when you put that stamp bearing the date 28 January, '14?---In all honesty, I can't remember on that particular date that I did receive it. If it wasn't then it was around that time.

Right.

MR ROBERTSON: So are you saying it was possible that as at the 28 January, 2014 this SSD drive was not received but that it was ultimately received - - -?---Yes.

20

- - -at some time?---Yes.

But you accept that on at least some occasions you signed a stamp similar to this one saying that goods were received in good order and condition when at the time of your signature the goods had not been received at all at that point in time?---Correct.

You just can't recall whether this particular one falls within that category or not, right?---Correct.

30

So to summarise with respect to this first invoice, you caused for the vendor to be set up in the finance system?---Yes.

You issued the quote under the name ITD Pty Limited?---Yes.

You asked Ms Ambrose to create a shopping cart with respect to the quote?--Yes.

You approved the shopping cart?---Yes.

40

You issued an invoice pretending to ITD Pty Limited?---Yes.

You signed a document to say the goods were received in good order and condition?---Yes.

Even though you can't tell us now whether or not they were as of the date indicated on the stamp?---Correct.

Can you then see on the stamp 28 January, 2014, date acquitted?---Yes.

Now do you understand that to be a reference to it being acquitted or signed off within the finance system of TAFE?---Yes. That's what it is.

And is that something that you did or is that something that Ms Ambrose would've done?---Ah, Ms Ambrose would've done.

10 But it's something that she only would've done on your instructions, correct?---Yes, 102349 (not transcribable), yeah.

And you don't suggest do you that Ms Ambrose had an obligation to go off on her own accord to check whether you were telling the truth in saying that particular goods were received in good order and condition?---No.

And so I think you said to me before that you have signed to say that at least some goods were received in good order and condition when at the time of your signature that had not been received, is that right?---Correct.

20 But you don't suggest that Ms Ambrose actually knew that you were doing that, do you?---Ah, she was aware that some things did not arrive on time, yeah.

Well, no. Listen carefully to my question. Are you saying that Ms Ambrose knew that you were signing to say that goods were received in good order and condition when they were in point of fact not received at all at that point?---Can you say that in a different way, please?

30 You've said that from time to time you signed to say that goods were received in good order and condition when they weren't in fact received at the time of your signature, correct?---Correct.

Now, you don't suggest, do you that Ms Ambrose knew that you were doing that?---I do suggest that, that she knew about that.

So are you saying - - ?---Not with this particular, with this company and other companies that was a common practice that we did.

40 Well, are you saying that Ms Ambrose specifically knew that you were signing to say that certain goods had been received when they were not in fact received?---Correct.

Do you say that anyone else within TAFE had a similar knowledge?---I wouldn't be able to name people on that but it is common practice at times.

Well, I'm talking about the particular goods that you've signed off with respect to ITD Pty Limited?---No, no.

You don't suggest anyone else within TAFE knew that you were in effect signing things off early?---No.

10 THE COMMISSIONER: When you say it was common practice do you mean it was your common practice or that there were other people who did a similar thing?---At times when we wanted to get things going some suppliers required quicker payment so we use to acquit the orders very quickly to get the, to get them paid so we can get the goods, sometimes they wouldn't release it as quickly as possible. Going towards the end of the financial year when we have lots of increased budgets that would come through to the unit we would actually spend as much as we can and acquit them before actually delivery sometimes to meet the target date.

20 So you said that – sorry, you're indicating that if the money needed to be spent before the end of the financial year then the general understanding was spend the money and worry about receiving the goods at a later time? ---There was a worry about being a manager and trying to get all the things in and keep abreast of what hasn't been delivered and make sure that they are delivered.

MR ROBERTSON: You know, don't you, that there's a separate procedure that allows payment to be made before goods are actually received?---Yes.

And in fact we looked at that yesterday didn't we with respect to Cloud People?---Yes.

And so Cloud People got paid in advance through in effect the correct process, correct?---Correct.

30 And if there was a necessity of the kind that you're talking about there's no reason why you couldn't have adopted a similar process with respect to other vendors, correct?---Correct, but there are instances that products can be delayed and therefore we already placed the purchase order so we signed it off to release the funds to actually get goods in.

But if a necessity of the kind you're talking about arises there are systems in place that allow an early payment to be made?---Correct. However, doing this practice was easier than to do the other.

40 I see. But it was still possible to do it in effect through the correct, through the correct system?---It is possible but harder.

And do you suggest that Ms Ambrose just knows because it was your common practice or a common practice within your department or are you saying she specifically knows that particular items set to be supplied by IDT Pty Limited were not supplied at the time of your signature?---No, it was different suppliers.

Well, I want to be quite clear about this because it's a serious matter that you're raising. Do you say that Ms Ambrose specifically knew that there were particular items that were supposed to be provided by ITD Pty Limited but that you had signed off, you'd signed off to acquit them before they were in fact received?---Yes.

Specific ITD Pty Limited items?---Yes.

10 Now I've taken you through an example of the first quotation, invoice and payment. With the respect to the other payments which were made into your bank and ostensibly to ITD Pty Limited - - -?---Yes.

- - - do they all pretty much follow the same pattern that I've just taken you to?---Correct.

So with respect to each of those payments, and it was you that prepared the quotation pretending to be ITD Pty Limited?---Correct.

20 It was you that instructed Ms Ambrose to set up the shopping cart?  
---Correct.

It was you that approved it?---Correct.

It was you that issued an invoice pretending to be ITD Pty Limited?  
---Correct.

It was you who signed to say that the goods were received in good order and condition?---Correct.

30 And that then led them to being acquitted in the financial system with in turn caused a payment to be made to your bank account?---Correct.

And that applies with respect to in effect all the payments made ostensibly to IDT Pty Limited but ultimately into your bank account?---Correct.

Now I assume you accept that in playing your role in each of those exercises that was a very clear conflict of interest on your part?---Correct.

40 It was a clear breach of TAFE's policies?---Yes.

You don't suggest for a minute that you were authorised by TAFE to act in the way in which you did?---No.

And you deliberately concealed what you were doing from your colleagues within TAFE?---Yes.

Now, a search warrant was conducted in your – was executed with respect to your premises in Wilton in March of 2015. Is that right?---Yes.

And a Mr Lawrence, chief investigator, was there at the time?---Yes.

And you said a number of things to him during the course of that - - -?  
---Yes.

10 - - - search warrant being executed and Mr Lawrence said the following to you didn't he, "Well, obviously, obviously from TAFE view what they're telling us is that they weren't aware it was your company which is why ICAC's got involved." And you said, "No, I understand. I understand from my point of view is that they were aware." Mr Lawrence said that to you and you gave that response. Correct?---Yes.

Now, what you said to Mr Lawrence was false or at least misleading wasn't it in that TAFE people didn't actually know what was going on. Correct?  
---Correct.

20 Do you agree with me that what you said to Mr Lawrence was either false or misleading?---Misleading.

Mr Lawrence also said the following to you didn't he, "The allegation was that you supplied gear to the TAFE using the ABN of another company and that you both raised purchase orders and also approved payments to yourself. Do you want to tell us anything about that at the moment?" And you said, "Ah, yes, I did that but I did it through the process." Do you agree that that's what Mr Lawrence said to you and that's what you said in response?---Yes.

30 And that was false wasn't it?---Yes.

You didn't do it through the process?---Yes.

Do you agree that was a lie that you told to Mr Lawrence on that occasion. Correct?---Yes.

40 Mr Lawrence also said to you, "So obviously we'd like to speak to you, outline the allegations and you say everyone was aware of what you were doing." And you said, "Well, everyone is my line managers." Mr Lawrence said, "Your line managers knew?" You said, "Yeah, yeah." Mr Lawrence said, "And it was your company?" And you said, "Yeah, it's actually listed in - listed there as um, ah, you had to declare your company so it was actually listed in the paperwork." That's a fair summary of a conversation you had with Mr Lawrence?---It sounds like it.

And that was false as well wasn't it?---Correct.

In particular your line managers did not know what you were doing?---They knew that I was spending money before the end of the financial year but did not know about that.

Yes. And in particular they did not know that ITD Pty Limited or ITD Solutions was a company which was ostensibly - - -?---Correct.

- - -providing things to - - -?---Correct.

10 - - - to TAFE?---Correct.

And so to the extent that you said something else to Mr Lawrence that was a lie. Do you agree with that?---Correct.

Now, before this public inquiry started you and your solicitor were given access to the hearing brief which has now become Exhibit S1. Is that correct?---Correct.

20 And you have had an opportunity to review any material in that brief that you've wanted to?---Yes, briefly.

You've at – but you've at least had an opportunity to look at anything you wanted to look at?---Yes.

And I suggest to you that there's a number of statements within that bundle where people say to the effect that there was no practice within TAFE at all to permit people to acquit goods early. They're right and you're wrong aren't they?---I disagree.

30 So you say that within TAFE there's a common practice allowing acquittal of goods early?---There is a common practice.

Is that written down in the policy anywhere?---Of course not.

And so you accept that it's at least inconsistent with all of the published policies?---Correct.

40 And you don't say there's some other document which amends the policy and says that it's O.K.?---No.

And do you say that anyone has – anyone specifically told you that acquitting early is permissible?---No.

It's just something you have in effect garnered or assumed as a result of working at TAFE for some period of time?---Well, its, it's the observation that we, that we, that I've observed.



But you disagree do you with others who have said in their statements that that is not a practice of TAFE?---I disagree.

And just so we're clear about it, when you, when you and I are referring to acquitting early you mean using TAFE's finance system to say that goods have been received when in point of act they haven't been received at that point in time?---Yes, and it tends to be towards end of financial years only.

10 Can I then go to another example of things that you have purchased. If you can go to page 52 in volume 2 which is in front of you. Have you got page 52 of volume 2 in front of you, Mr Cordoba?---Yes.

Now, is that an email that you sent to Ms Ambrose regarding some Dropbox orders and note the attachments, most of them have got the word "drop" in it?---Yes.

If you can then turn to page 56, and is that a quote that you prepared pretending to be ITD Pty Limited?---Yes.

20 And can you see there that you're charging a price of \$150 per licence? ---Yes.

And there were 500 licences overall that you provided quotes and invoices for, is that right, over a period of two years?---Correct.

And the \$150 charge was for a one-year period?---Yes.

30 And so does it follow from that that to add up the Dropbox related quotes and invoices we take \$150 per licence per year times 500 licences times two years?---Yes.

And so that's a total of \$150,000. Is that right?---Right.

Do you agree with that?---Yes.

Now, if you then turn to page 108. Can you see there another tax invoice?--Yeah.

40 And this is said to be for project management implementation?---Yes.

What does that mean?---It's to set up the, the enterprise consoles.

Well, can you explain what that means?---Yeah. Basically my staff they didn't have the capacity for that and it's actually - - -

When you say your staff, you mean your staff within TAFE?---Correct.

Yes, keep going?---It's the set up the whole solution for Dropbox.

And why is the unit price for Campbelltown different to the unit price for Granville different to the unit price for Macquarie Fields?---I can't explain that at the moment.

Well, there's no obvious reason is there to charge a different unit price with respect to different locations is there?---No, there isn't that I can see.

10 And so you say that this is in effect for the setting up, is that right, setting up the Dropbox system?---Yes.

Just so we're clear about it, Dropbox is – and we – I think we talked about it yesterday, is our Cloud service provider?---Yes.

And in effect it's a – one gets access to Dropbox's servers and one can store documents and other files on the servers?---Your, your simple Dropbox, yes, not Enterprise.

20 And so what one can do for example is have it set up so that I have a copy of a document on my office computer, a copy in the Cloud which means Dropbox's servers, but I can set it up so they all synchronise so that when I get home and I've got Dropbox on my home computer the same copy that's in my office that's in the Cloud is also on my home computer when it's downloaded?---Correct.

And so I take it that once you've set it, once you've set it up one doesn't have to set it up again every month or every year or anything like that?---It's just implemented per account.

30 And so once it's implemented that's done and the work the subject of this invoice has been completed. Correct?---Per, per account.

Well, it's each account – once each account is done?---Correct.

But one doesn't need to do it again a month later or a year later or something like that?---No, unless there's a backup request or there's any adjustments to be made.

40 If you can then go to page 74 and can you see another tax invoice on page 74?---Yes.

And is that for the same figure as the one we looked at on page 108?---It seems like it.

And so is it correct to say that that invoice is in effect exactly the same except the invoice at page 74 is in respect of a different year?---Correct.

So given what you just said to me about the project implementation why should it be necessary to do it twice over two years?---The rationale behind it is because this was actually targeted for managers and head teachers and that, all that changes.

Well, you've got the invoice at page 108 is dated 8 February, 2014, you see that there?---Correct.

10 And the one at page 74 is two days later, 20 February, 2014, you see that?  
---Correct.

So why do you say that you need to charge for and do work within two days to implement what appear to be exactly the same licences?---It's for support to do anything that you wanted to do.

Well, you didn't say it was for support, you said it was for project management implementation and I asked you what implementation means - - -?---Yeah.

20 - - - you're just double charging here aren't you?---Yes.

So it's correct to say isn't it that no additional benefit or no substantial additional benefit would have been provided for the tax invoice at page 74?  
---No.

And did it cost you anything to provide anything the subject of the invoices at 108 or page 74?---No, it was just my time.

30 So we can take the two sets of \$16,442 as being 100 per cent profit subject only to you spending a bit of time?---Correct.

What did you in fact do with respect to project management implementation, what did that pay for? What did you do?---I set up the enterprise portal for it.

And why isn't that something that you could have done in your capacity as ICT manager?---Correct.

40 So in effect you're paid \$33,000 for this on top of your salary and your salary could have covered doing that work in any event?---That's correct.

If you can then turn to page 78, can you see there a invoice for Dropbox Exapansion, wrongly spelt e-x-a-p-a-n-s-i-o-n Enterprise?---Correct.

And that's for another \$99,000?---Yeah.

What was that for?---That's cloud storage that I provide, it wasn't from Dropbox.

Well, why does it say Dropbox then?---It was just a description I wanted to give so everyone understood what it was.

Well, was that to conceal that it had nothing to do with Dropbox?---Correct.

And so what, what was this in fact for?---Backup servers that we wanted to do on the Cloud.

10 Did you in fact do that?---Yes.

And when you say backup servers you wanted to do on the Cloud what exactly do you mean by that?---I wanted to create a Cloud environment and to create servers and so we can actually dump information into there or, or create, we created a virtual ring around the whole Institute.

So one completely separate from Dropbox, is that right?---Yes.

And who was to provide the servers?---I was.

20

Did you in fact provide the servers?---Yes.

Where physically were those servers?---At my home.

And how many servers were that, was that?---Two servers with redundancy.

How much did those servers cost?---Close to, I couldn't say, roughly about 10 to 15,000.

30 And are those servers that you specifically bought for the purposes of providing Dropbox Exapansion Enterprise?---No.

So they were things you had anyway?---Yes.

So other than your own time it didn't cost you anything more to provide Dropbox Exapansion Enterprise?---Correct.

And is the service that you say that you made available, is that still being provided to TAFE?---Ah, no.

40

Well, was it ever provided to TAFE?---Yes, it was.

For how long?---I couldn't tell you the, the time but one of the servers was actually returned as well.

Was it for a few days, for a week, for a month?---Ah, months.

And what months, is it likely to be around, around May to around August or so, is that - - -?---Correct.

- - - the kind of period? But as, as I think we said it didn't actually cost you to do any of that save for the cost of your own time?---Correct.

Now with respect to the actual Dropbox licences, those were in fact ultimately provided to TAFE, is that correct?---Correct.

10 If you can go to page 122 is that an order form from Dropbox to TAFE?  
---Yes.

And is that your signature towards the middle of the page?---Yes.

Is that something you actually signed and scanned or is it something that you copy and pasted an electronic signature?---Ah, no, it's an electronic signature.

20 And can you see the, towards, about, sort of about three-tenths of the way down the page a reference to the quantity of 500 so that's consistent with the quantity you were referring to before, correct?---Correct.

And for a period of 24 months?---Correct.

Now these are the same licences that you on-charged to TAFE for \$150 each a year?---Correct.

30 And I think you agreed with me that the total invoiced amount was \$150,000 plus GST?---Correct.

And to provide that that cost you a mere US\$62,500, correct?---Correct.

And on top of that \$150,000 you received two sets of project management implementation of \$14,000 each or thereabouts plus the Dropbox Expansion Enterprise of \$99,000 each and those last two things didn't cost you anything to provide, correct?---Correct.

40 Now I just want you to confirm, and I'll take you through the documents, that the US\$62,500 cost you about \$70,000 in Australian dollars?---Correct.

Can you go, can you go to page 131 first. Do you agree that that's consistent with you making a payment of US\$62,500 to Dropbox in August of 2014?---Correct.

And if you just remember that 6 August date, if you can then go to page 124 and does that appear to be a statement from your bank account, Ronald Cordoba trading as ITD Systems?---Yes.

And that's the bank account that you referred to as your business account in response to an earlier question?---Yes.

And if you turn to page 125 part of the same statement, can you see adjacent to the date of 6 August - - -?---I can see it.

- - - a withdrawal figure of \$70,246.83?---Yes.

10 And do you agree with me that that's the Australian dollar amount that you had to pay in order to spend US\$62,500?---Yes.

Now there's no reason why TAFE couldn't have just bought these licences directly from Dropbox is there?---No, it would have been incredibly difficult.

Well, but they could have done it if they wanted to, correct?---Yes, yeah.

20 And even if they had to do it through a third party they could have got it much cheaper than at \$150 a licence from you, correct?---Correct.

But you did it that way so that you could make a massive profit for yourself?---Correct.

And you know that it was a conflict of interest?---Correct.

You tried to conceal your tracks with TAFE?---Correct.

You knew it was dishonest?---Correct.

30 You knew that at the time?---Correct.

And you in effect concealed that from everyone at every stage of the process?---Correct.

In fact you even concealed it from Dropbox didn't you?---Which component sorry?

40 You even concealed the fact that you were trying to make a buck along the way - - -?---Oh, yes.

- - - from Dropbox?---Yes.

Go to page 112 of the bundle. Can you see there a correspondence change, chain between you and Dropbox?---Yes.

And can you see towards the middle of that page a Peter Ahn, A-h-n, of Dropbox saying, "In terms of billing to IDT what is their relation to TAFE," you see that there?---Yes.

If you turn back to page 111 at about point eight-tenths of the way down the page can you see the response that you gave from your TAFE email address?---Yes.

And you say, "It's our broker for international payments"?---Yes.

You see that there, and that was obviously a lie?---Yes.

10 All part of trying to cover your tracks, correct?---Correct.

Now you don't suggest for a moment, do you, that it was in the interests of TAFE to buy Dropbox licences, project management implementation and Dropbox Expansion Enterprise in the way in which this was done?---No, not in this way.

And you don't suggest it was in TAFE's interest to purchase goods and licences through ITD Pty Limited with respect to any of these items that were brought through ITD, correct?---No.

20

You did it because it was in your personal interests?---Yes.

It was not in TAFE's interests at all?---Correct.

And you deliberately concealed your tracks from TAFE with a view of you making a buck?---Correct.

Do you accept that it was dishonest?---Correct.

30 And you knew that it was dishonest at the time?---Correct.

And that answer applies to every one of the purchases made by or every one of the amounts paid by TAFE to ITD Pty Limited which ended up in your bank account?---Correct.

And can the witness be shown Exhibit S2 again, the spreadsheets document. Mr Cordoba, these are the spreadsheets that we had some discussions about last afternoon, correct?---Correct.

40 And I think you agreed with me that at least the first page of the document was correct?---Correct.

And you accepted that the figure there \$1,709,904 was received in your bank account?---Correct.

And I think you also agreed that the second page of the spreadsheet was correct?---Correct.

And does it follow from that that you didn't actually buy any of the products, the subject of the invoices from ITD Pty Limited until 6 August with one exception being the one referred to on 3 April? I'll cut that up in stages. If you go to the second page of the spreadsheet - - -?---No, it's correct.

And so you agree that with the exception of the \$10,000 which was paid to, just described as transferred to Kerioalex?---Correct.

10 That's K-e-r-i-o-a-l-e-x. You didn't actually purchase anything until after you'd been paid the full \$1.7 million?---For ITD Systems, correct.

Now to the extent that you could get away with it you actually weren't going to purchase any of those items and provide them for the TAFE at all, were you?---No, I was going to purchase it.

Well you didn't ultimately provide all of the things that you invoiced to TAFE - - -?---Correct.

20 - - - as ITD Pty Limited?---Correct.

And in fact most of the items weren't actually purchased by you until you'd been found out, correct?---Correct.

Can the witness be shown volume 5 of Exhibit S1 and Mr Cordoba if you can turn to page 120. If you can just go to the bottom of the next page so we get our chronology right, can you see that this is a letter from Mr Martin on the 29 August, 2014?---Yes.

30 And just so we've got the chronology right, you were suspended on pay towards the start of August, 2014, correct?---Yes.

And you remember receiving this letter?---Yes.

And so although it was addressed to [accounts@itdsystems.com.au](mailto:accounts@itdsystems.com.au), that obviously came into your bank account?---Yes.

40 And is it correct to say that this letter - - -?---Can I just interrupt, my screen keeps flashing on and off. But it's all right, it's just distracting that's all

In volume 5, in front of you or you - - -?---I'll just use the document.

- - - can use, you can use the hard copy there, and maybe the screen needs to be turned off. And do you see that the letter sets out a series of items which appear to have been ordered from TAFE to ITD Pty Limited?---Yes.

And you then in fact used this as a shopping list, didn't you?---Correct.



You knew you'd been found out and you wanted to in effect minimise the damage by getting as many of these things to TAFE as possible?---Correct.

Now apart from being found out in this way you would've purchased these things, would you?---No. That incorrect.

Well you prepare the quote, you prepare the invoices, you acquit them as being received and no one seems to notice until, until this letter has been sent out to you?---Correct.

10

You've been suspended. And I suggest to you that if you could've got away with not purchasing these items then you would've done it?---Ah, no.

And in fact there's, there's a number of items that you in fact didn't purchase at all, correct?---Correct.

In particular you didn't purchase virtual desktop Jukebox licences- Application Deployment licences for 35,000 PC's for 2014 to 2016, correct?---Correct.

20

Yet you charged TAFE including GST \$103,441.50 correct?---Correct.

You've paid the money back?---No.

So that's pure profit for you - - -?---Yes.

- - - \$103,000. Why didn't you purchase those?---Just didn't.

Just didn't'?---Correct.

30

Is it because you thought it would be easier to get away with not purchasing those being software licences rather than something on the letter that you just referred to before?---Correct.

And it's consistent with that, isn't it, that if you could've got away with not purchasing more items and pocket a hundred per cent of the profit yourself you would've done it, wouldn't you?---No, not entirely.

40

Well why not, this is all an exercise in making a buck, isn't it?---It is. However software - - -

If you can get away with it?---No, as I'm responding, software is extremely easy to, to circumvent the system in the case with hardware physical items it's not.

Yes, and so does it follow from that that you thought it less likely to be able to get away with your scheme with respect to hardware and more likely than in respect to software?---Correct.

And that really explains what you've purchased and what you haven't?---  
Correct.

And so hardware is easier to work out whether you've provided it or not so  
you provide that?---Correct.

And software is more difficult?---Correct.

10 So it's nothing to do with TAFE's interest or anything like that?---Correct.

It's all got to do with what you can get away with and what you can't get  
away with?---Correct.

Now yesterday I said I've give you an opportunity to consider these  
spreadsheets and Exhibit S2?---Correct.

And for you to give me any comments that you have on those spreadsheets.  
Do you remember that?---I have no comments, I agree with it.

20

And so does it follow from that you accept that all pages of this spreadsheet,  
that is to say Exhibit S2, correctly identify the amounts of money paid into  
your account, the amounts that went out of your account to buy products for  
TAFE, the invoices which were issued ostensibly on behalf of ITD and then,  
and then how all of those things matched together?---I agree.

And does it follow from that you accept that your net profit from this  
exercise including GST is the figure on the last page of Exhibit S1, orange  
column towards the bottom of the page that is to say \$1,142,227.08  
excluding GST?---Correct.

30

Can you see the final column has a reference to GST payable to ATO?---  
Yes.

Have you made any payments to the ATO in connection with these  
particular invoices?---No, I haven't done my taxes yet.

Have you reported to the ATO?---Not yet.

40 Do you intend to report to the ATO?---Yes.

With respect to the whole of the \$1.42 million?---Yes.

Do you intend to pay any of the money back to TAFE?---Yes.

How much of it, all of it?---Yeah.

When are you going to do that?---I'll have to come to an arrangement.

Is this the first time you've offered that or have you offered that to TAFE before sitting in the witness box today?---This is the first time that it was discussed.

Mr Cordoba, do you recall that yesterday we've had some discussions about Cloud People Pty Limited?---Yes.

10 Do you recall that. Can the witness be shown volume 7 of Exhibit S1. I'll ask you first to turn to page 89 of volume 7?---Yes.

Does that appear to be a record of interview between ICAC investigators and Mr Kinsella?---(No Audible Reply)

Look at the first three substantive lines?---No, this is – page 8 you said?

Page 89, I'm sorry?---Oh, 89. Sorry.

20 Page 89, volume 7, Exhibit S1?---Yes.

And Jason Kinsella is the gentleman you referred to yesterday?---Yes.

Being your contact and only contact at Cloud People Pty Limited. Correct? ---He's my only contact, yes.

Can you turn to page 120 of the bundle. Have you got page 102 in front of you, Mr Cordoba?---Yes.

30 And can you see about five – or four lines down Mr Lawrence says to Mr Kinsella, "And he told you he had approval to do this work on behalf of TAFE." And then Mr Kinsella, jumping down a bit, down to about line 14 says, "Ron said that the contract, that TAFE were happy to go ahead with it but they wanted him to do the first and second line support." Do you see that there?---Yes, I do.

Mr Kinsella is telling the truth there isn't he?---No.

40 You told him in terms that TAFE were happy for you to act as a subcontractor or consultant to Cloud People Pty Limited?---No.

We also discussed yesterday Cloud People Pty Limited and its relation to the virtual labs project. Do you remember that?---Yes.

And you agree don't you that you never had a discussion with Ms Arthur in which you said you were only going to obtain one quote with respect to the virtual labs project?---Yes.

You accept that?---Yes.

And it would be false to suggest to the contrary?---Correct.

You agree with that. Commissioner, would you be prepared to adjourn briefly, only for about 10 minutes or so. I just want to check one aspect of something I may need to put to Mr Cordoba.

THE COMMISSIONER: Yes.

10 MR ROBERTSON: I might not need to do it but I may for the abundance of caution want to put one other proposition to him.

THE COMMISSIONER: All right. Just before we do that, Mr Cordoba, could I ask you insofar as you assert that Mr Kinsella knew that you – well, I withdraw that. I want to make sure I understand, you deny that Mr Kinsella is telling the truth when he says that you told him that TAFE had authorised you to do that work?---Absolutely.

20 Did you tell Mr Kinsella – is this your account – that you told Mr Kinsella that you were hiding all of this from TAFE?---Yes.

So you told him that did you?---Yes. I've known Mr Kinsella for quite a number of years.

Well, can you explain what was in it for Mr Kinsella, why that deception would have advantaged him?---It would advantage him because he would get the platform into TAFE and he had the, the opportunity to, to deliver his goods. He's actually made a considerable amount of money into TAFE. I would assume by now he would have made at least \$1 million worth of fees from TAFE.

30

But wouldn't he have got that advantage anyway?---No.

Even if you had told him that you were authorised to do the work the result would have been the same, he would have still been doing the work?---No, I don't think so.

Why not?---He – I don't think that was the, the plan at all. Can you just rephrase that again please.

40

What I'm trying to understand is what was the advantage to Mr Kinsella in agreeing as you say with this plan to deceive TAFE into thinking that this work was being done by someone other than you when you weren't authorised to do it and your answer was well, because he would earn millions of dollars' worth of fees. But then my proposition to you is, but that was the outcome anyway even if you had not told him the truth. He still go the contract so he was still doing the work?---No, he didn't get the contract at the time. It wasn't – this was all about getting together to make

sure that he can get the contract and to make sure that we had the platform that, you know, could actually provide a service of support for TAFE New South Wales. He did not get the contract until that point.

I think I'm not making myself clear or at least you're misunderstanding me but anyway, Mr Robertson might want to pursue that or not as the case may be. I'll take a short adjournment. Let me know when you're ready. Thank you.

10 MR ROBERTSON: Thank you.

**SHORT ADJOURNMENT**

**[11.05am]**

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Mr Cordoba, earlier this morning I think you agreed with me that you said a number of lies during the course of the search  
20 warrant which was executed in your premises, correct?--Yes.

Commissioner, I seek a further direction under section 112 for that direction to not apply insofar as it would otherwise prevent me to cross-examine Mr Cordoba on prior statements.

THE COMMISSIONER: Is this – sorry, could you give me the date of the interview?

MR ROBERTSON: You might need to first relieve me from the full 112  
30 direction because that might apply to whether or not there was one.

THE COMMISSIONER: Yes, well, we might well do that. The order that I have, that has previously been made in respect of the suppression of earlier transcripts of interviews is varied to the extent necessary for the cross-examination which is about to occur. On what date was it, Mr Robertson?

MR ROBERTSON: There were two, one on 9 June, 2015 and secondly on  
40 29 July, 2015.

THE COMMISSIONER: Twenty - - -

MR ROBERTSON: 29 July - - -

THE COMMISSIONER: - - - ninth of July.

MR ROBERTSON: - - - 2015.

THE COMMISSIONER: Yes, so those two transcripts are - - -

MR ROBERTSON: I think you only need to lift the orders insofar as it would prevent me from referring to any compulsory examinations, I don't think you need to give a general lifting of the 112 directions themselves. I can also – at the appropriate time I can also indicate the relevant numbers but I don't think I need to do that immediately.

10 THE COMMISSIONER: All right. Well, anyway, the order is varied to the extent necessary for what's about to occur.

**THE SECTION 112 ORDER OVER THE COMPULSORY EXAMINATIONS OF 9 JUNE, 2015 AND 29 JULY, 2015 IS VARIED TO THE EXTENT NECESSARY FOR THE EXAMINATION OF MR CORDOBA**

20 MR ROBERTSON: Mr Cordoba, I think you just accept that you said some lies in the course of the search warrant being executed against, with respect to your premises, correct?---Yes.

You also didn't tell the whole truth in certain compulsory examinations before the Commission, correct?---Correct.

30 Now one of the things that you said during a compulsory examination was the following, "I was surprised when the, the Commission, Commission agents when they came to my home, they said that I've been using a fraudulent ABN number and where it was a surprise to me and I actually said at the time I was very surprised about it." Do you recall saying something to that effect in a compulsory examination?---Yes.

And that was false wasn't it?---Yes.

You've accepted from me during the course of this public inquiry that you deliberately used an ABN pertaining to ITD Pty Limited rather IDT Solutions for example?---Yes.

40 And so you accept that that part of your compulsory examination was false, correct?---Correct.

Didn't you also say during a compulsory examination that – I withdraw that. In a compulsory examination you were asked the following question, "So you have a memory of going through a process where you say we're not getting other quotes and this is why," and I pause to say this was in relation to Cloud People Pty Limited and the question continues, "can you remember how you reported that? Was it written, verbal?" and you

answered, "No, it was verbal with Sylvia, she knew the costings." Do you remember giving that answer in a compulsory examination?---Yes.

And that was false as well wasn't it?---Well, she knew the costings.

Well, you said earlier in this public inquiry that you had no discussions with Ms Arthur with respect to how many quotes were required, correct?

---Correct.

10 And to the extent that you were saying in this answer that there was a verbal discussion regarding whether or not to get other quotes, that was wrong wasn't it?---Correct.

And that was a lie in the compulsory examination to the extent that you were talking about quotes, correct?---About quotes, yes.

Yes. And you were also lying in the course of this public inquiry with respect to certain answers regarding Ms Ambrose, weren't you?---Which question?

20

I put to you that Ms Ambrose didn't know that you were acquitting goods before they were received and you said Ms Ambrose knew about it, do you recall that?---Yes.

That was a lie wasn't it?---No.

You were also lying about what you've said with respect to Mr Kinsella, correct?---No.

30 In fact you did say to Mr Kinsella, didn't you, that you were authorised by TAFE to perform work, work for him, correct?---As I explained, no.

Isn't the position this, Mr Cordoba, you lie and lie and deceive and you're dishonest whenever it suits you and you just step back a little bit whenever some other evidence is put before you?---No.

You stepped back from your allegations against Ms Arthur because you saw her in the witness box and you thought that lie can't stand anymore, correct?---No.

40

You saw the weight of the evidence against you and so you knew you couldn't stand by your previous story with respect to the ABN?---Oh, that's true.

And so whenever you're presented with sufficient evidence that shows you up to be a liar you just step back, otherwise you stand firm in your lies, that's correct isn't it?---No.

And that explains why you're continuing to lie with respect to Mr Ambrose – Ms Ambrose. Correct?---No.

And why you're continuing to lie with respect to Mr Kinsella?---No.

To cut to the chase, this is really what's happened with respect to TAFE isn't it, you acted in a complete conflict of interest?---Yes.

10 Correct. You did everything in your own personal interest and not in the interests of your employee TAFE?---Yes.

You tried to conceal your tracks wherever possible?---Correct.

You acted dishonestly?---Yes.

A significant amount of money was paid into your account?---Yes.

And that only was able to occur due to deception on your part?---Yes.

20 Nothing further, Commissioner.

THE COMMISSIONER: Does anyone have any questions of Mr Cordoba?

MR NEWTON: Commissioner, I don't – subject to one thing I don't have any questions. I just want to clarify that as I understand it now that Mr Robertson has put various propositions which I was going to put that I don't need to go through the same process.

30 THE COMMISSIONER: You don't need to put them again?

MR NEWTON: Yeah.

THE COMMISSIONER: I take it your instructions, Mr Newton, are consistent with what Mr Robertson has just suggested?

MR NEWTON: Yes, they are.

THE COMMISSIONER: Right.

40 MR NEWTON: Then no questions.

THE COMMISSIONER: Mr Singh, any questions?

MR SINGH: No, questions, Commissioner.

THE COMMISSIONER: All right. Thank you. I note the time. Mr Singh, I just want to make sure that we do not at some stage stand accused of denying procedural fairness to your client, you would know that at the



beginning of this inquiry Mr Robertson indicated that Mr Kinsella was not available this week but he may be available at some other time. In view of what has been put to your client, could I ask you to consider whether or not you require Mr Kinsella to be called so that certain propositions can be put to him?

MR SINGH: Could I have a moment to get some instructions from Mr Cordoba.

10 THE COMMISSIONER: Well, that's what I thought you should do.

MR SINGH: Yes.

THE COMMISSIONER: So I understand that Mr Cordoba is the last witness. He can stand down. I'll take a short adjournment of 10 or 15 minutes and, Mr Singh, you can let me know when you're ready.

MR SINGH: Yes. Thank you, Commissioner.

20 THE COMMISSIONER: All right. Thank you.

#### **SHORT ADJOURNMENT**

**[11.51am]**

THE COMMISSIONER: Yes, Mr Singh.

MR SINGH: Yes, Commissioner. I've taken instructions from Mr Cordoba. He'd like Mr Kinsella to be called at some time.

30

THE COMMISSIONER: Well, that will necessitate adjourning the inquiry and resuming at a later date. Do we have, do we have dates, Mr Robertson, that we might - - -

MR ROBERTSON: Apparently he's back on 1 September. I have a difficulty on the first but I'm available I think for the remainder of the week.

MR NEWTON: Commissioner, I'm not available that week but I am the week after.

40

THE COMMISSIONER: What about the week of the - sorry, is 1 September a Monday?

MR ROBERTSON: It's a Tuesday, I think, Commissioner.

THE COMMISSIONER: Tuesday. So Mr Robertson, are you available from 7 or 8 September?

MR ROBERTSON: I'm available on the 7<sup>th</sup>, Commissioner.

THE COMMISSIONER: 7<sup>th</sup>. Mr Newton, would 7 September be suitable for you?

MR NEWTON: Yes, it would, Commissioner.

THE COMMISSIONER: It's only going to take a short time I would think.

10 MR NEWTON: Yes.

THE COMMISSIONER: And Mr Singh, is 7 September suitable for you?

MR SINGH: Yes, that's suitable.

THE COMMISSIONER: Right. Well, then for present purposes we'll adjourn this part of the inquiry and resume on 7 September at 10.00am. In the meantime, Mr Cordoba, you're excused, you may step down and we can discuss the question of the timetable for submissions after we hear from  
20 Mr Kinsella on 7 September.

MR ROBERTSON: May it please the Commission. I assume Mr Cordoba's not released from his summons though because it may be that I need to ask some further questions.

THE COMMISSIONER: No, he'll have to be here on 7 September because – no doubt depending on what Mr Kinsella might say there might be a need to recall him.

30 MR ROBERTSON: Right.

THE COMMISSIONER: Do you understand that, Mr Cordoba?---Yes, I do.

**THE WITNESS STOOD DOWN**

**[12.10pm]**

THE COMMISSIONER: All right. Once again my apologies to the parties  
40 for the delay on Monday and I adjourn this inquiry to 7 September at 10.00am. Thank you.

MR ROBERTSON: May it please the Commission.

**AT 12.10PM THE MATTER WAS ADJOURNED ACCORDINGLY**

**[12.10PM]**