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INDEPENDENT COMMISSION AGAINST CORRUPTION

THERESA HAMILTON ASSISTANT COMMISSIONER

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 22 MARCH 2012

AT 9.40AM

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

ASSISTANT COMMISSIONER: Thank you. Please be seated. Yes, Mr Morris.

MR MORRIS: Commissioner, I think Mr Gary Liew had been stood down.

ASSISTANT COMMISSIONER: Yes.

MR MORRIS: And perhaps the thing to do would be to take his evidence and excuse him if the other parties are ready. Could Mr Liew return to the witness box, please.

ASSISTANT COMMISSIONER: He'd finished in chief had he not?

MR MORRIS: He'd finished in chief, yes.

ASSISTANT COMMISSIONER: Yes, Mr Liew, please take a seat. You remain under your former oath and the declaration still applies to your evidence?---Yes. Okay. Ah hmm.

20 Please take a seat.

<GARY HENG SING LIEW, on former affirmed [9:41am]

ASSISTANT COMMISSIONER: Yes, now is there an application to examine this witness?

MR STEWART: Yes, Commissioner.

30

ASSISTANT COMMISSIONER: Yes, yes Mr Stewart.

MR STEWART: I am for Mr Smeros. Mr Liew, my name is Mr Stewart, I'm here on behalf of Mr Smeros?---Ah hmm.

And I have some questions in relation to your statement. Do you have your statement in front of you?---Yes, I do.

40 When you made this statement you said to the officers from the Commission that everything in there was true to the best of your belief? ---That's correct.

When you said that, does that on inquiries you had made yourself or your recollections or your knowledge?---From own knowledge, yeah.

Of all your knowledge?---Yes, that's correct.

You made a statement in there that Mr Smeros and Mr Angelopoulos were cousins?---Ah hmm.

How did you come to that conclusion?---I've heard it from a colleague of mine, Kheng Ly and he's told me that, that someone had seen a photograph of Peter and, and Angelo together in a photograph. And - - -

So if you saw a photograph of me and my friend sitting beside me you might think we're cousins?---Yes. But I've just heard it from Kheng, so, yeah.

10 You heard it. No problem. Okay. Well if I put to you that they're not cousins what would you say?---Good friends.

Good friends. So that was wrong. That was totally wrong that statement you made to the Commission?---I think in that statement I said that Kheng Ly, I heard it from Kheng Ly.

But it was in your statement wasn't it, sir?---Yes. Yes.

20 You made that statement without doing any independent inquiries about what you'd been told?---No. The question I was asked was have I heard anything between, about Peter, in the Commission, the question was put to me.

What about Mr Smeros' wife?---I got no idea.

You know nothing about that?---Nothing.

30 In your statement didn't you make a, you made a comment that you'd heard that she was related to Mr Demiralay's wife?---That again was from Ken.

That was from Kheng as well?---Yes, yes.

Okay. How long have you been – you've been at the University for about 22 years?---That's correct, yes.

And what's your current position?---I'm a field services officer fixing up computer problems.

40 And is it fair enough to say that in the last few years there's been a considerable change in the way that the IT department in the University has been run?---It has.

And everybody's a lot more accountable now aren't they?---That's correct.

And would it be fair to say that prior to the changes you would do an average of one or two jobs a day in the old days, for want of a better description?---It was like how it is today. Today after Todd left since last

year things have just gone back to what it was. Now is three, three jobs a day. That was the norm.

But you were very unhappy with changes when they came in weren't you?
---We were made to work a lot harder. It was like, we were working like seven jobs a day, today we're working like three, three jobs a day which is how it was before Todd came back.

10 Yes, and you became quite upset with people that had come in because your work regime was a lot harder than it was prior to him arriving?---I would say that a lot of things were forced onto us, like six, seven jobs were just dumped onto, and some - some other jobs, some other teams there were - they had quite the fairly easy load.

So you actually had to have worked for your income?

ASSISTANT COMMISSIONER: I don't think that's - - -

20 MS OAKLEY: I object.

MR STEWART: I'll withdraw it, I'll withdraw it. In paragraph 35 of your statement - - -?Ah-hmm.

- - - you say that Peter informed you that he worked with Andri at Transfield Services?---That's correct.

Isn't it the position that your sister worked at Transfield Services?---That's correct.

30 Isn't it the position that Peter never told you this, that's something, sorry.--- He did tell me that. When Peter started we talked - we - he said he worked for Transfield and I asked him Transfield that's where my sister worked and I've actually talked with Peter and we discovered that he - Peter knew my sister.

In paragraph 21 you make comments concerning Peter's - your perceived - you perceive that he has a lack of knowledge in relation to his job?---That's correct.

40 Did you ever raise this with any senior member of the staff at that time?--- Under Todd's regime whatever you said it was ever - it was always held against the person who raised questions. So we were fearful of Todd and the team leaders that he's brought in, we were very, very scared. Whenever they came in when we - team members would be talking they would come into the room and everyone would just hush, hush up. We were really, really bullied.

Did you go to human resources and complain about this behaviour?---We didn't think it would - because Todd was - - -

No. Did you - did you?---I went to the union, I did go to the union and they told me to bear with it because it seems that they can't do anything about Todd because he was - he was - everyone was scared of him.

When Mr Pigot took over did you complain to Mr Pigot about the behaviour?---No.
You didn't?---No.

10 So you went to the union who did nothing and that was it?---I went to the union, I contacted - I've been with the University 22 years, I have a lot of friends in HR and I have seeked some advice and they've told me just to shut up and - and - - -

So that was it?---That's right. And I don't want to create any problem.

20 The first time you ventilated any of these issues was to the officers from the Commission?---I was approached - I was not - I was subpoenaed to give a statement. I did not want to volunteer any of this, in fact Todd - I have got nothing against Todd, he's done me more - he hasn't really made my life difficult so I have nothing against Todd. So I was asked by Michael Kane from the Commission to give a statement about Todd and this - all this came about as a - as questions were raised and I answered them.

You've just told us you've got nothing against Todd - - -?---Nothing.

- - - but he made your life, well, you've just told us prior to that a misery?
---No, it wasn't a misery it was work a lot harder.

30 It was the fact that you had to work a lot harder?---Yeah.

In his regime?---Under his three, three, the three years that he was there we were killing ourselves. We were going in, sometimes 8.30 way, way, way before, you know we were - we were not given enough time to work the jobs so we had to be there early to prepare.

The staff was working quite hard?---Very, very hard, we were pushed very, very hard while other teams were - some of them were having it quite easy.

40 Thank you, Commissioner, I have no further questions.

ASSISTANT COMMISSIONER: Yes, Mr Stewart. Does anyone else want to cross-examine Mr Liew?

MS McGLINCHEY: Mr Liew, I represent Mr Tshipidis?---Ah hmm.

I just want to clarify a few points about your position - - -?---Yeah.

- - - in ICT, your services?---Ah hmm.

Is it the case, I think you've given us evidence that you came across to the department in 2005, is that correct?---That's right.

And your position was desktop support. Has that always been your position at (not transcribable) services?---In Field Services, yes.

Well, have you had another job in - - -?---Prior to that I was actually working in Financial Services division - - -

10 Yes?--- - - - and I was doing similar kind of work.

So desktop support?---And also looking after services, yes, primarily.

Looking after computer services?---Yes, that's correct.

So a technical role in both positions, is that correct?---That's correct, yes.

All right. So in layman's terms you fixed computers?---That's correct.

20 All right. And networks as well or just the desktop computers?
---Everything, network, desktop, service.

And in ICT, ICT Field Services - - -?---Ah hmm.

- - - is it correct that you are allocated roles, I think you've give some evidence this morning you are allocated roles, allocated tasks?---That's correct.

30 Right. So while you've been in that position, that's ICT Field Services I'm asking you about, have you ever supervised staff?---No, I haven't. Not in Field Services.

All right?---In, in Financial Services division, yes.

So prior to 2005?---That's correct, yes.

All right. And so if we just confine, I'll confine my questions, if you can confine your answers to - - -?---Yeah.

40 - - - ICT Field Services - - -?---Okay.

- - - and your position there - - -?---Ah hmm.

- - - you, have you ever managed either a project or a budget?---Not, not in ICT Field Services.

All right. So not in the last year, not since 2005?---Yeah, that's correct.

All right. Have you - so you have no staff underneath you?---No.

All right. Okay. Have you ever been involved in any recruitment process?
---No, not in Field Services, no.

All right. Okay. So you've never been involved in, say, assessing the (not transcribable) needs, proving how many people are needed for a particular job?---Not in ICT.

10 All right. Have you ever been involved in an interview panel?---Not in ICT but in previous role.

Right. Have you ever been involved in say developing a job description and in all my questions I mean - - -?---Field Services, no.

Yes. Okay. Now, during your time in this position the department has undergone quite a big change and growth - - -?---That's correct.

20 - - - under a consolidation programme and you've seen a lot of change in that time?---Yes.

All right. Have you had, have you been consulted at all about the planning for that growth?---No.

Because that consolidation has brought in a lot of people?---Yes.

Both from outside the University and previous staff from other departments?---That's correct, yes.

30 Now you've given some evidence I think - well, in your statement about your position, you're part of the DTS2 team?---I, I was in DTS1 initially. I was transferred across to, I've worked across all three teams. DTS1, DTS2, DTS3 but not in remote. In, I think in my statement here the, someone has, Michael Kane who has taken this statement has actually integrated DTS4 as the remote team so I think - - -

So there's a mistake?---That's probably a mistake in there, yeah.

40 (not transcribable)?---DTS4, saying that there were four DTS teams. Number 7, 17 I mean.

Okay?---There are now four teams with ICT desktop support, namely desktop services team 1 to 4. This should be corrected to mean three DTS teams plus remote which I presume Michael Kane might have integrated remote as DTS4.

Okay. Can you look at paragraph 15?---Ah hmm.

You talk about your role at DTS2?---Ah hmm.

And that when you commenced at DTS2 there were four contractors on the team?---Yes.

Of which – all of which had been engaged through Succuro Recruitment. Is that correct?---That's probably when – is probably when it says team, I probably meant the whole desktop, desktop – all the, all the teams. Across, not just DTS2 but across DTS1, 2, people that I'm aware of who works for Succuro.

Okay . So we just, if we need to correct the statement - - -?---Ah hmm.

- - - you tell us how we need to correct the statement?---There were four contractors as far as I am aware in, across the teams not in DTS, not, not, probably here it probably means, it looks like it's inferring that it's from DTS2, it's across all the, all the teams that I'm aware of.

Because it does read from your statement that there were four contractors in DTS2?---Ah hmm.

And they were all from Succuro?---No.

That's an error?---Yeah, that's probably not correct. It's on, on, when the team here probably mean four, I meant across the whole desktop support.

So is your evidence now - - -?---Ah hmm.

- - - that across, in the period when you're talking about which is at the time when you changed teams - - -?---Ah hmm.

- - - from 3 to 2 - - -?---Ah hmm.

- - - that there were four contractors and they were all from Succuro and you're now saying that you mean across all of the teams?---Across all the team, across the desktop, yeah, across desktop, if, if you want to, yeah.

So only four contractors across four teams?---That's as far as I'm aware of. I don't know there may be more.

Well you've give some evidence about it, so well you put in your statement there were four contractors so - - -?---Yeah. Four contractors that I'm aware of.

Well are you sure about that?---No, there may be more. But there would be at least four contractors.

At least four contractors?---Yes, across the team.

Okay, across the team. Are you saying now that all of the contractors that you were aware all came from Succuro?---I was not aware of anyone else from other, other, other, other recruitment companies.

All right. Well could you be wrong about that?---I'm, I'm wrong about that because I spoke to China last week and she told me she's not from Succuro. China is another contractor and she said that she's not from Succuro.

10 And she's in another team?---She is in, she is one of the contractors who was made a permanent member.

All right. So you became aware last week - - -?---Yes, last week.

- - - that there was a mistake in your statement?---There's no mistake in my statement. I'm saying that there is – there are four, at least four contractors across all the teams but I was not aware that China, who is a female consultant, she – I did not know that she was not from Succuro. So I did not, I did not know where she was from, so the four that I was referring to wasn't referring to her.

20

Okay. So is it possible there were other contractors that you weren't aware of that came from other recruiters across the four teams?---Yes, yes.

Have you ever heard of contractors such as Gemteq?---Gemteq, no.

Have you ever heard of, sorry, a recruiting firm, Gemteq?---No.

Peoplebank?---No. I'm not, I'm not aware of any of the recruitment companies because I was not involved in – but I am aware that people coming from Succuro because there were rumours flying everywhere that, you know, the first, as soon as the contractor turns up, you know, the thing was are you Succuro, it was, you know, everyone was just assuming that.

30

All right. Well let's try and restrict your evidence to what you actually know rather than what you heard a rumour about?---Yep.

Okay. So are you saying that it is possible that other recruitment firms provided consultants across the four teams?---I would think so, yes.

40

You would think so?---Yeah.

Now I understand from your evidence that you saw Mr Tsipidis and Mr Demiralay walking around the campus together?---Yes. Yes.

And you inferred that there was some sort of intimate relationship between them?---Well, after reading that he was his brother-in-law I don't think I was wrong.

After reading that - so you made your statement after reading - - -?No, no, no, I mean with, with - at the moment - - -

Let's talk about what you think now?---Yes.

Let's talk - - -?---I don't think I was wrong at the time, yeah. This, this statement was made in August last year.

10 Okay. You are aware that Mr Demiralay was Mr (not transcribable) supervisor?---Yes, yes.

Would it be unusual for them to be walking around campus together?---I've never seen Todd walking with other team leaders (not transcribable) as how he was when he was walking with George.

How - - -?---So there was a, there was a kind of a, a lot - - -

20 ASSISTANT COMMISSIONER: Excuse me, could you just stop. I really don't see the point of this. There was a relationship, whether he inferred it rightly or wrongly is beside the point in my view.

MS McGLINCHEY: Well, Commissioner, it is beside the point but it is in evidence. Now we didn't make the statements, all right it's in evidence.

30 ASSISTANT COMMISSIONER: Yes. But you're asking him about on what basis he inferred it but there's no doubt there was a relationship there. Does it matter on what basis he inferred it? As he quite rightly points out it turns out he was right.

MS McGLINCHEY: The suggestion is that - no, it doesn't turn out that he was right the suggestion is that there was some sort of intimate, secret conversation taking place and I (not transcribable)

ASSISTANT COMMISSIONER: No. He never said anything about an intimate, secret conversation, he said they seem to have a relationship beyond the normal working relationship other people had, that appears to be correct.

40 MS McGLINCHEY: Well, that may not be correct at all. I mean the fact that they're related doesn't mean that it - there is no evidence yet that I've heard that it actually affected the way they worked together. Now I think the fact that it is in the statement and that Counsel Assisting took into this evidence (not transcribable) suggest that there was a whole lot more that there was - you know that it was affecting their working relationship (not transcribable)

ASSISTANT COMMISSIONER: Well, I don't agree at all. He hasn't said it was affecting their working relationship, he said because of the way they walked around together, talked together he inferred there was some sort of relationship there which - - -

MS McGLINCHEY: I'll just ask one more question. Did you see Mr Demiralay walk around with anybody else?----No.

10 Never?---Never. Not, not during the time that I've seen Todd - he was - the only times I've seen Todd walking around was with George.

Was it the fact that it was rare to see Mr Demiralay walking (not transcribable) with anybody (not transcribable)?---Yes. Todd was pretty much a loner, I don't see him, you know liaising much with other staff. I mean - - -

You don't actually work under the supervision Mr Tsipidis do you?---Not directly, no.

20 Mr Tsipidis's department does however handle the schedule of your jobs?---That's correct.

The schedule of your jobs (not transcribable)?---We were made to work a lot harder, we were just given jobs with very short time frames to finish.

30 Well, I won't go into that I know you've been taken to that (not transcribable) I take it you've never discussed with Mr Tsipidis his previous employment before he came to the University?---I did ask him once he was a bit secretive about it and I induced from that that he - there was -he was hiding something.

Okay. (not transcribable) background. Do you have any particular qualifications in psychology?---No, I met him, he - - -

MS OAKLEY: I object.

MS McGLINCHEY: Have you ever (not transcribable)?---No, I haven't.

40 Were you involved in his recruitment?---No.

Were you involved in his selection?---No.

Do you know anything about what you said you don't know you were asked but you weren't told, do you know about his previous work situation? I'm not talking about rumour - - -?---Ah hmm.

- - - gossip or inferring from seeing people walking around - - -?---Yeah.

- - - do you know anything about his previous (not transcribable) situation?
---No.

Do you know anything about his qualifications?---No.

You've said that after you had a conversation with Mr Hunt - - -?---Ah
hmm.

10 - - - you went to Mr Tshipidis and complained that Mr Hunt had been (not
transcribable) this position. Is that correct?---That's correct.

(not transcribable)?---That's correct.

(not transcribable). Why would you go to Mr Tshipidis with that complaint
or (not transcribable)?---Because he was the resource team leader so he
would normally be involved in HR and, and when I asked him you know
why would someone like him, you know selected and he said I didn't want
him that's Todd's position.

20 Well, can I suggest to you that that's completely incorrect, there was never a
conversation like that?---Well, I would (not transcribable) either he's, he's
trying to leak something out - - -

Who are you talking about now?---George.

He hasn't given his evidence yet but he will give his evidence?---Okay.

30 All right. But I'm suggesting to you that you are incorrect when you say
that there was a conversation?---It, there was a conversation and it was
behind closed doors.

Of course it was. Thank you.

ASSISTANT COMMISSIONER: Yes. Does anyone else wish to question
this witness? Yes, Mr Gibson.

MR GIBSON: Mr Liew, my name is Gibson, I represent Mr Demiralay?
---Ah hmm.

40 Have you got a copy of your statement there?---Yeah.

In paragraph 25 you made some statement that you became aware that
Mr Angelopoulos and Mr Smeros were related?---Ah hmm.

You were told that by Kheng Ly?---That's correct, yes.

In paragraph 37, on page 9, you were told that Todd Demiralay and Peter Smeros' wife were related and again you were told that by Kheng Ly weren't you?---Yes, yes, that's correct.

And in paragraph 16 you said that you heard that Todd Demiralay owned Succuro Recruitment and all ICT contractors were being engaged through Succuro Recruitment. Again your source of information for that statement was Kheng, Kheng Ly wasn't it?---That's correct, yes.

10 Now, you had been in ICT, was it since 2005?---ICT, yes.

I just want to ask you if you were aware of some people that worked there. Did you know - and these are contractors, Craig (not transcribable)?---Never heard of him.

Dan Walker?---Dan Walker?

Yeah, who worked there as a contractor in 2008?---Don't recall, I cannot recall.

20

Ben Parkes?---Cannot recall.

Kay (not transcribable)?---No.

Adrian Buxton?---Yes, he was a team leader in DTS too.

Mark Cavanagh?---Sounds familiar but I wouldn't - - -

It was in 2009?---No.

30

Keith Fowler?---Yes.

██████████, and China Chan?---Yeah, ██████████,?

Yes?---Yes.

And Clara Conners, do you know her?---Yes, I do.

They all worked as contractors, correct?---That is correct, yes.

40

Ones you've identified you know - - -?---That's correct, yes.

- - - worked as contractors in ICT?---Yeah, yeah.

Do you know who their recruitment agencies were?---No, not, I wasn't interested at all.

Thank you.

ASSISTANT COMMISSIONER: Yes, thank you. Nobody else? Yes, may this witness be excused?

MS OAKLEY: May he be excused?

ASSISTANT COMMISSIONER: Yes. Thank you, Mr Liew for your attendance?---Thank you.

10 You're now excused.

THE WITNESS EXCUSED

[10.09am]

MR MORRIS: Commissioner, I tender a statement of Mr Steve Kokkinis dated 2 September, 2011.

20 ASSISTANT COMMISSIONER: Yes, that statement will be Exhibit 25.

#EXHIBIT 25 - STATEMENT OF MR STEVE KOKKINIS DATED 2 SEPTEMBER 2011

MR MORRIS: I tender a statement of Toula Dimitra, D-I-M-I-T-R-A Lambros, L-A-M-B-R-O-S dated 5 September, 2011.

30 ASSISTANT COMMISSIONER: That will be Exhibit 26.

#EXHIBIT 26 - STATEMENT OF MS TOULA LAMBROS DATED 5 SEPTEMBER 2011

MR MORRIS: I tender a statement of Rebecca Lee Moonen, spelt M-O-O-N-E-N dated 24 February, 2012.

40 ASSISTANT COMMISSIONER: That will be Exhibit 27.

#EXHIBIT 27 - STATEMENT OF MS REBECCA MOONEN DATED 24 FEBRUARY 2012

MR MORRIS: I tender a statement of Cristopher spelt C-R-I-S-T-O-P-H-E-R Jef spelt J-E-F Ercillo it seems to be, E-R-C-I-L-L-O Wong dated 17 August, 2011.

ASSISTANT COMMISSIONER: That will be Exhibit 28.

10 **#EXHIBIT 28 - STATEMENT OF MR CRISTOPHER WONG
DATED 17 AUGUST 2011**

MR MORRIS: I tender a statement of Thomas, T-H-O-M-A-S Amim A-M-I-M Mawter M-A-W-T-E-R dated 20 September, 2011.

ASSISTANT COMMISSIONER: That will be Exhibit 29.

20 **#EXHIBIT 29 - STATEMENT OF MR THOMAS MAWTER DATED
20 SEPTEMBER 2011**

MR MORRIS: I tender a statement of Jenny J-E-N-N-Y Malapetsas M-A-L-A-P-E-T-S-A-S dated 21 October, 2011.

ASSISTANT COMMISSIONER: That will be Exhibit 30.

30 **#EXHIBIT 30 - STATEMENT OF MS JENNY MALAPETSAS
DATED 21 OCTOBER 2011**

MR MORRIS: I tender a statement of Aleksandar A-L-E-K-S-A-N-D-A-R Jankovic J-A-N-K-O-V-I-C dated 24 August, 2011.

ASSISTANT COMMISSIONER: That will be Exhibit 31.

40 **#EXHIBIT 31 - STATEMENT OF MR ALEKSANDAR JANKOVIC
DATED 24 AUGUST 2011**

MR MORRIS: Commissioner, the next witness will be Adrian Buxton.

ASSISTANT COMMISSIONER: Yes. Is Mr - - -

MR MORRIS: There is no statement from Mr Buxton.

ASSISTANT COMMISSIONER: Yes.

MR GIBSON: Commissioner, before the witness starts can I – my friend was on a roll and then he mentioned a statement from Jenny Malapetsas. There was – that was (not transcribable) from us last night. And there was an issue I wanted to raise with my friend about her statement. It's really just a clarifying issue that I can take up with you later in the day.

MR MORRIS: I'm happy to speak with Mr Gibson or anybody else at any time when I'm not on my feet.

10

ASSISTANT COMMISSIONER: Yes. That's very, very liberal of you. All right. Thank you, that's noted. You're Mr Buxton?

MR BUXTON: Buxton, yeah.

ASSISTANT COMMISSIONER: Mr Buxton, you're not legally represented?

MR BUXTON: No.

20

ASSISTANT COMMISSIONER: Please take a seat. You've been called here to give evidence. You are required to answer all of the questions asked of you. You make seek a declaration under our Act, the effect of which is that nothing you say here can be used against you in any future criminal, civil or disciplinary proceedings. Do you wish to seek an order in those terms?

MR BUXTON: Yes, please.

30

ASSISTANT COMMISSIONER: And the only exception to the protection given by this order is if it's found that you've breached the Act by providing false or misleading information or in some other way. Do you understand the effect of the order?

MR BUXTON: Yes, I do.

40

ASSISTANT COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by him during the course of his evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

**PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT
ALL ANSWERS GIVEN BY THIS WITNESS AND ALL**

DOCUMENTS AND THINGS PRODUCED BY HIM DURING THE COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

10 ASSISTANT COMMISSIONER: Mr Buxton, you're required to take an oath on the Bible or make an affirmation to tell the truth. Do you have a preference?

MR BUXTON: Oath on the Bible, please.

ASSISTANT COMMISSIONER: Thank you.

MR MORRIS: Mr Buxton, could you please give the Commission your full name?---Adrian John Buxton.

And what's your occupation?---Currently?

Yes?---I'm an IT security consultant.

10

Right. Now you were at some point employed at the University of Sydney in the ICT department. Is that correct?---Yes.

20

Could you just tell the Commission how you came to obtain a job there, what the job was and how it developed?---Okay, yep. In May of 2009 I was having a conversation with Todd Demiralay on the telephone and he – I actually advised him that I was looking for contracting work. He told me that there were a couple of positions available in the University that he was aware of. One of those was a position in the hosting team, as a senior member of that team. He arranged for me to meet with, I believe his name was Ian Brennan to discuss the role and my suitability for that particular role. We met and had a conversation about that. During that, during that discussion Ian advised that he wasn't at that particular point in time in a position to offer me a role, but it was looking to be something he would seek to fill in the future. I left that meeting with Todd and Ian and after a few days contacted Todd to ask him whether he had heard anything else from Ian in regards to that particular role. He said that he hadn't. After a few more days I contacted Todd and he explained to me that he had a position open as a field services officer so, I apologise, it was a position as a field services team leader. He explained to me that the position was looking after a team of about 15 to 20 field services staff. He also acknowledged that my skill set was probably beyond that particular role, however due to the fact that we had worked together in the past and had a very good working relationship he felt that I would be able to meet the requirements for that role and help him develop the field services organisation.

30

40

All right. Now what then happened in so far as after that conversation what then happened in so far as your involvement with the University of Sydney was concerned?---Okay. After we had that conversation I considered whether I'd like to actually take an opportunity as a field services team leader in the ICT organisation. After a little bit of deliberation I decided that I would like to pursue that opportunity because of the experience it would give me managing a larger number of staff than I'd been previously managing in the past. When I decided to accept his offer he explained to me that it was a for a six month contract and that was all he'd be able to offer me.

Ah hmm?---I then received a, a notification via email from George Tsipidis which was a, effectively a letter of offer which I had to complete and return to the University.

Were you, did you have – in engaging in these negotiations were you going through a recruitment agency or were you acting on your own behalf?---No, I was acting on my own behalf.

I see. You had by then set up a consultancy company yourself hadn't you?
10 ---Yes, I had.

And your arrangements with the University were with that company?
---That's correct, yeah.

Now how did you know Todd?---We'd worked together at a previous organisation.

Right. And was it only a professional relationship?---We were friends as well.
20

Okay?---But only – we became friends through working together at the previous organisation. We weren't friends prior to that.

I understand. And would you describe yourself as being close friends?
---Yes.

And indeed did you attend social gatherings together prior to your employment at the University of Sydney?---Yes.

30 Significant family events, did you attend significant family events that each family was holding?---Yes.

Things like I think – just explain to the Commission in your own words how often, how regularly, what sort of events, et cetera?---Todd was invited to the baptism for my kids. I invited him to my wedding when I was at Ozemail.

Other social events?---We'd occasionally have a beer after work at the pub, but nothing beyond that really.
40

And what about exchange of email correspondence?---Yeah, we'd exchange email correspondence.

I'd like to hand to you a bundle of documentation which will be distributed, Commissioner. You'll see that it's paginated in the top right-hand column, Mr Buxton?---Yeah.

Do you see that?---Yeah.

So when I take you to a page I'll be referring to that page number, do you see that?---Sure, yeah.

Now, if you just go to page 45, this is an email from you to Mr Demiralay well before any involvement at the University of Sydney?---Correct.

That is any involvement by you at the University of Sydney?---Yes.

10 And you'd accept that the tone of that email correspondence between the two of you shows a degree of affection?---Yes, definitely.

And that affection runs both ways?---Yes.

And that's fairly typical of the way in which you related to each other, is that right?---Yes.

You were good friends with him?---We were good friends, yes.

20 Yes. And the - if we go to 49 there's an email from yourself, at that stage you were working at Electronic Forge, is that correct?---That was a business name for my company.

That, that was a company you were running, is that right?---Yes, that's right.

But you were sending an email to Mr Demiralay at the University of Sydney. Is that correct?---Correct, yeah.

30 Yes. Now this was shortly after Mr Demiralay had started at the University of Sydney, is that correct?---Yes, that's correct.

So you must have become aware that he'd been appointed into a position there?---Yes.

Now at that stage had he ever suggested to you that if you wanted work he might be able to find you some work?---No.

40 And when I say find you some work, any work at the University of Sydney? ---Not specifically that I can recall. I would not have felt uncomfortable approaching Todd and letting him know that I was looking for work knowing that we had a previous working relationship and that relationship was very good.

And indeed at page 49 you are - just have a look at that document. Have you read that document?---Yeah, yeah, I've read that document.

You forwarded your curriculum vitae to him?---Yes.

And you say there, "I've implemented the changes you recommended", right?---Ah hmm.

Mr Demiralay was the sort of man that you would approach for advice in relation to how to present yourself professionally, is that correct?---Yes, one of many.

10 Yeah. But if we go to page 50 we'll also see at the bottom there that you'd put him forward as a referee?---That's correct.

Right. Now did you at any time ever take Mr Demiralay off your curriculum vitae as a referee?---Not that I'm aware of. I may have when I applied for the position at Sydney University because it potentially would not be appropriate to have Todd on there as a referee but I'm not completely sure if I did that or not.

20 Yeah. If we go to page 56 of that bundle. Again, there's an exchange of correspondence that shows a sort of degree of affection and friendship between the two of you?---That's it, that's correct.

And in fact there's reference to Imogen's baptism. Is that your daughter or was that Todd's daughter?---That's my daughter.

Right. Now, the reference there to an address, and I don't want you to read it out at the bottom, was that an address for you to send an invitation to, to Mr Demiralay?---Yes.

30 Right. Now, then we've got an email at page 60 which seems to be headed "Re Billy Joel" and then you go on to talk about computer equipment and so forth. What was the reference to Billy Joel?---I don't exactly remember. It was probably related to a concert I took my wife to.

I see. Did you go with Mr Demiralay?---No.

Page 62, you've got a - sent a copy of your curriculum vitae again to Mr Demiralay?---Yes.

40 And again you're asking him for advice as to how to present it?---Correct, yeah.

And if we go to 63 we'll see there that he's referred to as a referee?---Yes.

Correct?---Yeah.

Again at page 69?---Yes.

You enclose a further copy of your CV and again you're asking for feedback?---Yeah.

That's right. Now, in the third paragraph there's reference to these words, "The feedback from Bill was that I needed to explain in my CV what I did between iiNet and now", right?---Okay, yeah.

10 "I've added the section May 2006 to present to accommodate but I feel it may detract because of my lack of technical related work during this time. What do you think?" Who was Bill?---I honestly can't remember who Bill was.

Right. Bill was obviously somebody you were forwarding a CV to?---Yes.

Was Bill somebody you'd worked with, do you know?---I honestly have no idea who Bill was. This was in 2007.

Right. Could Bill have been a recruiter?---Possibly.

20 Could Bill have been Bill Mylonas?---Most definitely not.

Have you ever met Bill Mylonas?---I might have met him at the University of Sydney when I was working there in my position but I can't be 100 per cent sure.

Do you - have, have you ever met Bill Mylonas?---I don't recall meeting him.

30 Right. Have you ever heard the name Succuro or Succuro Recruitment Pty Limited?---Yes.

Were - are you aware today whether Bill Mylonas worked for or at Succuro or Succuro Recruitment?---I am aware today that he worked or works at Succuro.

As at 16 May, 2007 were you aware of Succuro or Succuro Recruitment?---Most definitely not.

40 All right. When do you say you first became aware of Succuro or Succuro Recruitment?---When I first started at the University, they were one of the agencies which we sourced candidates through.

Right. Now, if you go page 75, do you see that email there?---Yes.

Now you say you introduced that "Hey mate, I think it's sorted. If you see anything glaring, let me know but I'm going to use it as it stands for submission to job sites"?---Yeah.

When you're referring to "I think it's sorted" what are you referring to there?---I'm referring to the fact that my resume is now in a position I feel where it can be submitted to job sites.

Okay. Then you say BTW that stands for by the way. Is that correct?
---Yes, it does.

I mean it's your email. ---Yes, it does.

10 I'm asking you whether - - -?---Yes, it does, yeah.

"The contracting rate I'm looking for is \$76.30 per hour this includes the super and tax I'll need to pay. Any jobs going at the Uni for that rate"?---
Yes.

Attached there is a curriculum vitae page 76 which shows Mr Demiralay as your referee?---That's correct.

20 Okay. Now on 18 June, 2007 there's an email from you to Mr Demiralay in which the introduction is in affectionate terms. Do you agree?---Sorry, what page is this on?

Sorry. I am sorry, Mr Buxton. Page 81.---Yeah.

30 In that you are referring to an interview you had at Sara Lee and you go onto the final paragraph to say, "I was planning on calling over the weekend to get your thoughts", that is on the job description that you set out in the first paragraph and asked whether you've done any work with Global IT outside your experience with Ozemail but never got around to it?---Right.

Were you asking Mr Demiralay there for advice or insight into how Global IT worked?---I was asking Todd whether he was able to share any insights he had in working for organisations that had a Global IT structure.

Do you recall whether you gave you any advice?---Not at all.

40 By 27 June, 2008 if I take you to page 83. It's obvious enough that you secured the contract at Sara Lee, just looking at the (not transcribable)?
---That's correct, yeah.

You're still in communication and it seems that you were waiting on getting an extension in your contract?---That's right.

9 February, 2009 if we go to page 87. "Hi, Todd, good to finally chat with you." That indicates that you had a discussion with Mr Demiralay. Do you accept that?---Yes.

You were looking at catching up for a few beers after work?---Yeah.

You say, "See these attached as you requested." Do you recall why was it you forwarded the CV to Mr Demiralay on this occasion?---Not exactly but I presume it because I was looking for another contract and contacted Todd to see if he had anything available and sent him my CV.

If you look at the second paragraph there, "Melinda and I set up a company - - -?---Ah hmm.

10 - - - Buxton Fore Propriety Limited - - -?---Yeah.

- - - which I offer my consulting services through, we were contracted to Sara Lee at \$96.25 an hour excluding GST based on \$770 extra (not transcribable) daily rate, would be looking for something not too far off. So the expectations you set with Ian for my rate were good"?---Yeah.

"Not too sure how I came up with my figure." All right. Now the Ian that you refer to - - -?---Yes.

20 - - - in that document, who's that Ian? That was the hosting services manager.

That was the man - - -?---Who I went and met for coffee and an introduction in May I think it was.

You went, as I understand it to that meeting with Mr Demiralay himself?---That's correct.

30 So is it fair to say that this document at page 87 was in preparation of that approach to Ian?---In what regard?

You're indicating to Mr Demiralay what your charge out rate at Sara Lee was - - -?---Yeah.

- - - \$96 an hour - - -?---Ah hmm.

- - - and you were looking for something not too far off?---Yes.

See that?---Ah hmm.

40

Was this email sent to Mr Demiralay in preparation for the meeting that you were going to have with Ian at the University?---So this email would have been sent because Todd would have explained to me there would have been a hosting position available within the University, I expect he would have asked me to indicate what my expectations were in terms of remuneration and those expectations were then passed onto Ian so he had an indication as to whether I would be in the right ball park as it were.

You see there the statement in the third line of paragraph 2 and I'm going to delete the preparatory words, "would be looking for something not too far off, that's not too far off from \$96.25. So the expectations you set with Ian for my rate were good." All right. That statement in your email suggests for instance that Mr Demiralay had already given Ian an estimate of what your hourly rate might be. Do you agree with that?---Yeah.

Do you have any recollection if your conversation with Mr Demiralay was to that effect?---Not, not at all.

10

You say in the first paragraph, "the CV's attached as you requested." Do you see that?---Yes.

Now we go to the next page, paragraph 88, that's a copy of your curriculum vitae?---Yeah.

If we go down to the bottom of the first page there is no referee nominated? ---That's correct.

20

Now did you remove Mr Demiralay from that curriculum vitae as a referee?---Yes. However it was a change I made to my CV in general at that particular time which was to remove referees off the front page and provide them at request on a additional page.

Are you saying that this curriculum vitae that you sent to Mr Demiralay was incorrect?---Not at all.

Incomplete?---No. It was - - -

30

Who was going to provide the curriculum vitae to Ian, was it going to be you or was it going to Mr Demiralay?---Mr Demiralay.

So you provided this curriculum vitae to Mr Demiralay for him to pass onto Ian?---Yes.

Do you know whether he passed it onto Ian?---I presume so, I don't know for sure.

40

When you had your meeting with Ian - - -?---Ah hmm.

- - - did he have a copy of your curriculum vitae with you?---Not - - -

Sorry. With him?---I don't know.

You don't have an image in your head today whether he had it with him when you met with him?---No.

When you had your meeting with Ian and Mr Demiralay, did you tell Ian that Mr Demiralay was one of your referees?---I don't remember the exact specifics around the conversation, I believe that we discussed the fact that I'd worked with Todd in the past.

Do you recall whether you told Ian that Mr Demiralay was one of your referees when you met with him?---No, I don't recall that.

10 Do you see that there might have been a problem in terms of disclosure in approaching Ian with Mr Demiralay but not disclosing that he was one of your nominated referees?---Well that hadn't come up at particular point in time.

No. But I'm asking you did - looking - - -?---Sir, I disclosed that I was friends with Todd. We hadn't actually got up to the point where there was an application open that I could submit a CV for. When I submitted my CV it would have been in this format with the referees attached on the third or fourth page, the last page of my CV.

20 Okay. Now, is that, from this time on, and I'm talking about 9 February onwards, is that the format that you adopted for your CV generally?---Yes, I believe so.

You didn't revert to your earlier system of putting your referees on the front page?---Not that I'm aware of.

Okay. Now, if we go to page 93 and so forth, and I don't think we need to go through it in any great detail, there's an exchange of correspondence that goes for about five pages- - -?---Yep.

30 - - -which relates to an exchange of views about certain building plans?
---Yes.

Right. And were you building a house or was Mr Demiralay?---I was.

And you discussed with him with a degree of excitement the proposal- - -?
---That's correct.

- - -and the proposed plans?---Yes.

40 Right. And it was a matter that you felt, look, let's face it, Mr Demiralay was a good friend of yours and you felt perfectly comfortable discussing these aspects of your personal life with him?---Yes.

Now, 23 April, 2009, go to page 100?---Yep.

Is this about the time that Mr Demiralay, that the opportunity, sorry. Is this about the time that the opportunity arose at Desktop Services at ICT?---Yes, this is about the time.

Right. And if we go on, page 102 is an email from you in which you talk about your view that it would give you, to take this job, would give you the opportunity of managing and leading an IT team at this point in your career. Do you see that?---Yes.

Now, had you had any experience and managing and leading an IT team up until this point?---Yes.

10 All right. And - - -?---Can I just clarify that it actually says, “Maintaining a focus on managing and leading an IT team.”

Sure, please?---Thank you.

Look, I don't want any of this, if you felt that the proposition I was putting to you was unfair, please let me know, and might I invite you if you don't understand a question, please let me know as well?---I will.

20 Okay. So next paragraph you say to Mr Demiralay, “Would we be able to meet up and have an informal chat about the role and run through a few questions? Kebab Monday is good for me.”?---Yes.

Right. Do you recall whether that meeting ever took place?---That specific meeting, I'm not sure whether that took place.

Okay?---It probably would have.

And you say, “I've attached my latest CV for your reference.”?---Yes.

30 Right. Now, that email was in response to the one, next one down. Do you agree?---Yes.

“Buxton, here is the DS, it hasn't been updated in a while and will probably have some additional responsibilities added but it's food for thought. Let me know what you think.”?---Yep.

DS is the what?---I presume he means job description.

40 What, duty statement?---Duty statement, yep.

Duty statement?---Yep.

So do you have any doubt that he had provided you with a copy of the duty statement- - -?---No.

- - -in the email?---No.

And you read that duty statement and sent the response as set out at the top of page 102. Is that correct?---That's correct.

And if we go to page 104 there's a copy of your curriculum vitae?---Right, yeah.

Yeah. And down the bottom again is your nomination of your references?---Yes.

10 Okay. So is it the case that you've reincorporated your referees on the front page?---Apparently so.

Now, just in relation to that, you gave some evidence that, when I asked you about the CV that was presumably forwarded on to Ian, that you put your referees as an attachment on the third or fourth page, fourth page?---That's, well, no, I hadn't attached them at that point. I was given advice by an outplacement consultant to not attach referees as part of your CV unless they're requested.

20 Right. But we'll see down the bottom here we've got Todd Demiralay's name. All right?---That's correct.

And if we go to page 110 you've sent the, you've sent another email to Mr Demiralay thanking him for sending through the duty statement for the Hosting Services manager role?---Yes.

Right. So is that the job with Ian or is that the- -?---Yes, that's the job with Ian.

30 Okay. So we think that that meeting with Ian took place probably after sometime in April 2009. Is that correct?---I think it was early May, but yeah.

Early May. Okay. Now, then we've got an email at page 118, it's an email from George Tshipidis?---That's correct.

Right. Now, was that ever sent through to you, that email?---I don't believe so.

40 But what happened was, you got engaged as a contractor at, at about that time at the University of Sydney. Is that correct?---That's correct.

Do you recall what selection process if any there was in relation to you entering into this contract with the University?---My understanding was that there was no selection process, it was done on nomination.

It was done on nomination. Do you know who nominated you?---No.

All right. Reference is made at page 118 to Mr George Tshipidis. Right?
---Yep.

When did you first meet Mr Tshipidis?---The first day I started at the University.

Had you ever met him before?---No, never.

10 Have you ever formed, did you ever speak to him about any relationship he may have had with Mr Demiralay?---No.

Your Honour, ably assisted by my instructing solicitor, I should probably tender that bundle of email correspondence.

ASSISTANT COMMISSIONER: Yes. The bundle of email correspondence will be Exhibit 32.

20 **#EXHIBIT 32 - BUNDLE OF EMAIL CORRESPONDENCE SHOWN TO MR BUXTON**

MR MORRIS: Sorry, your Honour.

ASSISTANT COMMISSIONER: In relation to Exhibit 32, I note that it contains a number of personal addresses.

MR MORRIS: Yes.

30 ASSISTANT COMMISSIONER: I suppress any evidence about the residential address of this witness or Mr Demiralay.

MR MORRIS: There are also a number of phone numbers there too.

ASSISTANT COMMISSIONER: Yes. I suppress the phone numbers as well.

40 **I SUPPRESS ANY EVIDENCE ABOUT THE RESIDENTIAL ADDRESS AND PHONE NUMBER OF THIS WITNESS OR MR DEMIRALAY**

MR MORRIS: Now you met Mr Tshipidis at the – on your first day at the University. Is that correct?---Yes, that's correct.

And what was his role at that point?---He was the resourcing team leader.

Right. And was he on contract at that point to your knowledge?---I believe he was. But that might be because I found out later on. At that point in time I had no idea what the employment arrangements were for anyone at the University.

Okay. Now when you arrived at the University did you have any induction into a Code of Conduct?---I don't recall.

10 Were you given a copy of the Code of Conduct?---I don't recall.

Did you get access to the University intranet?---Yes.

And did you get a recommendation or did anybody direct you to the number of policies relating to staff selection?---No.

Did anybody direct you to any policies relating to a Code of Conduct?---Not that I recall, no.

20 What about an anti-corruption policy?---No.

What about a procurement policy?---No.

Okay. Now did any of – did any part of your role involve appointment of staff?---Yes.

Or selection of staff?---Yes.

30 Could you tell the Commission what your role was?---I was appointing computer support officers into the field services team, my team.

Right. And were they contractors?---Not exclusively as far as I'm aware.

Okay. Now in terms of any contractors that were appointed did you engage with them directly or did you use recruitment agencies?---Me?

Yes?---I didn't do any of that.

40 I see?---I gave my requirements to George and George was responsible for sourcing appropriate candidates.

Right. So basically you identified a need, you notified George, right, and George, the people would turn up or they would not?---Either I would identify the need or it would be Todd.

Right. Now, so you had no involvement did you with IT recruitment agencies?---I did recommend that we bring on a recruitment agency at some stage during my tenure with Michael Page - - -

Right?--- - - - because of my previous relationship with them.

Right. Now Michael Page, he was running a recruitment agency was he?
---Michael Page is the recruitment agency.

Right. Okay. And did you ever – do you know whether Michael Page was ever used as a recruitment agency?---I'm not sure whether we actually ever placed anyone through Michael Page.

10 Okay. Now as at 22 September, 2009 you were contracted to Sydney University through your company. Is that correct?---Yes, that's correct.

At that stage you had no idea, do I understand from your evidence, how staff selection protocols operated at the University?---No, that's incorrect. By the time September came around I was aware that the selection of full time staff required a panel.

20 Right. What else did you know about staff selection protocols?---That the panel had to comprise of, depending on the role, an HR representative. But I'm not too sure what the exact circumstances were that required that.

How did find out about that requirement?---It would have been through conversations with either my fellow team leaders, George or Todd.

30 Did any of them suggest to you that there was a University approved staff recruitment policy?---Yes. Oh no, policy, policy I'm not too sure about, but I did find out that there was a, a group that were used called I think it was Sydney Recruitment for employing full time staff for certain positions. I'm not exactly too sure around the circumstances when they were used and when we went directly to an external agency.

Right. But you certainly weren't told that there was a documented procedure at the University?---I might have been. I do not recall if I was ever told that there was a document procedure at the University.

Is it something that you ever sought out?---Actively, no.

40 What about – can you – well no, I'm not going to get into semantics. Well as at 22 September, 2009 can I suggest to you that you were appointed to a Selection Committee for a general staff member? Do you recall that?---I was involved in a lot of Selection Committee's, which one in particular are you referring to?

The one relating to the appointment as a permanent employee of Mr Tsipidis?---I don't ever recall being on a Selection Committee for Mr Tsipidis.

I see. Were you ever convened into a Selection Committee for Mr Tsipidis?---Not that I recall.

Did you ever interview Mr Tsipidis for a full position, full time position?
---Not that I recall.

I just want to show you this document. It's Exhibit, Exhibit 2, your Honour at page 80. Just have a look at that document?---Yep.

10 Have you ever seen that document before?---No.

You'll see Selection Committee details, it's got membership of a Selection Committee firstly Todd Demiralay, then you, then Tim Passe. All right. Did you know, did you know Tim Passe before you started at the University of Sydney?---Yes.

You'd worked with him at Ozemail had you?---That's correct.

20 And did he report to you?---At one point, yes.

Okay. Did you, do you see from that Selection Committee detail that you're nominated as a member but you say that no interview actually took place. Is that what you're saying?---What I'm saying is I don't recall an interview taking place.

30 Okay?---I had a lot of interviews that went on during that time when we were trying to fill staff, I can't remember every one of them. I have no specific recollection of an interview panel taking place for George that I was a member of.

All right. At the time – so have you got any picture in your head about any interview with George for a permanent position?---No.

Okay. Now did you sit on any other selection panels for team leadership – for the permanent appointment of team leaders at the University?
---Specifically permanent appointments?

40 Yes?---I'm not sure. I was involved in the selection of team leaders but I don't know whether they were for permanent or contract placement.

Okay. Now, as part of your conduct as a Selection Committee member of an employment panel did you expect that if there was any prior relationship between somebody sitting on a panel and an applicant for a job that that would be disclosed to the other members of the panel?---Yes.

Given that was part of your role why did you think that was important?---I think it's important to identify any potential conflicts of interest.

Is conflict of interest something that you have dealt with in your previous employment at Ozemail?---Potentially, I can't think of any specific examples.

Okay. Just excuse me. Oh, just - now there are a number of contractual documents between Buxton Fore and the University that have been produced. I take it you rendered invoices from time to time to the University?---Yes.

10 And those invoices were correct were they?---Yes.

And the rate which you were paid, I think you only had a six month contract, is that correct?---It's my understanding, yes.

Do you have any recollection as to what your total remuneration was in that six month period from the University?---No.

You'd expect the documents to speak for themselves?---Yes, that's correct.

20 We can just add them up and work it out?---Yeah.

Did you form any view as to whether you were being paid substantially in excess of any of the permanent employees at the University?---No.

Was that because you made no inquiry?---I didn't make any inquiries, no.

I have nothing further, thank you, Commissioner.

30 ASSISTANT COMMISSIONER: Can I ask you to look at page 113 in the bundle?---Yes.

An email to Mr Demiralay from you?---Yeah.

You say you'd had a chat with him and he was already at the limit of what he could offer as a daily rate, that you were getting 70, 770 a day previously, do you recall that?---Yes.

40 As I calculated from the invoices you've submitted, you were getting about 650 a day from the Uni, is that about right?---That's correct.

Did you negotiate that with Mr Demiralay?---Yes.

And that was as high as he could go on your understanding?
---Unfortunately, yes.

All right. And obviously you, you sought more?---Yes.

Yes, thank you. Yes. Does anybody wish to examine this witness? Yes, Mr Gollan.

MR GOLLAN: Mr Buxton, my name is Matthew Gollan, I appear for Mr Pigot. I'll just ask you, ask you a couple of questions. Mr Tshipidis witnessed your contract at the University. Are you aware of that?---I'll take your word for it.

10 If the witness can be shown a document, it's in the rather large tender bundle from the first day, it's page 3.

MR MORRIS: It's page 3 of Exhibit 2, Commissioner.

ASSISTANT COMMISSIONER: Yes.

MR GOLLAN: I'm indebted to my learned friend.

20 Do you recognise that as a consultancy agreement that had been entered into between the University and your company, Buxton Fore?---That's correct.

And it sets out some terms and I think the fees at the bottom of the page there is \$650 per business day?---That's correct.

And if you turn the page you've given some various undertakings in respect of the insurance and things of that nature?---Yes.

And you will see that you've signed the - on behalf of the company as its director on the right-hand side, do you see that?---Yes.

30 And you see below that it appears that G Tshipidis is the witness to that? ---That's correct.

And I presume given that it's in his presence that he was there at the time that you signed this contract?---That would be my understanding.

Well, he's witnessing your signature?---Correct.

40 And at that stage did you know Mr Tshipidis?---I met George on the first day I started at the University.

Well, do you remember whether or not you signed this contract on the first day or before you started at the University?---No, I don't know what day I signed this.

At the time that George witnessed your signature did you know that he was the brother-in-law of Mr Demiralay?---Not at all, no.

Are you now aware that he's the brother-in-law of Mr Demiralay?---Yes.

And when did you first become aware of that?---I first became aware of that probably about seven or so months I believe into my tenure at the University.

And did it come as some surprise to you given the relationship you'd enjoyed with Mr Demiralay before that, that he hadn't told you that George was his brother in law?---No, it didn't. When I - I recall asking Todd about it and he said that he treated George just like anyone of his team leaders and didn't want anyone to feel that he would be showing George any preference or prejudice because he was his brother-in-law.

When did you have that conversation with Mr Demiralay?---I don't remember exactly when that was.

Was it after you'd become aware of these proceedings?---No.

Well, as I understood your evidence you said that you asked him about it so did you become aware by reason of a third party telling you?---No. I, I believe Todd told me, there was no third party involved.

Todd just up out of the blue after seven months told you that George is his brother-in-law?---Yes.

And as I understood your evidence you then asked some or made some inquiries about why he didn't tell anyone, correct?---Well, no, I asked Todd why he hadn't mentioned it before, I believe. Honestly, I can't recall the exact circumstances around the conversation.

And you were led to believe by reason of that conversation that no one knew that he was his brother-in-law, is that right, in the workplace?---I didn't ask Todd who else knew whether he was his brother-in-law.

Well, didn't you just tell us Todd told you that he didn't tell you or anyone because he didn't want there to be an impression that he is favouring someone by reason of their relationship?---That's correct.

And did you understand from that conversation that no one in the workforce knew that he was his brother-in-law?---No. That, that comment was specifically made around the CSOs.

What do you mean?---So Todd didn't want the CSOs to feel that he was giving preferential treatment to team leaders.

So did you come to form a view that none of the CSOs knew that he was his brother-in-law?---Yes.

And if I can just change topics for a second, you were asked by learned Counsel Assisting about whether or not you knew about policies of employing people, do you remember being asked about that?---Yes.

And Codes of Conduct?---Yes.

Now, do I understand that in your job whilst at the University you have access to a computer?---Yes.

10 And you have access to the Intranet?---Yes.

And that you have access to the Codes of Conduct and policy that are published thereon?---If they were published on the Intranet.

Yes?---And my account gave me access.

Yes?---Then yes, I would have had access.

20 And you don't have any recollection of such documents, is that what you're saying?---What I'm saying is I don't specifically recall going to the Intranet, downloading and reading those specific documents.

Is it the situation that you didn't see a need to go through all of the University's policy or otherwise despite it being available for you and everyone else on the computer?---Yes.

30 And so no matter what they included in those policies or no matter what they included in any document it would, you'd agree, it would take your inquiring mind to seek out the document and read it, correct?---Yes.

You weren't so inclined. Correct?---Correct.

Nothing further.

ASSISTANT COMMISSIONER: Does anyone else wish to question this witness? Yes. Mr Gibson.

40 MR GIBSON: Mr Buxton, I am Mr Gibson I represent Mr Demiralay. You started at the Uni firstly I think from 1 June, 2009. Is that right?--- That's correct.

How long were you there?---I was there for six months.

Into the (not transcribable) same position as team leader for Todd?---Yes.

Mr Demiralay was your manager?---That's correct.

You reported directly to him?---I did.

There were a number of other team leaders reporting to Mr Demiralay?
Yes.

There were your peers?---They were.

Mr Demiralay did not have an authoritarian style of management did he?
---Not at all.

10 In your experience was it more of a collaborative style?---Yes. Todd
always gave us the ability to express our opinions, however if there was
something we came to a disagreement about he would as the manager make
the final call.

You were asked some questions about your CV - - -?---That's correct.

- - - and the changes to it and do you agree now the CV you finally
submitted for the job at the University completely disclosed your prior
relationship with Mr Demiralay?

20 MR MORRIS: I object. Simply has him as a referee with a - - -

MR GIBSON: I'll ask it again.

ASSISTANT COMMISSIONER: Yes.

MR GIBSON: Do you agree that you nominated him as a referee (not
transcribable) - - -?---Yes.

- - - document (not transcribable) again but it also said that he was your
previous - - -?---Yeah. I, I specifically - - -

30 (not transcribable)?---I specifically pointed out in that copy of the resume
for the position that I was formerly employed by Todd Demiralay at
Ozemail. I think it's there in brackets.

While you were there at the University did you ever experience an
atmosphere of suspicion and rumour about Mr Demiralay and Succuro?
---No.

40 ASSISTANT COMMISSIONER: Did you know of any connection
between Mr Demiralay and Succuro?---At some point during my (not
transcribable) there I can't tell you exactly when it was and I can't tell you
exactly how I found out, it was just through a conversation with Todd I was
made aware that Virginia worked for Succuro.

Todd told you that?---Yeah, I believe it was Todd.

Said she worked for Succuro?---Yes.

Did he say anything about any involvement he may have had with Succuro?
---No.

So as far as you were aware he had no involvement?---No. The only involvement I was aware of that Todd had with Succuro was that his wife was employed there.

Yes. Thank you. Well, if there's nothing else you may be excused now. Thank you for attending.---Thank you, Commissioner.

10

THE WITNESS EXCUSED

MR MORRIS: The next witness is Erin Normoyle, N-o-r-m-o-y-l-e.

MS OAKLEY: I seek leave to appear for her.

ASSISTANT COMMISSIONER: Yes, Ms Oakley. You're Ms
20 Normoyle?

THE WITNESS: Yes, I am.

ASSISTANT COMMISSIONER: Please, take a seat.

MS OAKLEY: I'd seek a section 38 declaration in respect of this (not transcribable)

ASSISTANT COMMISSIONER: Yes. Ms Normoyle, do you understand
30 the effect of the section 38 declaration that your counsel has sought?

THE WITNESS: Yes, I do. Thank you very much.

ASSISTANT COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act I declare that all answers given by this witness and all documents and things produced by her during the course of her evidence at this public inquiry are to be regarded as haven been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or
40 thing produced.

PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY HER DURING THE COURSE OF HER EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVEN BEEN GIVEN OR PRODUCED ON

**OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO
MAKE OBJECTION IN RESPECT OF ANY PARTICULAR
ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.**

Ms Normoyle, you're required to take an oath on the bible or make an affirmation to tell the truth.

THE WITNESS: May I please make an affirmation.

10

ASSISTANT COMMISSIONER: Yes.

ASSISTANT COMMISSIONER: Yes, Mr Morris.

MR MORRIS: Could you kindly tell the Commission your full name?---
Erin Normoyle is my full name, I don't have middle names.

10 What's your occupation?---I'm currently employed as a support specialist at
the University of Sydney ICT.

Have you remained in that employment for some time?---I, I believe that
I've been with the University of Sydney for around five years now. So I
started with a technical role and then around a year later I moved into my
current role.

Now how did you first obtain your employment with the University of
Sydney?---I got a call from a friend of mine who had been working at the
20 University of Sydney and he was in a support specialist role in the group
that I work in at the moment and he knew that I'd be very suited to the role,
so he kept on asking me to apply because he knew that there was about to be
a vacancy in the group.

How did you apply?---Once the vacancy became available I was told by my
friend that it would be best if I went to one of the two preferred contracting
groups because it would just be faster and that happened to be Succuro. I
don't recall what the other group was, my apologies.

Can you tell the Commission roughly when this was?---I think it was 2007,
30 I'm sorry if I've got the year wrong, I know it was in a period from
November to December my friend was pursuing me for the role but then I
started at the University in late January.

So you made contact with Succuro?---I did, I called them, I called up
Succuro and said this person in this role has told me that another person is
about to leave and that I'd be good for the job so they said okay we'll put
you forward for it.

Do you recall who you spoke to?---I believe it was Peter Kostogiannis.
40

Did you forward a resume to Peter Kostogiannis?---Peter didn't require a
resume at that time, there was no job description at that time. I insisted on
meeting Peter, it turned out to be that day so that I could do tax file things.
I was a single parent on the pension at the time so I was very concerned
about making sure that I had my tax file and anything registered so that - so
I insisted on meeting Peter that day and then I was in the office the next day.

So did you actually give him a resume on that day that you met him?---No. I didn't have one.

When you say you were in the office the next day are you talking about in a job at the University of Sydney?---As a contractor, yes, I was placed at the University of Sydney the next day.

10 Did you have any interview process?---No, I - well, I did meet with Peter the day that I called him, it wasn't what I call an interview but I had met him.

But when you got to the University did you have an interview process there?---No. I was not employed for a set period of time so I believe that my contract was on a daily rotating basis. I, I didn't have a job description at that point either, I had - it turned out that I showed up for a job that was very different to what I'd expected so.

20 Did you have a supervisor there at the University of Sydney?---Because I worked on projects I answered to various support specialists depending on what they had me working on and then they answered to a manager who was on leave when I started.

What was the name of that manager?---That was Madeleine - at the time it was Petit and now it's McCabe.

Right. And did you ever come across a Mr Demiralay while you were there?---Yes. I don't believe that I met Mr Demiralay formally.

30 But you became aware of who he was?---Yes, I did.

And at some stage you - did you actually sign a contract with Succuro Recruitment?---I don't believe so.

40 And at some stage there was a problem that arose as I understand it, with obtaining documentation from Succuro. Could you tell the Commission about that?---From, from my discussions with other contractors it would seem that my experience was somewhat standard. I wasn't necessarily getting paid the amount that my timesheets were for, I, I wasn't getting paid superannuation. I got a superannuation payment from Succuro in the last three months actually.

MR McILWAINE: Sorry, Commissioner, I wonder if a timeframe could be placed on this evidence.

MR MORRIS: I'll ask her, yes?---Sorry.

That's all right. Do you recall roughly when this was?---I recall that - I don't believe I was with Succuro for more than six months because there

were so much issue with them paying me and with them paying me my superannuation that I found a different company to contract through. And then I contacted Succuro and told them that I was just sick of it and that I was going to go with someone else.

10 Did you cause any inquiries to be made into Succuro as a result of the difficulties you were having with them and if so do you recall what that was?---I didn't cause any investigations. I brought my experiences to the various support specialists who were supervising me, depending on who I was working for and I believe that they brought that up to Madeleine as well. But a lot of the contractors were complaining to us at the time that they just hadn't been paid for months on end, so - - -

We may be at cross purposes. Did you cause a company search to be performed?---Oh, no.

Did anybody on your behalf perform a company search on Succuro?---Not to my knowledge or my recollection.

20 Did you become aware of who the shareholders and directors were of Succuro?---Through rumour.

Through rumour. And do you recall roughly when this was?---This was not very long before I left Succuro myself.

Right?---And as I say it was through rumour. I, I don't recall exactly – I do know that we had a specific employee at that time, so I could track it down that way, it was just as Andrew Bootsma was leaving our employ.

30 Right. And what was the rumour that you heard?---Andrew worked for a different company and he told us that his company was owned by the person who owned half of Succuro and that they were related to Todd.

Right?---That it was sort of Todd. But it was rumour.

It was rumour. There has been a suggestion made that you caused a company search to be made into – at some point were you – did you have a relationship with a lawyer?---Yes, I do. I'm engaged to a solicitor.

40 Right. Did he perform a company search do you recall and tell you anything?---No, I don't recall that. I recall that – I believe my partner spoke to Peter when I was ending my association with Succuro. Peter told me that if I wanted to go to a different company and still work at the University of Sydney that there would be a buy out for me. So I started arguing that because I knew the University couldn't afford to keep employing me if they had to pay a buyout. So I took that on and I started arguing that and I believe that in the end Patrick became involved in that discussion but it

wasn't about who ran the company. It was about that they didn't have any, any contract for me so they couldn't then assume a payout.

Right. Just in relation to that, at that time Madeleine Petit or Petit was your supervisor?---At that time, yes.

10 Do you recall that at about that time she was trying to get you on the – on as permanent staff at the University?---At that point there wasn't a permanent role. At that point we were also losing a lot of time double processing invoices and clearing out the invoices from Succuro. We found that they were coming in late and a lot of them were coming in duplicated, so I believe that that's what triggered Madeleine moving away from Succuro. It became more work than it was worth. And there were a few other companies that could offer very short term contracting at that time.

Were you processing Succuro's invoices?---Yes, I was.

I have nothing further.

20 ASSISTANT COMMISSIONER: Yes, thank you. Does anyone seek to question this witness?

MR McILWAINE: I have a few questions.

ASSISTANT COMMISSIONER: Yes, Mr McIlwaine.

MR McILWAINE: Ms Normoyle, I represent the interests of Mr Mylonas. Whilst you commenced at the University as a contractor you did at a later point in time become permanent. Is that correct?---I did.

30 And was that some time around 5 June, 2008? Is that close to - - -?---That sounds right.

All right. And have you seen some emails that's been produced in this Commission relating to the attempts to convert you to permanent employment and the issue of whether a fee would be charged? Have you been shown those documents?---I haven't been shown those documents. I've read some transcripts from Monday.

40 Right. So you read Ms - - -?---Ms Petit's - - -

Evidence, you read her evidence?---I did. And actually I believe she's misremembered that. I was appointed by, I'm so sorry.

It's all right?---My position was advertised.

Look I'm not - - -?---And a few other people went for the position and we actually – I work with a gentleman who, who applied at the same time, so I had a panel.

I should tell you I'm only interested in some timeframes from you. Okay?
---Oh, sorry.

So the situation was you were recruited through Succuro - - -?---And then I moved to RSG before I became an employee.

10

Just let me finish, just let me finish. And your contact was with a Mr Peter Kostogiannis?---Yes.

Who you understood to be the proprietor of that – or had some relationship with that organisation. Correct?---I believed that he was the head recruiter and he was the only person that I had any details with.

And the problems you had in relation to payments et cetera, I take it they finished once you became a permanent employee at the University.

20

Correct?---By the time I became a permanent employee our group had stopped using Succuro.

Perhaps you misunderstood me. You were employed as a contractor initially through Succuro - - -?---Initially, yes.

- - - by Mr Peter Kostogiannis. You had some problems in terms of the way you were being paid. Is that correct, yourself?---Ah hmm. Yes.

30

You subsequently became a permanent employee sometime around June 2008. Correct?---Eventually, yes.

And I assume because you became a permanent employee of the University, not a Succuro – any problems you had with payment to you related back to prior to your permanent employment. That's correct?---I haven't had a problem with the University of Sydney paying me. However, I'm still pursuing payment issues with Succuro.

40

All right. But those problems arose during a time that the person you were dealing with was Mr Peter Kostogiannis. Correct?---That's correct.

Thank you.

ASSISTANT COMMISSIONER: Thank you Mr McIlwaine. Does anyone else seek to question this witness? Mr Gibson.

MR GIBSON: Ms Normoyle, my name is Gibson and I represent Mr Demiralay. I just want to confirm that in the case that it was in 2007, it was prior to coming to the University you had a friend who worked there - - -?

---Yes.

- - - who told you about a job opportunity. Is that right?---That's correct.

And the friend encouraged you to apply?---He did. He was not a Succuro employee. He was employed through the other agency.

But he worked at the University?---Yes.

10 He knew about the job opportunity?---Correct.

And through conversations with you he encouraged you to apply?---Indeed.

And you applied for the job and it is your understanding that initially you were on a very short term contract?---I never knew if I was coming in the next day.

That's right, it was a daily contract?---Yes, it was.

20 Yes, thank you.

MR McILWAINE: Commissioner, just one matter, I'll be very short.

You gave some evidence about your friend telling you about the position - -
-?---Ah hmm.

- - - and suggesting that you should apply?---Ah hmm.

30 And they told you you had to go one of two recruitment companies?---Yes.

Did they tell you why?---They said that the University had two companies that were set up or this group within the University, sorry, the University is a huge place, that this group within the University had two sets of preferred contractors and that one of them would need me to get my resume together and reference check and be proper and complicated and the other one I'd be in straightaway so go for the other one.

40 Was any reason given why you just couldn't apply directly to the University?---It wasn't but University applications do tend to take up to six weeks. I don't believe that this position at the time was a full-time position so it wasn't available through the University.

Thank you, Commissioner.

ASSISTANT COMMISSIONER: Yes. If there's nothing else? Yes.

MS OAKLEY: Could Ms Normoyle be excused?

ASSISTANT COMMISSIONER: Yes, Ms Normoyle, thank you, you are excused?---Thank you.

THE WITNESS EXCUSED

[11.31am]

ASSISTANT COMMISSIONER: And we will adjourn at this time for 15 minutes.

10

SHORT ADJOURNMENT

[11.31am]

ASSISTANT COMMISSIONER: Thank you please be seated. Yes, Mr Morris.

MR MORRIS: Commissioner, just in relation to some evidence this morning, a reference was made to [REDACTED]. I'd seek a non-publication order in relation to that evidence.

20

ASSISTANT COMMISSIONER: To?

MR MORRIS: [REDACTED].

ASSISTANT COMMISSIONER: [REDACTED].

MR MORRIS: Yes.

30 ASSISTANT COMMISSIONER: Yes.

MR MORRIS: A non-publication as to - - -

ASSISTANT COMMISSIONER: Yes. I make a non-publication order in respect of the evidence about [REDACTED].

I MAKE A NON-PUBLICATION ORDER IN RESPECT OF THE EVIDENCE ABOUT [REDACTED],

40

MR MORRIS: Now, Commissioner, the next witness, Mr Smeros, is so keen to get out of here he's already in the box.

MR STEWART: Yes, Commissioner, I seek leave, I previously have sought leave. Mr Smeros will take an oath and I've explained the declaration to him and we'd ask for the declaration.

ASSISTANT COMMISSIONER: Thank you, Mr Stewart. You may sit down, Mr Smeros.

MR SMEROS: Sorry, thanks.

ASSISTANT COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by him during the course of his evidence at this public inquiry are to be regarded as having been given or produced on objection and accordingly there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY HIM DURING THE COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND ACCORDINGLY THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

ASSISTANT COMMISSIONER: Could the witness be sworn, please.

ASSISTANT COMMISSIONER: Yes, thank you.

MR MORRIS: Thank you.

Could you tell the Commission your full name?---Yes, my name is Panagiotis Smeros, also known as Peter Smeros.

10

All right. And your current occupation, Mr Smeros?---Yeah, I'm currently Acting Field Services Team Leader.

At?---Sorry, Acting Field Services Manager, sorry about that.

And that's at the University of Sydney?---That is correct, yes.

Right. Now, are you there as a full-time employee?---I am.

20 Right. Now, had you previously worked at Transfield Services?---I did.

Did you meet there a gentleman by the name of Angelo Angelopoulos? ---No, not there but as Angelo pointed out yesterday, I've known him since I was like very young, since probably I was 2 years old. I was best man at his wedding.

All right?---Yeah.

30 Bill Mylonas, did you meet him?---Yes, at a point in time he was my team leader at Transfield Services.

At Transfield?---Ah hmm.

Virginia Kantarzis?---Yes.

Did you meet her there?---When I first started at Transfield she was my manager when I was on the help desk.

40 Right. So who did you work for first, Bill Mylonas or Virginia Kantarzis? ---No, first was Virginia Kantarzis, that was in 2001 for a period of 14 months and then for about six years I worked under Bill Mylonas.

All right. And did those two work closely together to your observation? Well, I'd say they would of, yes, yeah. But Virginia had left prior to me, you know, finishing or before, before I left basically so, yeah, but - - -

So you worked for her first up, then you went across to Mr Mylonas? ---Yes.

Then Virginia left, then you left, is that basically it?---Yes, yeah, yeah.

And did you ever come to meet Todd Demiralay?---I have met Todd or, yeah, I have met Todd, yes.

And we're talking about meeting Todd before you started at the University of Sydney?---That's correct. I met him on three occasions.

10 Can you just tell the Commission what those occasions were?---Certainly. The first one, I was at the wedding, the same wedding that Angelo Angelopoulos was at for Sarah he mentioned, her surname is Thorne, Sarah Thorne, that's her maiden name.

The second occasion was at Mrs Kantarzis' 40th birthday so I'm not sure how long ago that was, a few years ago, I'm sorry, Virginia for mentioning that, and the third occasion was basically at my wedding and Todd was invited to my wedding as a partner of Virginia Kantarzis because I didn't really have a relationship with Todd.

20

Right. But you met him on that occasion did you?---I'd met him twice before, yes.

Now then prior to this - your employment at the University did you ever come across George Tsipidis?---No. The first time I met George was the day I was interviewed.

All right. And what about Soula Tsipidis or Soula Kantarzis?---Possibly 'cause I know - actually I'd say more than likely I might have seen her once or, you know, 'cause I do recall having drinks at Transfield after work, Virginia might have brought her sister to one of those occasions but it would have been a brief meeting I guess.

30

A brief, brief social occasion?---Exactly with, you know, probably a dozen or more other people around.

Now, Mr Smeros, you'll probably reveal that I wasn't listening properly yesterday. Were you Mr Angelopoulos's best man?---That's correct.

40 I was. As you said you'd grown up and you knew him well?---That's right.

Did you at some stage come to know a business called Succuro?---I did.

How did you come to know it then?---I heard the name while I was working at Transfield.

Were they placing people at Transfield?---I believe so but you know I don't have like a recollection of what, you know if, if any - predominately we had

a lot of full-time staff at Transfield, there were very few contractors while I was there.

Did you have any role to play or any relationship with Succuro, any contact with them?---Not at all, no.

To your observation did Mr Mylonas have anything to do with it?---Not that I recall, no.

10 What about Ms Kantarzis?---Not that I recall, no.

Did you ever meet Mr Peter Kostogiannis?---Never.

Did you know at any time whether Mr Kostogiannis was operating the Succuro business?---After I started work at the University I heard the name but it doesn't mean anything to me.

20 Did you have any business relationships at any time with Succuro with respect to your employment with the University of Sydney?---Yes, I did.

Can you just explain how they came about?---Sure. I was looking for work at the end of 2008, I was applying for jobs and I was contacting, you know old work colleagues, applying for jobs on Seek and you know speaking to, as I said, old colleagues and one of them mentioned to me that Virginia was working for Succuro and that I should get in contact with her.

Sorry, that?---Virginia was working for Succuro.

30 Now - - -?---Which was a recruitment company. Sorry, I should have - yeah.

Did you then ring Virginia?---Yeah, I believe so. It could have been - I probably would have - I think I would have called her in the first instance but we did exchange some emails as well.

When you use the word Virginia did you know Virginia's last name at that time?---Yes, I did. She used to be my manager Virginia Kantarzis.

40 This is at the end of 2008 is it, did you say?---End of 2008 early 2009.

You may have had a discussion with Virginia and you also sent her a resume?---Yes.

Did you have any further contact with Virginia at that time?---Yes. I was actively looking for work so, yes.

Did you have any conversation with her about a possibility of an employment opportunity at Sydney University?---Yes, there, there was a possibility that there might be a job at the University, yes.

Sorry. Did you have a conversation with her about that possibility?---I believe so, yes.

10 What then happened after that conversation to your knowledge?---From what I recall I was advised that there may be a position coming up at the University and that she would put me forward as a candidate.

Were you then provided with any contractual documents by her to sign with respect to your employment position with Succuro?---No, I wasn't.

And how is it then that you came to find yourself at the University?---An interview was teed up?

So you had an interview?---Correct.

20 With whom did you have an interview?---I was asked to meet a Mr George Tshipidis and the interview was conducted by George and Todd Demiralay.

Did you get a surprise when you saw Mr Demiralay there at the interview panel?---No, I wasn't surprised.

All right. Did you know that Mr Demiralay was employed at the University of Sydney at the time the interview was arranged?---Yes, I did.

30 How did you come to that information?---I believe in conversation with Angelo Angelopoulos, obviously he worked there previously and he told me that Todd worked at the University.

Right. So, and you knew that at that time Virginia and Todd were husband and wife?---I'm not sure if they were married at that time or not.

Well you knew they had a relationship?---Yes, I did, yeah.

40 Okay. And do you recall at the interview there being discussion in front of Mr Tshipidis about a prior knowledge that Mr Demiralay had of you?---No, I don't recall that.

How long did the interview take place – how long did the interview take? ---Sure, it was I'd say roughly 45 minutes to an hour.

Right. And did you – who did you have as your referees?---I don't recall that.

Now, then were you made an offer of employment?---Yeah, well - - -

Well I mean did you end up working at the University?---Yes, I did, yeah. So from memory I think the interview was mid-February and I started early March.

And then you were at that stage employed as a computer support officer. Is that correct?---That's correct, yes.

And you were on contract through Succuro?---Yes.

10

And you worked there for some time in a contractors role. Do you recall? ---Yeah, roughly three months.

And then do you recall that there was an advertisement placed for another role within the University? Do you recall that?---Yeah, it was for the same type of position, but just on a full time continuing basis.

On a full time continuing basis. Right?---And there was more than one I believe.

20

Right. Did you apply for that, that job position?---Yeah, I applied through the internal website, I think the, yeah, the Sydney Recruitment website.

All right. Did you actually make application to your recollection before the cut-off date for those advertisements?---I can't recall that.

If there was a record that your name was put forward after the cut-off date to be considered for such a position would you have any knowledge of that? ---No, I don't.

30

If there were documents that indicated that after the cut-off date Mr Demiralay put your name forward to the selection panel would you have any knowledge of that?---I don't recall that, no.

Do you recall who sat on your selection - you went to an interview did you?---Yes, I did.

Do you recall who sat on your selection panel?---Look from memory there would have been a couple of team leaders if not three and a HR representative.

40

Right. And do you have a picture in your mind as to who the team leaders were?---I think George was one of them, Andy Apin was another and possibly Tim Passe, but I'm not certain of that.

Right. And you - - -?---And sorry, I do recall the, I think the HR representative would have been Mr Fang Zhou, who was here on the first day.

Right. And you were subsequently given an offer of employment?---Yes, I was successful, yes.

Did you remain in that position for very long?---Yeah, I think so, until I became an acting team leader.

Right. And when did you become an acting team leader?---Look I don't remember the exact date, I've got it in my notes down there if you want me to grab it, but - - -

No. Was Mr Demiralay still working there at that time?---Yes, yes.

Did you have to go through any formal recruitment process to be placed into that acting position?---No, it wasn't a formal process, but I was interviewed for the role.

Right. Who interviewed you?---Mr Demiralay.

20 Right. Was there anybody else present?---No, there wasn't.

And is it the case that Mr Demiralay then nominated you into that position? ---Yes, but I believe it was with - from what I heard afterwards it was with, you know, it was talked about with the leadership group and they decided as a group who would be appointed.

Right. Now, at the time you were made a permanent computer support officer - - -?---Yes.

30 - - - is that when your contractual relationships with Succuro ceased? ---That's correct.

Did you ever have any problems with superannuation or getting payslips from Succuro while you were employed by them?---No, I was - I had my own business and I was dealing with Succuro through my business.

I see. And did you ever hear any rumour that Succuro in the period 2008 through to say 2010 may have had a - there may have been a business interest by Virginia Kantarzis or Todd Demiralay - - -?---No.

40 - - - in that business?---As far as I knew Virginia was an employee of the company and Bill Mylonas was the owner of the company.

Right. How, how did you find out that Bill Mylonas was the owner of the company?---Well, I take it from what I was told, I don't recall that.

Yeah. Did you ever have recruitment responsibilities when you were - as a computer support officer?---No, I did not.

What about when you were acting team leader?---I would have sat in on panels, yes.

All right. What about the recruitment of casual staff, did you have any role to play there?---No, I've never recruited any casual staff.

10 All right. If you had a need for casual staff would you - that you identified or did you ever have cause to identify the need for casual staff on your team?---It was something that was discussed within the leadership group, it wasn't a call that I made on my own.

Right?---But when I, when I say I didn't hire any casual staff, we never hired anyone on a casual basis, it was always on a contract basis.

Sorry, in that case I - - -?---Is that what you meant?

Yes?---Sorry, yeah, I just wanted to clarify that.

20 Short-term contract basis?---Yes, correct.

And how would you procure those people?---Well, I'd sit on interview panels, I wasn't involved in the process of, you know, going to, to the agencies.

30 All right. So you didn't have any details of Mr Mylonas?---I had spoken to Mr Mylonas 'cause I obviously, when I started at Succuro it was Mr Mylonas that I met prior to - sorry, when I started at the University it was Mr Mylonas that I met prior to starting at the University and he was the one that I was dealing with on a day to day basis if I needed to raise anything with him.

Right. And at the University, in either the computer support officer position or acting team leader position, did you have any further contact with Virginia Kantarzi?---Not, not when I was representing the University, no.

Right. You had contact with her outside the employment situation did you? ---Yes, I did, yes.

40 And what sort of contact was that?---I visited Mrs Kantarzi and Mr Demiralay's place of residence on one occasion - - -

Yeah?--- - - - and I also sent them photos of my newborn child.

Right. And were there any other social occasions?---Not that I recall, no.

Do you have any knowledge as to when you were made a permanent employee by the University in the computer support officer role, whether

there was any placement fee paid by the University?---I'm not aware of that, no.

You've just got no knowledge?---No knowledge. I, I wouldn't, no, no knowledge so - - -

When you were in your computer support officer role do you know what your hourly rate was, do you remember that, from Succuro?---I believe it was in between 35 to \$35.

10

An hour?---Yes.

Nothing further, thank you, Commissioner.

ASSISTANT COMMISSIONER: Yes, thank you. Does anyone seek to question this witness? If not, you may be excused?---Thank you, Commissioner.

Thank you for your attendance?---Thank you.

20

THE WITNESS EXCUSED

[12.10pm]

MR MORRIS: The next witness is Andri Selamat.

ASSISTANT COMMISSIONER: Is Mr Selamat here? Yes, come forward, thanks. Yes, have a seat, Mr Selamat.

30 MR PATTERSON: With your leave, Commissioner, I appear on behalf of Mr Selamat. Patterson is my name. Mr Selamat will take an oath and I ask you to issue the section 38 declaration.

ASSISTANT COMMISSIONER: Thank you, Mr Patterson. Mr Selamat, counsel has indicated that you're seeking a section 38 declaration. Do you understand the effect of the declaration?

THE WITNESS: That's an oath isn't it?

40 ASSISTANT COMMISSIONER: That nothing you say here can be used against you in future proceedings.

THE WITNESS: Yes. Thank you, I do.

ASSISTANT COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by him during the course of his evidence at this public inquiry are to be regarded as having

been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

10 **PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY HIM DURING THE COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.**

ASSISTANT COMMISSIONER: Could the witness be sworn, please.

ASSISTANT COMMISSIONER: Yes, Mr Morris.

MR MORRIS: Could you kindly tell the Commission your full name?---
My full name is Andri Selamat.

10 Andri is spelt A-n-d-r-i?---That's correct, yeah.

Now, Mr Selamat, you had worked at Transfield Services in Sydney?---I
have, yes.

Can you kindly tell the Commission when you started there and when you
ceased there?---I, Commissioner, I started working in Transfield Services in
approximately the year 2000 and I would have probably ceased in around
about 2006 or seven and I think shortly after that a year or two later after I
came back and did some contractual work for them, consulting work for
20 them again for approximately one year between maybe 2009, 2010 or 2008,
2009.

When you went back to do some contracting work was that a direct contract
or was that through an IT recruitment company?---That was through an IT
recruitment company.

Do you remember the name of the IT recruitment company?---Yes, it's
Precision Sourcing.

30 In your period at Transfield either as a full-time employee or as a contractor
did you ever come across Virginia Kantarzis?---I have, yes.

Did you report directly to her at any time?---I did. In the year 2000 I did,
yes.

Did you have any friendship with her outside the employment situation
either at that time or that developed over time?---Develop over time, yes.

40 Did you ever attend any social gatherings or family functions of Virginia
Kantarzis?---Transfield would have some drinks where Virginia would be
there and myself would be there so would be many other Transfield
employee. There may be occasions where I would have been to her place
once or twice during my employment at Transfield Services. Yeah.

Through any of those social functions did you ever come to meet Todd
Demiralay?---Maybe once, I think. I may have heard of Todd or may have
met him in a wedding, I don't recall but I've been to a wedding where
Virginia was there and I don't recall if Todd was there.

Whose wedding was that?---Peter, Peter Smeros's wedding.

Now did you ever come to meet Bill Mylonas at Transfield?---Yes.

Did you direct – did you report to him at any point?---I did, yes.

All right. How long did you work with him?---Approximately two to three years.

10

Right. And did you work with him when you were contracting as well? And when I say contracting I mean at Transfield?---At Transfield?

Yes?---I don't recall if Bill was still there when I came back to Transfield. I don't think so.

Right. Now you then went off – I think at some point you worked with Fujitsu and worked in other positions?---Yes.

20

Can you kindly tell the Commission – you ended up working at the University of Sydney?---I did.

Would you kindly tell the Commission how it was that you came to work at the University of Sydney?---I heard that the job was available because one of the employees of Sydney University who I used to work with, Peter Smeros, told me that there's potentially available positions which I could be interested in.

30

Right?---And which may meet my, my skill sets. So that's how I was aware of it, I was made aware of it.

You knew Peter Smeros did you?---Yes.

How did you know him?---I worked with Peter in Transfield.

At Transfield?---Yeah.

40

Did you ever know Angelo Angelopoulos before the University of Sydney? ---I knew of Angelo, I met him once or twice before Sydney University, but I don't know him personally.

Were you told by Mr Smeros how it was that you should go about applying for a job at Sydney University and tell the Commission what if anything he told you?---No. I was advised that there was a position available. I may have to go for a submission of resume, but that's only as far as I can remember. There may be some information about the process of interview in terms of how many people that I may have to be prepared for, what kind

of, what kind of jobs that I have to do in terms of the responsibilities that it involves.

Did you ever get told that you should make application in the first instance to Succuro or Succuro Recruiting?---Can you repeat the question again sorry, please?

Were you ever told by Mr Smeros that in the first instance you should apply to Succuro or Succuro Recruiting?---I don't recall.

10

Do you recall – now we're talking about September/October 2010, so about 18 months ago. Okay. Do you recall prior to your employment at the University of Sydney having any contact with any person from Succuro or Succuro Recruiting?---Yes, from Bill Mylonas, yes.

Bill Mylonas?---Yes.

20

How did you come to be in contact with Bill Mylonas?---I was advised that the recruitment is done through Succuro Recruitment which was represented by Bill.

Right. Who told you that?---I can't recall if it's either Peter or Todd.

Right. So you were told that to apply for the job that was coming up you should contact Succuro Recruiting?---Correct, yes.

Did you – had you previously had any dealings with Succuro Recruiting? ---No.

30

Did you have any dealings with them at Transfield?---I've heard of Succuro, but I never had any personal dealings with them, with Transfield, I mean with Succuro.

So did you send an email - did you have email correspondence with Mr Mylonas?---Yes.

40

Did you have any knowledge at the time that you contacted Mr Mylonas that Virginia Kantarzis was involved with Succuro in any way?---Yes, I knew Virginia worked for Succuro, yeah.

All right. Did you know whether Virginia had any business interest in Succuro?---No.

Your knowledge was that she worked at Succuro?---Yes.

Did you have any dealings with her in your initial contact with Succuro prior to the University of Sydney position?---No, not professionally, socially, yes.

Would you kindly tell the Commission what social contact you had with her at about that time?---At about that time I was just recently married and expecting a baby so I spoke to Virginia about advice, what it is like to be a new father and what the challenges are.

That could have been a long conversation?---Could have been, yeah.

You put in a resume with Succuro Recruitment?---Yes.

10

And at some point you, were you called to the University to meet anybody?
---For the interview, yes.

Yeah. And do you recall whether that was roughly as at October 2010?
---Yeah, roughly, yes.

Right. And do you recall whether you actually had a formal interview?---I recall yes, I did have a formal interview, yes.

20 Did you arrive before a panel of people - - -?---Yes.

- - - for interview?---Yes.

Do you recall who was on the panel?---I recall there, yes, I recall there is George Tsipidis, Andy Apin, I can't recall if Peter was there but I think it was just that two now.

Was Todd Demiralay there?---No.

30 All right. And so I want you to tell the Commission the picture in your mind - - -?---Actually, yeah.

Sorry?---Was Todd there, I can't, I can't recall if Todd was there.

How many people do you recall being in the room?---Three people. I recall there are three people in the room but I can't recall who the third person was.

40 If documents produced by the University, Exhibit 2, Commissioner, page 412, indicate that Mr Demiralay was present would you disagree with that?
---I wouldn't disagree with that, no.

And do you recall whether there was anybody else waiting outside for interview at the time you attended?---No, I don't recall, no. No, I don't recall there was anybody.

You don't have a picture in your head one way or the other?---No.

No?---There was nobody waiting I remember, no.

Nobody was waiting?---No.

Okay. Now, do you know what the - when you applied to Succuro did they tell you what your hourly rate was going to be as a contractor?---Yes.

And what was that?---I think it was around 65, I don't remember the specific detail of it.

10

Right?---Yeah, an hour, sorry.

Yes, \$65, yes, of course?---Yeah, yeah.

Okay. And it's fair to say that you were immediately available to commence work?---Yes, with, within, with - as long as I can give my old company notice I was immediately available after that, yes.

20

Right. Now you were appointed to a contractor's position?---Yes.

In the interview do you recall anybody talking about the fact that they - do you recall anybody talking about the fact that they knew you previously? ---It was always made clear that I knew Peter Smeros.

Right. Okay. Now you ended up being appointed, being successful in getting a contractor's job at the University?---That's correct, yes.

And how long were you there?---A total of approximately ten months.

30

Right. And was that all - was that ten month period all as a contractor? ---That's correct, yes.

What was your initial contract period? Do you know?---Six months.

And is it the case that it then rolled on?---Yes.

All right. And did you ever make application for a permanent position at the University?---No.

40

I have nothing further. Thank you, Commissioner.

ASSISTANT COMMISSIONER: Yes, thank you. Yes, does anyone seek to question Mr Selamat? Mr Gollan.

MR GOLLAN: If I may (not transcribable) tender bundle T2 be made available to him. Mr Selamat, I appear on behalf of Mr Pigot. Can you have a look at page 410 of that bundle. You see that it's an approval confirmation and half way down the page you'll see a box and it's got your

name in it. Is that what you're looking at?---Yes, 410 with my name on it, yes.

And there's only your name there, there's on one else in the box there.
Correct?---Correct.

And just above that there is a number 1 Succuro Recruitment, then number 2 Peoplebank?---Yes, that's what I see, yes.

10 Do you know an organisation called Peoplebank?---Yes.

Have you ever been one of their placements?---No.

And you'll also see for the contract period 5 April, sorry, 5 October to 5 April, that's up the top, in the box up the top a couple of lines down?---Yes.

And that your rate was \$693 per day which is somewhat at odds with the \$630 further down on the page. Do you see that?---Yes.

20 Can you turn the page and it's dated 5 October, 2010?---Yes.

5 October, 2010 and someone's signature is there. Have you ever seen that document before now being show it in the witness box?---No.

And if you can turn the page and you'll see at 412 there is another recruitment confirmation and if we look down your name appears along with a fellow by the name of Steven Bach and Patrick Taylor. Can you see that?---Yes.

30 And do you know a Steven Bach or Patrick Taylor?---No.

And the amount here is \$700 is your listed daily rate. Can you see that
---Yes.

And above there there's only one recruitment agency, Succuro Recruitment.
Can you see that?---Yes, I can see that.

And then if you up the page it covers the same contract period?---Yes.

40 And again if you turn the page you'll see it's 5 October and again a signature that looks like the signature on the other page that we looked at?
---Yes, I can see that.

Have you ever seen that document before being shown today in the witness box?---No.

No. Nothing further.

ASSISTANT COMMISSIONER: Thank you, Yes, Mr Stewart.

MR STEWART: Mr Selamat, I appear for Mr Smeros. Just one question. You said that Peter could have been on the Committee. If you just turn to that bundle, page 412. Down the bottom it says the interview was conducted by the list of three people who - would you agree with me that you were wrong to say that Mr Smeros was on the interview panel?---Yeah, I would agree with you, yeah.

10 Thank you. I have no further questions.

ASSISTANT COMMISSIONER: Yes. If there's nothing else you are now excused, Mr Selamat, you may leave the witness-box.---Thank you.

THE WITNESS EXCUSED

[12.30pm]

MR MORRIS: Commissioner, the next witness is Mr Tsipidis.
20

ASSISTANT COMMISSIONER: Yes, Mr Tsipidis, could you come forward, please. Just take a seat there.

THE WITNESS: Sure.

ASSISTANT COMMISSIONER: Thanks.

MS McGLINCHEY: Commissioner, the witness will take an oath and we seek a declaration under section 38.
30

ASSISTANT COMMISSIONER: Okay. And you've explained to him the effect of section 38?

MS McGLINCHEY: I have, Commissioner.

ASSISTANT COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by him during the course of his evidence at this public inquiry are to be regarded as having
40 been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

**PURSUANT TO SECTION 38 OF THE INDEPENDENT
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COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

ASSISTANT COMMISSIONER: Could the witness be sworn, please.

MR MORRIS: Mr Tshipidis, can you give the Commission your full name?

---George Tshipidis.

What's your current occupation?---I'm a team leader with the helpdesk services in ICT.

10

At the University of Sydney?---At the University of Sydney, that's right.

As I understand it your wife is Soula Tshipidis?---That's correct.

Soula Tshipidis is Virginia Kantarzi's sister?---That's right.

What's your background by the way?---Yeah.

20

Professional background?---Sure, yes. I've been working in IT since 1983 predominantly, in fact entirely in the banking and finance industry. Started off in computer operations, applications support, system management, data centre management, through - with the SFE, ASICS, OMX, all sorts of different financial sort of institutions.

Do you have any other business interests outside of IT?---No, definitely not.

When did you first meet your wife?---In the 80s.

30

I take it that shortly after you met her you met Virginia Kantarzi?
---Absolutely, yeah.

When did you come to meet Mr Demiralay?---It would have been probably in the mid 2000s at some point, it was five, probably 2005, end of 2005, something that. Maybe early 2005, sorry, yeah, around that period.

At that time Virginia Kantarzi was working at Transfield?---Like I couldn't say with any accuracy at all.

40

Where was your wife working at that time?---2005, probably in the CBD, in the city, I'm going to guess here and say Pitt Street at Credit Union Financial Planning Services if I guess.

Did she have a (not transcribable) interest in that business?---No.

Was she in an IT position there?---No.

She was in a - - ?---She was the managing director I believe would be the title at the time. The manager of that office - it was a - it was an

amalgamation as far as I remember of three financial planning divisions of the credit unions in the city and they had different offices scattered around the CBD and the peripherals and they, they built an office at some point in time in Pitt Street from my memory, yeah.

She worked there for some time, did she?---I'd say so, a handful of years, yeah.

10 Was she working there as at 2006?---2006, I'm going to say yes.

And do you know whether at that time she employed Mr Demiralay?---Yes, employed, yes. Basically my understanding was that Mr Demiralay provided some IT support at some short point for that office, the office infrastructure.

20 Was that in exchange for a wage or was that - do you know?---No, I couldn't, I couldn't to be honest - I'd, I'd assume possibly, yes. I couldn't say that with any accuracy of that, you'd have to check I, I couldn't tell you. I'd assume so.

30 Now I take it that you saw Mr Demiralay prior to 2006, October 2006, you and your wife saw Mr Demiralay with reasonable frequency did you?--- Probably not from my perspective, I could have years or my dates a little bit muddled here but I didn't really get to know Todd closely I guess until I guess his relationship with Virginia became a little bit more formalised I, I guess. So I may have - I probably would have heard his name mentioned before, I couldn't say when I met him and it would have been, you know a few occasions possibly I - yeah, I couldn't tell you. It wasn't like we, we socialised that's for sure, I didn't know him until Virginia sort of introduced him so, yeah.

So whenever that was, was - - -?---yeah, whenever that was. It would have been around that period though but, yeah, I couldn't say how frequently, no.

And is it the fact that you wife and Virginia Kantarzis would see each other regularly as sisters?---As sisters. Definitely a lot more than I would absolutely, yes.

40 Would she have seen more of Todd Demiralay than perhaps you did?--- Than perhaps, sorry I did?

Yes.---Yes. I'd say so, I mean (not transcribable) reason for saying that but I'd say that's probably likely that she might have bumped in with her sister afterwards, after work or something, somewhere and, and if he was there they might have said G'day, I can't remember. I wouldn't be able to comment on that really with any accuracy.

Just your general observation - - -?---Yeah.

- - - was the Kantarzis Family a fairly close family?---Oh, yeah, absolutely. The parents and the sisters very close, yeah.

You're aware that at some point Mr Demiralay made application for a contract job at the University of Sydney?---Yes, I believe it was a fixed year three term position, yes.

Three year fixed term?---Yeah. Which is like a full-time - came with all the usual full-time attributes I guess for want of a better word, yeah.

10

And at that stage did you ever become aware that your wife had been put forward as a referee?---I would have become aware at some point, not particularly when it happened but I'm sure in conversation I would have heard that she provided some sort of personal reference for him, yes. And from what I - from what I remember from discussions around that matter it would have been over the telephone I believe.

Right. Now when you say, you just used the words 'personal reference'. ---yes.

20

Do you know whether it was in fact the personal reference or a professional reference?---No, I don't, sorry. That's my choice of word, I'll, I'll change that it was a reference. I couldn't say with any accuracy.

And it was a referee for the purpose of employment. Are you aware of that?---Yes.

30

Did your wife ever tell you that she spoke to somebody from the University?---I don't recall the conversation but I assume she would have, knowing how the University operates it would have been somebody contacting her by the telephone, I'm going to have a guess and assume it was Sydney Recruitment, I'm not sure if they existed as a, as a body called Sydney Recruitment at this stage but it would have been somebody similar to Fang Zhou or, or Caroline (not transcribable) that I've dealt with in the past knowing how they operate. That's only with the benefit of hindsight that I - - -

You dealt with them, when you say you dealt with them in the past - - -?

40

Yes.

- - - you mean after Mr Demiralay's appointment, your ultimate appointment?---Sorry, yes, yes. From the time that I had to get involved in my role at the University with what we call FTEs full-time employment which went through Sydney (not transcribable) and for any prospective candidates, yes.

Now as at - just going back to an earlier question, as at June 2007 were you working at a place called OMX Group?---That's right.

And was that a IT position?---It sure was, yeah.

Was it a recruitment type position?---Not directly but I, I - but I would be involved through local HR not - not in - not myself personally, we had an HR person so if any position would come up in my area or other areas I, I may have been involved but I didn't do any recruitment (not transcribable) through OMX directly, I, I can't recall.

I asked you a question earlier about whether you had any other business interests?---For myself?

Yes?---Yeah.

As at June 2007 did you have any other business interests?---Myself?

Yeah?---Not that I'm aware of, no.

Okay. Commissioner, I wish to hand - I will tender in due course a bundle of documentation, I'm sorry, we don't have clips for it, but I've got a copy for you, Commissioner, and a copy for the witness and others will be distributed.

Mr Tsipidis, look in the top right-hand corner, you'll see some pagination numbers, you see that there?---Number 147.

Yeah, number 147?---Yeah.

So when we - when I take it to page numbers - - -?---Sure.

- - - right, I'll be referring to those page numbers?---Okay.

And this is an extract from another volume so that's why we start at 147? ---Fine.

Just have a look at the first - the second document, 148?---Yes.

All right?---Okay.

Well, you laugh?---No, sorry, yeah, that's fine.

What do you want to tell us?---No, that's just a joke. What that, what that's all about is that my, my family's background happens to be my, my father specifically on his mother's side happens to be from an area that's in the, in the Turkish region today, it's called the Ancient of Pontos and I know that Todd's family has somebody from a city nearby and that was just a

reference to the old days as in, yeah, that's all this is, sorry, yeah, I know where you're going now.

So the Black Sea Carpentry and Painting Service - - -?---Yeah.

- - - has no relevance to you outside of a family joke?---Absolutely not, it's just a joke, yes. I should read the whole email sorry, I've just read the bottom there, I should have read it all sorry.

10 It's all right?---I'm probably going to say some stupid things in there but, fair enough, I'll - - -

It's all right. Okay. Now, did you at any time come across a Mr Bill Mylonas?---I, I would have met or spoken to Bill and then met him. Just prior to my coming on for my first interview for the team leader resourcing role, I shouldn't lean forward, sorry, in 2008, July it would have been.

All right?---I'm guessing there July, when I started, in July 2008, yeah.

20 And as at 2007 did you have any idea as to where Virginia Kantarzis was working?---Yes, I would have. As far as I was aware she was doing an admin type back office role for a person she used to work with, that person turned out to be Bill Mylonas obviously but I didn't know at the time and as far as I was aware he had a handful of interests in businesses if you want to call them that, I didn't know what they were but I knew he was involved in a few things from what I was, what I was aware.

All right. When you say a back office job - - -?---Well, that's my words, I wouldn't - - -

30 Yeah?---I wouldn't know the exact job description that's for sure, yeah.

And that was in a - did you know that that was in an IT recruitment business?---I knew that one of the, one of the interests her, her co-worker had was in recruitment of some sort, yes.

40 And when we talk about her co-worker at some stage did you realise that was - did you come to learn that that was Mr Bill Mylonas?---I would have, as I said, close to the time when I first was approached for the role I ended up taking on at the University, yeah.

Righto. Well, let's just talk about that approach?---Yeah, sure.

Who made an approach to you?---Mr Demiralay, Todd, can I call him just Todd for - - -

Sure?---Yeah, Todd did. I don't want to personalise but Todd, yes.

And when was that, do you recall?---It would have been probably very late May, early June of 2008.

All right. And do you recall what he said to you?---Yes. He basically contacted me or maybe even when he - if had of swung past, I wasn't working at the time, I had been working since the end of March I think I finished up with OMX, I was having a deliberate six month break at that point, but he approached me, engaged my level of interest about an upcoming potential position in his team as a team leader.

10

And it was a potential position - - -?---Yes.

- - - at the University of Sydney?---That's right.

And working for him?---That's right.

20

And did he tell you how it was that you should apply?---Well, apart from explaining obviously what the role was, I was interested in what the role was all about obviously. I knew Todd was working at the University, I wasn't, never really the detail of conversation ever got to what exactly went on so I was obviously curious about a bit of the structure, how he operated and then basically, well, we got, whether it was the first or second conversation about if we get to that point, like I'd obviously have to present in some manner, that I had two options. I could go in via an ABN I guess, as a personal independent representative or I could go in via a choice of one of two agencies.

And what were those two agencies?---Yeah, RSG and Succuro.

30

Right. And did he make any suggestion as to which one you should use? ---Not at all. In fact initially I think he felt by default I'd probably go in as myself on an ABN but I'd never done any contracting before, I've always been a permanent employee where I was and that didn't really interest me.

40

So as for the selection of IT recruitment companies did he tell you to go to one or the other?---No, not, that, that would have been, that was my decision and the decision on that solely would have been based on the fact that as I say I hadn't contracted before and just for personal comfort reasons I knew that my, my sister-in-law worked there in some minor capacity and I guess it sounded like a good idea at the time if I had to go to one of the two, go where you knew somebody, it might be easier in case there's any problems down the line, that's all it was.

All right. Did you, did you submit a CV?---Yes, I, yes, I would have emailed a CV through.

And that was put through via Succuro?---It would have been to whatever email address I was supplied, it would have been their official - oh, I

shouldn't, I couldn't say for a fact but it would, would have been by email, that's for sure, through my personal ISP, through OptusNet.

Did you speak to anybody at Succuro after you sent the resume through?
---I'd assume at that point because there was obviously some interest of me going, going for the job I would have had conversation for sure with Bill and I'm, I wouldn't be at all surprised if I've had some correspondence with Virginia in some manner just as an overview of proceedings, sure.

10 All right. And at some stage your - you were called in to the Sydney University?---Yes. I would have been given an official - well, yeah, obviously once, once I figured out about the role and I was happy that, you know, what the role was going to be all about and I thought it was okay for me, I did think about it for a bit. It wasn't just a quick, you know, rush off and do it, it was over a period of, of weeks. As I said, the role wasn't confirmed at that point. In fact, it wasn't even confirmed whether, before you asked me the question about agencies and so forth, it wasn't clear to me whether it'd be a contract role or an FTE role so that was obviously my first port of call and had some decisions to make but I just thought I'd put that
20 out there, yeah.

Did you get a job description at all by Todd?---Todd, Todd spoke initially at the beginning, obviously it was, it was a job that was still being evolved, as in him and his manager were still looking at a new position. They, they hadn't nussed out the actual details but there was, they were going through a period of growth, they wanted to bring on a, a - I don't even think they had a name for it yet at that point but it was a, it was a - I think he would have used the word team leader, team leader Field Services or something along those lines and, yes, so there was a lot of discussion around the make up of
30 that and so forth, yes, and then a CV was definitely given - sorry, a CV, a duty statement was then given to me to have a look at so I knew what I was applying for obviously.

Was that a duty statement that was provided to you by Sydney Recruitment?
---I cannot recall, it might have been - sorry, sorry, Sydney Recruitment, absolutely not, sorry, the University recruiting arm, no.

All right?---No, not, no 'cause it was, it was a contract role so as far as I was - yeah.
40

Right. And did you go in a for an interview at all?---Yes, I did.

And do you recall who was on the interview panel?---Absolutely.

Who was?---It was Todd Demiralay - - -

Yeah?--- - - - and Tim Passe.

Tim Passe?---That's right.

All right. And do you recall - was there, was there anybody else there?
---No, just the two of them.

All right. And do you recall any discussion taking place about your relationship by marriage to Todd Demiralay?---At the interview?

Yes?---Definitely not.

10

Right. Was it something that you raised?---At the interview?

Yeah?---No, I didn't, didn't mention it at all.

Now you eventually were taken on as a contractor?---That's right.

And did you get access to the University computer system as part of your job?---From day 1, absolutely.

20

And did you become aware of - you got given a staff card did you?---Yes, at some point, yep.

All right. And when you logged on to the computer for the first time did any pop-ups come up in relation to the Code of Conduct?---I can't, I can't recall.

30

Right. Were you aware that there was a Code of Conduct?---I would have become aware at some point. In fact obviously over the week and having a look at the documents that were provided, I've seen my letter of offer and I have seen down the bottom there that I ticked that I have read all the various policies that are the bottom of that letter of offer.

You say you got sent a letter of offer - - -?---Absolutely.

- - - with an information pack?---This was for my full time role, yes.

Yes. Oh, that was your full time role?---Yes.

40

What about as a contractor?---No, nothing like that took place.

Right?---Sorry, are you talking about my contract, sorry - - -

Yes?--- - - - I'll get the timeline right, sorry, yep.

You didn't get, you didn't get any guidance in relation to your Code of Conduct at time you were a - - -?---No, not when I started as a contractor. Not that I'm aware of. As I said you asked me about pop-ups and so forth, I

couldn't tell you – when you get your Uni key and you log on, if there's a process – even today I wouldn't be aware of it. I can't recall.

You know that there are a number of policies available on the intranet?
---Absolutely.

Did you ever seek to inform yourself of what those policies were at the time you were a contractor?---No. I did look, I did look at certain policies that were more for day to day things, things like OH&S, things like Racial
10 Discrimination & Sexual Harassment, that sort of thing. PM&D's, Performance Management & Development, PIP's, Personal Improvement Plans, things that were more, more day to day type activities, yeah.

What about your, what about staff selection protocols or anything like that?
---No, not at all.

And what about University procurement policies?---No, not at all.

What about anti-corruption policies?---Again, I'm saying not at all, if
20 anything was sent to me I can't recall, but I'm saying I've never read anything like that, not then that's for sure.

Have you ever read them since?---Not that I can recall, no. I may have clicked on a link from time to time, if an email came, I probably would have opened it like everyone does I guess, skim through it, yep, it doesn't involve me so I leave it at that. I can't, I would not say that I've read anything, no and understood it, that's for sure.

Now this role that was being created for you that was a role which involved
30 the management of people and resources wasn't it?---The role that was created?

Yes, the role that was created?---Yes. It was for - - -

It was for the management of people and resources within the RTC?---Look
the, the, the title team leader resourcing was confusing to me, to be honest, from the beginning and I think it's been – and from what I've heard of these proceedings and even in my, my time at the University I don't think really
40 people understood what that encapsulated. If I may explain, if you like, my understanding of the role was pretty straightforward from where I came from and as far as I'm concerned my management and also Mr Pigot, that there was three streams of activity that I would be doing. One would be I'd be the primary driver for the role was to relieve the current TL's of all the daily administration issues that came with their job. They wanted them to focus more on technical requirements so I'd take all the administrative components.

TL's, team leaders?---Team leaders, sorry.

Okay?---Yeah, there was two team leaders at the time. That's one stream. The second stream would be to look after the resourcing, where the word resourcing comes in and that is just to make sure that we had enough people where we needed them around the place and people call in sick and move people around. And the third one would be my interaction with the shared services project at the time which was just about kicking off. But in that resourcing capability I would obviously deal with any day to day issues, so if a CSO had a problem that was not technically related, come and see
10 George, don't go bugging Andy or Tim Passe and we'll deal with it.

Right. Now I did put a question and it was maybe something that's an issue?---Sure.

It may be a question of emphasis. I said the position that was created for you, what I meant to say was the position was created that you ultimately filled?---Yeah, that's how I thought you said it.
Okay. I didn't mean to - - -?---That's okay.

20 Now the administration aspect of it - - -?---Yep.

- - - of RTC and taking the paperwork away from the team leaders - - -?
---Yes.

- - - and I take it from Mr Demiralay himself, was it part of your role to deal with IT recruitment firms?---Yes, that's right. It ended up becoming that, that's right.

30 Right. And when you started what was the policy in relation to the use of IT recruitment firms?---Sure, yeah, it was the same as was presented to me when Todd first introduced the role to me about coming for an interview when I had my options, that they had a list of two solid preferred agencies, RSG and Succuro. That's who they utilised and that's how it was inducted to me by Andy Apin, who was the current team leader and I worked very closely with him for the first three, four months in my role there. I learnt pretty much most things off him and off some other people you've interviewed here this week, Irma Torres and a few of the PA's and EA's over at G12 with Mark Pigot to learn what I need to learn on the job in that area, yes.

40

All right. So it was on the job training?---Absolutely.

And with regards to that on the job training you got no induction as to procurement policies did you?---Not in procurement, no. An induction was very informal, it was pretty much what I was told at the interview, what I've learnt off Todd before my starting and then from then on it was pretty much work with Andy, work with Tim Passe a little bit, but he was in a different

physical location to me and you just learnt as you went. If I had any questions I went and asked.

Did you – were you aware of any actual University formal procurement policies?---Not, not off the top of my head, no.

10 Did you seek to inform yourself as to whether any existed?---As I said, I was, I was inducted by Andy Apin. He was the resident expert. He'd been there for five years and he'd been doing what I was told to do. He was doing that apparently with Todd at the time, so I was pretty much imitating what he was doing, as in contacting RSG or Succuro if we needed anybody from a respective point of view of agencies and if there was any policies he would have shown me what I needed to know and if I came across something where I had to make a decision that involved anything in those areas, I certainly would have gone looking.

Now you said that you were with Andy Apin for three or four months?
---Yeah, we sat in the same office.

20 Right. And then, and then he moved on did he?---No, no, he was based pretty much at H08. We were relocated my core coordination team, that was one of the groups I was looking after as well when I started. And we relocated up to the Madsen Building at some point in '09. I can't remember the exact date. I could be wrong with the year too, but it was, yeah.

RSG?---Yes.

30 How many contractors did you recall you'd put through in any 12 month period through RSG?---The reason why I remember RSG 'cause that was my first appointment together with Andy when I started there. I can't remember how we did it, but we would have canvassed the two, the two agencies and, and I remember her name being my first, it was Kay Raveendrarajan, was the first person, I could be wrong, but that's what I've always had in my mind, that was the first person we put on through agencies. And we did that together and that's where I learnt all the drill about paperwork, recruitment confirmations and so forth through Irma Torres 'cause I was obviously taking notes for myself so I can understand the process going forward.

40 MR MORRIS: All right. And Succuro, when was your first contact with Succuro?---Well it would have been around that time, I'm guessing, when we first canvassed for that very first position with that Kay person I mentioned and we would have, I would have used them going forward every time a need came up, predominantly from the shared services project work. That's when we were pretty much, a resourcing need was identified.

So it was really the shared, shared resources unit that you were working with?---That's right. That was one of my three roles I mentioned earlier. I worked closely with those transition managers and as part of the due diligence for new faculties coming across, I was on, I was walking around the campus with many, visiting all the new faculties that were going to come across to ICT support and as part of the work they did one of it was an HR due diligence, they'd go in and the whole idea was is that you take the IT load off the faculty and the whole idea was no one would lose their jobs that the current IT staff employed by those faculties would simply come
10 across to ICT in a nice and controlled manner. A light interview just so we understood their skill sets and see if there was going to be potential issues. And what would happen from time to time those people would drop off and they, they wouldn't want to work for us, from what I heard and there'd be a need for a contractor to fill the gap until their HR issue was resolved.

Sorry, they wouldn't want to work with you?---Yeah, the staff, the staff coming across from the other faculties didn't want to work with ICT was my experience for probably 90 per cent of the time. They didn't want to have a bar of us 'cause they were afraid of ICT, they probably saw us as a
20 professional outfit, metric based, all the nice things that come with efficiency.

All right. Now when you first started there what was the percentage split between the two recruitment agencies?---Okay, yeah.

And we're talking 2008 here?---Yeah, look, I know, I'll have a stab at it. There weren't, there weren't, there was probably - I'm going to say a guess, half a dozen contractors from memory, I could be wrong. I remember there was definitely somebody there from RSG, no question about that. There
30 might have been another one, I can't recall, and there would have been three, including myself, probably four, it was in single digits for sure.

And when you say three including me, four?---From, from Succuro, sorry.

Right?---Yes. I'm not sure if there was another agency in there at the time, I, I'd I'd be guessing.

That's all right. Is that a convenient time, Commissioner?

40 ASSISTANT COMMISSIONER: Yes. Yes. We'll adjourn at this time until 2.00pm.

THE WITNESS: Should I leave this here? That's okay?

MR MORRIS: Just leave those.

LUNCHEON ADJOURNMENT

[1.00pm]