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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION TARLO

Reference: Operation E15/1982

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 12 MAY, 2017

AT 2.00PM

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

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

<EMAN SHAROBEEEM, on former affirmation

[2.06pm]

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Commissioner, can I make an application for a suppression order in relation to some of the things mentioned about Ms Selina Chen by the witness by virtue of the fact that it might go to personal matters relating to her psychological health, to prevent that being published.

10

THE COMMISSIONER: Yes. Mr Chhabra, anything to say about that?

MR CHHABRA: No, Commissioner.

THE COMMISSIONER: Thank you. Then I do make a suppression order in respect of just that part of the answer of Ms Sharobeem relating to Ms Chen.

20 **SUPPRESSION ORDER: EVIDENCE GIVEN BY EMAN SHAROBEEEM DESCRIBING AN INCIDENT WITH SELINA CHEN TO BE SUPPRESSED**

MR RAJALINGAM: May it please the Commission.

Ms Sharobeem, I'm going to show you volume 3, page 74. Ms Sharobeem, that top right-hand corner Post-it note, the writing, office outreach establishment, is that yours?---Yeah, it does look like it, but the number is not mine.

30

But the writing, office outreach establishment, is your writing, isn't it?  
---Yeah, the figure is not mine.

Yes. Page 80.

THE COMMISSIONER: I'm sorry, when you say the figure, do you mean the 9 with a circle around it or the money figure at the bottom?---Both of them actually, thank you.

40

Neither of them are yours?---Both of them.

MR RAJALINGAM: Page 80?---They're not mine, yeah.

Is the writing, STEPS to Employment Smith Family, also your writing, Ms Sharobeem?---Yes, it does look like my writing.

Okay. I'm going to take you to - - -?---But not the figure.

Sorry?---Not the figure.

Yes. So not the figure 904.60 with the underlined underneath it, underlined?---No.

Volume 1, page 225, sorry, 224 first. No, 223. I'm just going to show you three transfers. Is that a transfer on 17 February, 2012 at 1.39pm to your account for an amount of 2,500?---Yes.

10

Is that Neth's writing on the document that says, "Plus 289.86, 4 and the 861. Total 2,789.86"?---I don't know.

But it's not your writing, is it?---No, it's not.

But that's your initial on the transfer receipt, isn't it, at the bottom, a blue squiggle?---It's the squiggle which I placed, yes.

That's, that's your squiggle is it?---Yeah.

20

Yeah?---Squiggle, yeah.

All right. Page 224 is a transfer, a further transfer on 17 February, 2012 at one minute later for an amount of \$289.86?---Yes, I can see that.

All right. And there's no squiggle on this document. Do you agree with that?---It's enlarged so I don't see the bottom.

Take it all the way down?---No, there's nothing.

30

Keep going, keep going, keep going, keep going to the end?---There's nothing.

Nothing there?---Mmm.

I will show you page 225. Just hold it there. Do you agree that that's a transfer for 3 February, 2012, for \$1,868.56 - - -?---Ah hmm.

- - - to your account?---Ah, it's written here, yes.

40

Now, can you take, can you show the whole page, is that writing at the bottom your writing under the number 812?---Yes, but not the figures in black.

And the figures in blue writing appear to be your writing, don't they? ---Underneath, yeah. I'm just saying not the black ones.

The black isn't your writing but the blue is your writing, isn't it?---Yes.

And the word “wrong sum” next to the amount transferred is your writing, isn’t it?---Ah, might of, might of.

And does your – is your writing essentially a message to the then bookkeeper, Linda Yab?---Yes.

10 Does your message say, and is that a reference, it’s “Linda, your replacement bookkeeping was not up to my expectation and did many mistakes. This is one of them. I have to revise and pay the credit card immediately otherwise we will get interest. We shall talk.” And then do you sign off on that?---Ah hmm.

You remember writing that, don’t you?---It’s my writing.

You remember writing that, don’t you?---Remembering, no, but it’s my writing, of course I wouldn’t - - -

20 Do you agree that the figures underneath that writing are your, your writing? ---For my calculation, yeah.

You’ve conducted a calculation, haven’t you?---Must of to, to come up with a number like that.

You also, it’s also your writing on the right-hand side saying, “Not correct, please revise calculation,” and you’ve again - - -?---Yes.

- - - squiggled it, haven’t you?---Yeah.

30 Haven’t you?---It’s written here, yes.

All right. I’m going to take you through each page of receipts that have been submitted in relation to this transfer and I’m going to have a look at the – don’t look at the – you can look at the receipts if you want, but look at the other writing on the pages. Page 226, the blue handwriting is yours, isn’t it? ---Mmm.

40 Don’t you in this page essentially suggest the figure 656.98 is wrong? ---I think so.

Yes. Next page. Don’t you suggest on page 227 that the figure there of 212.66 is wrong?---Yeah.

Next page. Page 228. Don’t you say that the figure 462.13 is wrong? ---Yeah.

Next page, 229, don't you say there that the figure 36.79 is wrong?---Ah, the figures mentioned in the two of them, I wrote wrong but I didn't write the figures.

If you could go through the pages up to page, hold on, 237 very slowly. So, Ms Sharobeem, you tell the investigator when you'd like him to turn the page after you've had a look at the receipts.---Okay.

10 Do you need any other – more time to look at the receipts I've just shown you, do you want to start from the beginning or can we proceed forward?  
---All right.

We'll proceed forward?---Yes.

Okay.---Sorry, should I say forward? Okay.

Okay. So 230, is this – have you seen – have you looked at this document, page 230?---I can't see any other writing, yes.

20 Yeah. Next one. Do you agree there are some receipts there?---Yes, there is some receipts, there are.

Yeah. The next one. Do you agree again there are some receipts there?  
---There are some receipts, yeah.

It's hard to say what the bottom left-hand corner receipt relates to. Do you agree with that?---The bottom one which starts with customer copy?

30 Yeah.---\$35. No.

Yeah. Next page. Some receipts that you can't really see on that page. Do you agree?---I can see the receipts here, yes.

Have you had a chance to look at those receipts?---In details, no, but I just agree there are receipts here.

Yes. 234. Again receipts?---Yeah.

40 235. Receipts.---Yes.

236. Receipts you can't see. Agreed?---Very bad copy, yes.

Yeah. But can I ask you then, you've gone through this process here of considering each receipt haven't you to create a message for the bookkeeper?---I think I'm considering the calculation more than the, than the receipt itself.

Okay.---That's to my understanding.

Well, let's go back to page 228. Isn't that a calculation of receipts in a bundle essentially, Ms Sharobeem, the number that you've written?--- Maybe that's what she gave me to calculate when I felt that the amount reimbursed to me is not right.

All right. Page 237. Do you see the top receipt?---Yeah.

What's it for?---It's a refund. It's written here refund.

10

I assume - - -?---Isn't it?

- - - that in process of creating a message to the bookkeeper about how inept she was that you went through the receipts didn't you?---Not one by one. I believe I went through the numbers to calculate but here the word refund caught my eyes when you enlarge it.

How did you – how were you able to calculate the total of receipts, Ms Sharobeem?---So definitely there was a mistake in the calculation here.

20

Yeah, and the way you found out there was a mistake in the calculation wasn't it by calculating the total amount on the receipts?---Yeah, I looked at the total amount of each receipt.

Yeah. You must have known when you looked at this receipt that it was a receipt for a refund didn't you?---If I would notice I would take it off of course.

30

But you didn't. You left it there and you asked Linda the bookkeeper to reimburse you for that amount didn't you?---That's absolutely human error, sir. I wouldn't do such a stupid mistake intentionally of course.

You brought on 21 January for \$127.50 a Cue – no, some sort of dress, women's wear and you got a refund for it. Why did you buy the dress and submit it – submit the refund receipt for reimbursement?---So I bought the dress. I put the refund receipt to be reimbursed?

40

Well, that's what's there isn't it?---That's an absolute mistake. Absolute mistake and it's so silly even. I mean who would do such a thing except it's a human error. It's just obvious.

Well, you're being quite forthright with Ms Linda Yab aren't you in your message about how she wasn't able to calculate the figures well? ---Messages like that when it's written with this attitude definitely indicate that I was trying to use my credit card and there wasn't any sufficient money. That's why I went back and saying why the money wasn't there.

You were upset with her?---I never upset with anyone, but I just ask people with figures to be careful because I don't review and I don't relook. I give them the task and they do it.

You were angry with her for reimbursing the wrong sum, weren't you?---It's written here that I said it's a wrong sum, because I miscalculated. But why didn't she calculate again and look at the refund and remind me? This is not my job.

- 10 You told her that she did many mistakes in calculating these reimbursements.---No, I said the other person who replaced her did the mistakes. That's the message, isn't it?

No, well, let's go back to the message 225.---Yes, please. That's what I understood. I'm sorry if I'm wrong, but let me read it again.

- 20 The message is fairly clear. There's absolutely no ambiguity to it.---Can, can I read it again? I thought I'm saying your replacement make mistakes. Yeah, your replacement bookkeeping wasn't up to my expectation. The replacement of her, the person she nominated to do the work when she went to China to see her husband. So it's not her.

Ms Sharobeem, it's a note to Linda, isn't it?---Yes, I'm saying to Linda your replacement bookkeeping wasn't up to my expectation and did many mistakes. I'm talking to Linda about her replacement.

Who was her replacement?---She got as a friend when she wanted to go and see her husband in China.

- 30 What was her name? I don't think who she is is very relevant. What was her name?---No, I can't remember. But of course you will have her on the books.

All right. She was a bookkeeper, wasn't it?---The other person. Yeah, it was Linda's friend.

Your message here is about bookkeeping skills, isn't it?---Yeah, for the replacement of Linda.

- 40 So who cares who the bookkeeper is? You're raising in this message - - -? ---Yeah.

- - - that there was a mistake in the calculations of the figures, correct? ---Yes.

So that means you must have gone through each receipt meticulously and calculated the figure.---Not meticulously. All what I say to her here is they did a mistake in the calculation. I didn't receive the money fully. There is

money owed because I went to the bank and I didn't find money in the credit card.

You were well aware of what finances you had in your bank, what money you had in your bank, weren't you?---No, not always. No.

You knew what you had in each of your accounts, didn't you?---No, not always. No. And this is not a mistake that I need to apologise of. I was doing overall everything, and everyone else doing their job.

10

That's not, frankly, that's not responsive.---Sorry?

Page 243. Can I ask you, in 2012, just before you go to 243, what vehicles you were driving?---Mmm.

In 2015, 2014, you've told this Commission you purchased a Honda City sedan for NESH. You purchased a Jeep, Land Rover Discovery for IWHS, and also on the side there was a purchase to Mr Hammo for the Mercedes. ---That's not true. If you're asking me about the organisation, the organisation - - -

20

No, no, no.--- - - - had, which I'm responsible of is IWHS, and it has Land Rover. Mentioning my husband's car, it's not really necessary in your statement, sir.

Prior to - - -?---And also NESH is not my responsibility. I was a chair.

Before you had the Land Rover Discovery for IWHS - - -?---Mmm?

30

- - - what sort of car were you driving?---To my recollection it would be Honda. To my recollection, I'm sorry. Again, please, you have every document.

What did you trade in for the Land Rover Discovery?---Quite honestly, I can't really remember except the word Honda, if I'm not mistaken. I think so.

Was that car registered to you or the service?---All the service cars are registered for the service.

40

Was it registered in your name?---All the service car registered for the service.

In your name?---The service. IWHS.

Well, I'll take you to page 243. Do you agree that that's a transfer to your account on 17 February, 2012 for \$792.26?---Yes, I can see that.

Okay. We turn the page. Now that – this is a transfer that was made in February 2012, and the one I took you to before was also dated 17 February, 2012 but included a transfer also on 3 February, 2012. Do you understand that? The one with your writing on it.---Sorry, sir. I'm just reading. I didn't get a chance to hear you. My apology. I'm just reading which car is that.

Is that your writing on the AAMI form?---Yes, it's my writing and that's, well, if I'm saying "Hi, Linda", this should be Linda's writing.

10 Which one should be Linda's writing?---I'm just trying - - -

The bottom right-hand corner?---No, I am not recognising, I'm not recognising her writing.

Okay.---I'm just saying if I'm addressing it to Linda. But I'm sorry, okay, no, sorry. Keep going.

20 So the car is insured in your name, isn't it?---It should be insured in my name, yes.

Was it the work vehicle or your vehicle? Simple question.---No, this is personal vehicle. That's where the confusion came from.

So the Honda, the 2004 Honda is a personal vehicle, isn't it?---This is my personal one. This is not the organisation. And that's a mistake for sure if I'm asking Linda to reimburse.

30 That's your writing. You're asking her to reimburse you, aren't you?  
---That's absolutely wrong.

Page 272. Can you read that note aloud, please?---"Linda, this receipt for 8,990 was paid by my personal Visa to the handyman who established a new service for multicultural mix older group in Bankstown. The amount would be reimbursed by the department to IWHS in the next two months. Please manage the reimbursing to my Visa."

Do you know how to spell "reimburse"?---Well, I - - -

40 How do you spell reimburse?--- - - - don't, out of my head, okay. R-e-i-m-b-r, ah, e-r-s-e.

That's wrong.---Okay.

And you spell it incorrectly in this note, don't you?---All right.

And it's clear that you write this note, don't you?---Yes, I'm quickly writing, that's right.

It's clear you are referring to the credit card receipt, top right-hand corner, for an amount of \$8,990, isn't it?---Yeah, that's what it's indicating here.

You're suggesting to Linda that the receipt relates to handyman work done at the Bankstown multicultural outreach, some sort of centre, aren't you? What are you saying to Linda in this message? You tell me.---It's written. It's clear that there is money spent to establish the service, and we need – I need to get reimbursed.

10 Where was the money spent at Bankstown for the elder group? What happened? What did the handyman do for \$9,000?---When we established the group, we were utilising an old church in Bankstown. It was corner of Stanley and - - -

What did he do? What did the handyman do for the money?---Well, definitely did some work but also I would expect this is only, not only for the handyman but for the other things we bought to prepare the service.

20 You accept that your note does not refer to anything apart from the handyman?---That's right.

All right. Which centre do you say you were upgrading?---When we started in Bankstown, as I was saying, it wasn't the community hall. We started at an old church in, corner of Stanley Street and another street.

What streets, Stanley Street and what?---Stanley Street and another street but I can't remember the other one.

30 We'll Google some churches in Stanley Street in Bankstown?---It's a Baptist Church.

You never upgraded any centre in Bankstown, Ms Sharobeem, isn't that right?---No, we did actually purchase stuff for – but I can't remember what's this receipt for.

The transaction was processed on 18 April, would you agree with that, 2012?---Yes.

40 If you go back to page 269, do you agree that what's on page 269 is a transfer to you, to your account on 4 May, 2012, for \$2,000?---Yeah.

Next page. Is that a transfer to you on 5 May, 2012 - - -?---Yeah.

- - - for \$5,000?---Yeah.

On 6 May, 2012, is there another transfer to you for \$1,990?---Yeah.

Are you the handyman?---I'm not working as a handyman.

I'll take you to volume 4 of the reimbursement brief allegation, page 26. You know, don't you, Ms Sharobeem, that this money was used to purchase a Classic Club Holiday membership and membership points, don't you?  
---We purchased this for the organisation. I purchased the - - -

Oh, that is rubbish. What were you doing purchasing holiday club memberships for the Immigrant Women's Health Service, Ms Sharobeem?  
---Is he allowed to call me rubbish?

10

MR CHHABRA: I object, Commissioner.

THE COMMISSIONER: No, he didn't call you rubbish.

MR CHHABRA: I object, Commissioner.

THE COMMISSIONER: He's, yes, yes, it's, yes, that's not appropriate, Mr Rajalingam.

20 MR RAJALINGAM: Ms Sharobeem - - -

THE COMMISSIONER: Could you, but could you answer the question?  
---Can I please hear the question appropriately?

30

Well, the question is, why were you spending nearly \$9,000 on this holiday package?---I was in Queensland for a conference and I met this company who actually offered me and proposed the idea of buying holidays cheap for women when they knew where I work and that's why I bought it and I offered it to a couple of women but the circumstances didn't allow. This organisation, this money is exactly what I do every year, at the end of the year I buy something for the organisation, similar to the massage chair. So at that year I bought actually the holiday package and it was used once and it was used by me just to experience what happened and I paid for it but the idea is to buy a week of holiday for a woman and her children worth \$400 only or something, and that's the whole thing, and it's actually owned to Immigrant Women's Health, not me.

Was it used for that purpose?---Sorry?

40

Was it used for that purpose, did you - - -?---I didn't get a chance. Actually I offered it to a couple of women after that, one of them from, now I remember, from the breast cancer group and she actually took it and I believe she travelled, if my memory collection [sic] is right, I believe she travelled, but it was similar to what the Breast Cancer Council did, I did, which is offering women a holiday at the end of the year.

So the money came into the organisation, did it?---The money?

The money, the, well, the credit for the holidays came to the organisation, it has never been disbursed. Is that right?---No, there's no money coming to the organisation, when we have the membership, then women can travel with cheap fare, not fares, cheap accommodation, so we got something called hot deals, I didn't get the experience for it that much but I bought it for the organisation so women once a year or if we do a raffle ticket or something can get a week with their holiday with their kids.

10 But you used it yourself once?---I just wanted to know the steps and what's happening.

And how did it, how did you use it, you got - - -?---I bought a week. You then buy weeks and the week would be \$400 or something so it's very cheap. That's full accommodation and that's why I got it. It's similar to the massage chair or other thing I do to upgrade the centre every year.

20 But you're only aware of one person who actually used it?---Because of the time and after that I got – I mean year '14 and '15 I wasn't really well to look after anything and year '13 I offered it to a woman.

MR RAJALINGAM: When did you go on a holiday using the Classic Club membership?---Maybe year '14 or '13.

Do you agree that the - - -?---Or '12. I can't remember.

- - - Classic Club holidays, if we bring up page 26 of volume 4. Is that the deposit of \$500 – sorry, a payment of \$500 you made to become a member of the Classic Holiday Club?---Yeah.

30 Next page. Is that the settlement for the 40,000 points you purchased?  
---Yes.

Next page. Is that your signature at the bottom?---Scribble.

Next page. So it expires on 4 April, 2015 you agree?---Yes.

You are referred to as Dr Eman Sharobeem. Correct?---My title, yes.

40 Next page. What did you need a password for in relation to this membership?---To log in - - -

To log in to what?--- - - - online to check the packages they advertise.

Next page. Next page. Next page. Is that your signature?---Yes.

Next page. Pardon me, Commissioner. Page 38. Does this confirm that on 26 April 40,000 points were transferred to you essentially?---Yes.

Next page. You accept Mr Hammo had authority to use your account?  
---Yes.

Yeah. Next page. Sorry, go back. You're the member aren't you, Eman Sharobeem?---On behalf of the organisation, yes.

There is no reference to the organisation there is there?---All right.

10 Do you agree with that?---The PO Box address is the organisation address.

That wouldn't indicate to Classic Club that it was an address related to the Immigrant Women's Health Service would it?---They have my details over there.

All right. Where did you go on your trip using Classic Club holiday points?---Not the points. I paid for my holiday and it was Queensland.

20 Whereabouts in Queensland did you go?---Not very familiar. What's in Queensland. Not Brisbane. Surfers Paradise.

And how long did you stay in Surfers Paradise?---One week. It's a week.

Where in Surfers Paradise did you stay?---I can't remember.

Do you know if it was near the beach?---Maybe.

Was it in a hotel?---Yes, in the hotel.

30 Was it on the top floor, bottom floor, middle floor?---No, I can't remember.

Do you recall the type of room you were staying in?---Just a room.

Who were you staying there with?---No-one. I can't remember. Sorry, it was after my wedding, so it would be in '14, in year '14.

Who was with you?---My husband.

40 Who else was with you?---No-one else.

Are you sure about that?---I think so. No-one else.

Page 299 of volume 1. Is that a transfer to your account on 22 June, 2012 for \$998?---Yes.

Is your initial on the transfer receipt?---Yeah.

Page 300. Is that again your writing at the bottom?---“Hi, Linda. Car rego is done.” Yeah, that’s my writing, not the - - -

Are you instructing her to reimburse you?---Yeah.

Page 301. Do you accept that that payment confirmation relates to the amount on the previous – sorry, that confirmation relates to \$539, would you agree with that?---I don't know which car is that.

10 Yeah. It’s in relation to the CTP, the green slip.---Of which car?

Well, I'm not sure but we’ll find out. Next page. Does that relate to the Honda?---The Honda in 2012, we used it, oh, here it is. 2011 Honda. Yes, that’s the work car.

And that’s the work car for Immigrant Women's Health Service, isn't it? ---At that year, yes.

Page, volume 2, page 38. There’s a transfer on 26 November, 2012.  
20 2,884.31, isn't it?---I can see the document.

Page 39. That’s your handwriting again, isn't it, calculating figures?---I believe, I believe so. Not the bottom ones.

Page 40. Bijoux, B-i-j-o-u-x, what is that?---Where is that?

Do you know what it is, Bijoux, B-i-j-o-u-x? It’s a shop.---Where is it?

It’s the first receipt on the top left. It’s at the airport.---Can you just move  
30 the mouse just around to point it?

There you go.---Okay. Yeah?

What's that relate to that’s got to do with the service?---Yes, I bought actually three watches from there for the bingo games at that time, I believe, because it was \$10 each.

How much?---\$10 or \$15. I didn't even look at the amount.

40 Page 42. There’s a \$750 receipt there isn’t there?---Yes, I can see that.

And page – so you see that one is dated 11 – go to the next page, page 43. There’s another receipt for \$500. Can you see that, the bottom right-hand corner and if you just go – zoom in to that receipt. Look at the top right-hand corner you get a terminal ID. Do you see that terminal ID?---Maybe it’s clearer at your end.

And go back a page. Can you zoom in to that receipt for \$750.---Yeah.

Do you see that terminal ID?---You can see it better at your end.

Okay. Now, just get a picture of that in your head. Have you got that?  
---(No Audible Reply)

Turn the page.---Ah hmm.

10 It's the same terminal ID isn't it?---So there is just two receipts, one for 500,  
one for 750.

Yeah. So would you agree they both come from the same place because of  
the terminal ID?---If you say so.

All right. I'll take you to volume – so you see there's 500 and 750.---Okay.

I'll take you to page 78 of volume 5 of the allegation brief. Just wait. You  
agree the receipts you were shown were cut receipts don't you?---That is - -  
-  
20

So again back in 2012 you were submitting credit card receipts from Lily  
Room Cosmetic Medical for Botox and Juvederm weren't you?---I never  
submitted any personal receipts. I never submitted any receipts. It was  
always left on my desk and I never cut anything.

The Juvederm is a non-surgical lip filler isn't it?---I don't know.

Yes, you do. You purchased it didn't you, Ms Sharobeem?---No, I don't  
know and - - -  
30

That's your name on the invoice?--- - - - don't try to twist my words.

Is that your - - -?---I don't know which means I don't know.

Is that your name on the invoice?---Yes, and this is personal. It shouldn't be  
subject to being here. I'm sorry, sir. This is personal. It was paid by  
mistake and I didn't submit it. This is personal. Which organisation would  
pay, which, which bookkeeper or auditor will pay for that?

40 THE COMMISSIONER: Can you tell me this, why did you put personal  
receipts on your desk at work and expect somebody else to go through and  
sort out what was personal and what was business?---I didn't put the  
personal ones by mistake. The attitude as I said to you, sir, and this is  
honestly, you can ask people about it. Everything happens is when I go and  
do any purchase I take all the documents back to my bag and when I go  
back to work I emptied. I didn't have disc at home. I didn't have any place  
at home to relay to. Including my own personal invoices I used to take it to  
me to work. That's the exact truth. That could be naïve. That could be

messy. That could be crazy but this is the truth and you ask me to be truthful.

Okay. Thank you. I understand the answer. Mr Rajalingam, before we go too far past it, that refund document that you - - -

MR RAJALINGAM: The refund receipt?

10 THE COMMISSIONER: Yes, that came up earlier. Could you go back to that.

MR RAJALINGAM: Yes. Page 223 – page 237 of volume 1. It's the top left-hand.

THE COMMISSIONER: Is that a document that has had a bit cut off the top of it?

MR RAJALINGAM: Yes.

20 THE COMMISSIONER: You can see that there's something missing from there?---Yes.

Now, that I think you said was at the time that Linda's replacement was there as the bookkeeper?---I'm not sure if that's – yes, yes, sorry, yes.

Mmm?---Yes.

30 So is it suggested that it was Linda's replacement who cut the bit off the top of it?---No, I'm not really suggesting that, but after leaving the documents or the receipts on my desk I don't see it again - - -

Mmm?--- - - - until they bring it back in a folder and they ask me to initial the, the page, which I always initial.

Mmm?---So I don't look back at the supporting document.

Okay?---So I don't know what's in it or how they organise it.

40 So there are really two mistakes there. One is putting it out at all in the bundle - - -?---Absolutely.

- - - because it was a refund?---Absolutely.

And the second mistake was in when you were checking through, as you did, about calculations, you didn't identify it as a refund?---At all, which actually indicate how clumsy I was, and not only that, but running with limited amount in the organisation credit card and using my own confused me a lot with a lot of things and I tried and had a couple of attempts to go to

St George Bank with the chairperson, Audrey Lai, in presence of others to say, please raise the amount for the credit card and St George refused. And you can check that.

Okay. No, I understand what you're saying. And while I'm asking a question, the other matter was in relation to the \$18,000 for the Mercedes? ---Yeah.

10 And you've indicated that that was a mistake, that you simply used the business, the money from the business in order to get a bank cheque to pay for it. The car was purchased at the end of December or the beginning of 2015. The auditors picking up on that was in September 2015 I think, so that there was a period of nine months - - -?---Yes.

20 - - - when you had, you and your husband had funded the car, which was worth \$35,000, and you were unaware of the fact that \$18,000 was in your bank account that shouldn't be there?---I would, sir, encourage the Commission to look at my account, how many times I logged in during those nine months into my account and to see exactly that maybe would be two to three times, and to get into the account and see the details of each account you need to go into it. If I logged in into my personal account it's only because I needed to do some payments so I would go to pay someone or pay anyone and I would do it.

I understand?---So it's my oath that I didn't check it.

30 I understand?---And as soon as I knew, immediately, and it was a few hours during the night before I travelled, I paid the amount in full because, sir, the logic is that anyone would look at the paper and find payment made to Mercedes, that's not logical to have in an organisation as a charity. Not only that but people would say, Eman, where is the Mercedes. The, the, the simple thing the auditor would say, Eman, where is the Mercedes?

40 Yes, well, the auditor did say that. But can you just give me an idea, did you have so much money coming into your account and your account of your husband that \$18,000 was not a significant amount of money? ---I don't have any access to my husband account and never did, and with my account I don't even check it once. I had a policy which I told everybody, including Nathan Boyd to learn it, that we use the credit card and the credit card get reimbursed to the full by the due date so we don't accrue any interest and that's what I was doing.

But in the meantime you were, presumably hadn't actually paid any of your funds or your husband's funds for the \$18,000 for the Mercedes?---At that time, no.

Didn't that occur to anyone that \$18,000 hadn't been paid?---No-one draw my attention at all, including the bookkeeper. This is why she's employed.

Whoever in that seat, it's supposedly to look at all the accounts, look at all the receipts and get back to the person and say, "Why is this bought? Give me explanation."

But nobody, in talking between you and your husband, said, "Well, we still haven't paid that \$18,000 for the Mercedes"?---Because I didn't even know or – not know, remember or check my mind for once that the wrong cheque was used.

10 Okay.---For once.

All right. Thank you. Sorry, Mr Rajalingam.

MR RAJALINGAM: Thank you, Commissioner. Ms Sharobeem, do you accept that from at least – for a number of years when you were working at the Immigrant Women's Health Service you were, as you said in your evidence earlier, spending and getting receipts reimbursed?---Spending and getting the money back, yeah.

20 Okay. I'm going to focus on the year 2014. And if you recall, I took you yesterday to a number of reimbursements that started at March 2014. Do you remember that?---Yes.

And then I went, I think, to May 2015.---Okay.

So what I'm going to do, I'll do the same thing again.---Okay.

All right? Volume 9, page 1. But this time not reimbursements. I'm going to ask you about facilitator invoices, okay?---Okay.

30

Volume 9, page 1. And what I'm going to do is I'm going to give you this calendar, and I've got my own calendar here. And I just want to be sure that we're talking about the same thing, okay?---Sure.

Is that a transfer made to you on 14 May, 2014?---Yes.

A transfer of \$3,780, correct?---Yes.

40 Page 2. Go back a page. I think there was one before that. Oh, no, page 2. That's your writing, isn't it?---That's right.

And Emma Adly, you've already accepted, I think, is you?---I actually said it's me.

Yes.---Yes.

That's your handwriting, correct?---That's right.

And it's your, your name next to a signature?---Ah hmm.

And your signature at the bottom, or a squiggle - - -?---Yes.

- - - made by you, isn't it?---Yes.

All right. What I'm going to ask you to do is, this facilitator invoice would you accept relates to 5 November, 2014?---Yes.

10 All right. Because you don't the year in that.---Okay. No, it's not written here.

But you're reimbursed on 14 May, 2015?---Yes. Yeah, yeah, yeah. Yeah, that's fine.

Sorry, go back a page. You're reimbursed on 14 May, 2014.---Yeah.

So I take it the work was done prior to that?---Ah hmm.

20 So that would, I'd infer, next page, that the date 5/11 relates to 5/11/14, right? 5 November, 2014?---Okay.

All right. If you turn the calendar to 2014, second-last page - - -?---Ah hmm.

- - - I'm going to give you a yellow highlighter.---I have my pen.

No, no. I'm going to give you a yellow highlighter.---I don't need it, thank you.

30

I'm going to ask you to do something for the record, Ms Sharobeem. Can you highlight in November the 5<sup>th</sup>, 7<sup>th</sup>, 12<sup>th</sup>, 14<sup>th</sup>, 19<sup>th</sup> and 21<sup>st</sup>?---5<sup>th</sup>, 7<sup>th</sup> - - -

All the dates on the invoice.---Oh.

So look at that.---12, 15, 19, 20.

And you do it. I'm not going to put the words in your mouth.---No, no. It's - - -

40

It's there. It's clear.---14, 19 and 20. 31? No, there's 21 obviously. 21.

21.

THE COMMISSIONER: 21, yes.

MR RAJALINGAM: And do you agree that you've said there that you worked six hours per day from 9.00 to 3.00 on each of those days?---That's what's written here.

And the total amount is 1,260 that you're seeking payment to your account, correct?---That's right.

10 Page 3. That's your diary entry for 21 November. I'm showing that to you in fairness to you.---Ah hmm.

And it's - - -?---That's November '13.

Oh, that's, no, that's 2013. That's not right. Yeah. Next page. I'm going to take you to page 26. I think one of the transfers from 2013 has gotten into the 2014, brief, all right? Page 26, is that a transfer for 8 May, 2014 at 5.38pm for \$4,830?---I can see that.

20 Page 27 is the facilitator form. Do you agree that it's actually you submitting that form and it's for work done?---Yes.

All right. Can you highlight, and I assume that's for 4 November, 2014. ---Ah hmm.

Can you highlight those days in yellow, the dates 4, 5, 11, 12, 18, 19, 25 and 26.---No, I don't think it's November. I think it's January.

30 No, I think it's January. You're right. Absolutely right. Yeah. It is January so if you could please highlight January. Have you already highlighted November?---The one you just said, yeah.

Yeah. For this form?---No, no, no.

Let me have a look at your form. Let me have a look at your calendar. ---No, no, no.

You haven't?---I'm highlighting January.

40 January. I see. Okay. Good. Sorry to have potentially misled you, Ms Sharobeem, but I was confused by the last entry.---Yes.

All right. You accept that you have claimed for every weekend in January in that form?---I can see that.

You have claimed for hours between 9.00am to 3.00pm. Do you agree?---I can see that.

I'm going to take you to page 28. What that is, Ms Sharobeem, is an analysis of your mobile phone and where it was registering with the various sites, cell sites, mobile phone cell sites.---Mmm.

And it shows roughly where your mobile phone might have been.---Mmm.

The cell site indicates you are at Westfield Parramatta at 1 o'clock on 4 January, 2014. Would you agree with that?---Sorry, where should I look?

10 Well, if you look at W, space, F-L-D, space, P-M-T-T-A.---Yes, I can see now.

Do you see that. It shows your phone, and your number has been redacted. I can show you the full copy if you like.---No, it's all right.

It shows Westfield Parramatta doesn't it?---Yeah.

20 You accept that that document would not suggest that you were at the Fairfield centre wouldn't it?---What do you want me to say. Don't, don't know exactly.

You were at Westfield weren't you on 4 January, 2014?---At this particular hour?

Yeah.---My phone is saying that I was there, yes.

Yeah.---Yeah, yeah.

30 I'll take you to page 31 and I'll show you some more documents.---Sure.

All right. \$49.90 was a transaction you made on 4 January, 2014 at 1.16pm. That's the receipt for it and you've sought reimbursement for that receipt. ---Okay.

So you were at Parramatta Westfield at that time at Perfume Forever and you spent \$15. You weren't working as a facilitator were you on 4 January?---Is it my time to reply?

40 Yes.---All right. All the invoices for the reimbursement either for myself as a facilitator or the hours which Charlie or Richard did and work with us, the three of us, it does not respond to the hours which has been already made. What happened is I would be working in different places. I will be – also the boys working but then I don't put the invoices at the right time and then I come to a time where I am reminded by the bookkeeper or reminded that I have to put the invoices because of the cycle of funding so I put it all, get a calendar next to me and try to allocate the hours like that. So it doesn't really respond to the actual hour the service was provided and this is not in common – this is very common also in our sector that sometimes facilitators

don't present any at all invoices in certain months and then they come at the end of a term, three months or six months and they present it all. So it's, it's a common practice we know.

Do you agree that the second receipt shows you at Goldmark Parramatta at 1.23pm, on 4 January, 2014?---Same explanation, Commissioner.

10 Sorry, 1.23pm. Next page, at 1.51pm you were at Galaxy Fashion Accessories and you spent \$14.94, didn't you, on 4 January?---The same explanation, Commissioner.

And what is that, I don't understand?---I just explained.

But how are you going shopping at Parramatta Westfields and claiming for facilitator fees and claiming money from the service, how are you doing that?---I just explained.

20 I didn't – can you explain that again?---Oh, sure. By the way, 4 January would be holiday still and the organisation is not working, so if I did work and bought this stuff, this is actually should be in my own hours, but I'm just going to say what I said to the Commission again in maybe different terms. It is very common in our sector that we work and then we put the invoices in other time. So we do for example six hours here or eight hours here or two hours here and then we put the invoices to represent the hours, it's not necessarily representing the actual hour that you deliver the service. Sometimes the service, in these cases as a facilitator for these two programs, was a phone call I spent with a client for more than an hour talking about the problem encountered in delivering something.

30 I understand. I didn't hear you correctly the first time, but you're saying that you put in work for hours that you have worked, but not at the same time, there might be a different time that you put in the invoice. Is that what you're saying?---That's, that's correct.

Would you agree that at 2 o'clock on 4 January, you were at Million Roses Parramatta?---Um - - -

That's the credit card receipt you've submitted - - -?---Okay.

40 - - - for reimbursement to your account - - -?---All right.

- - - for an amount of \$80?---Mmm.

Next page, 2.33pm, so this is past your lunch break?---Ah hmm.

Ping Dings. What's that?---(No Audible Reply)

What's Ping Dings?---We can look it up.

You don't know what it is?---No, I can't really - - -

We'll find out. Page, so the receipt below that shows you at Westfield Parramatta 3.13pm?---Yeah.

Do you agree with that?---Yes, okay.

10 All right. Page 34?---And we were going to start the service again at that time, yeah.

Was one of the days you highlighted on your form - - -?---Mmm.

- - - your calendar, 25 January? I think it was, wasn't it?---25<sup>th</sup> is highlighted, yes.

20 Yes, yes. So Ping Dings I'm told is a fashion shop. Do you dispute that or do you agree with that, does it ring a bell?---No, if you already search it, yes.

So you agree with that?---Yeah.

All right. The page 34 diary entry, that's there for you, in fairness to you, to tell you, well, you know, if you say you were at the centre you might have put it in your diary, but if you say you were somewhere else you might have put it in your diary. I've shown it to you, haven't I?---Sure.

30 Okay?---But it's not necessarily that I'm at the centre, no, I, I wasn't really writing everything, I just write what I need to do or reminder of a meeting or to call people.

So there's no point in me showing you diary entries to you?---Well, it's up to you really, I don't know where you're getting at.

Page 54, you agree that you circled the date for 25 or you highlighted 25 January, 2014?---Yeah.

40 Page 54 shows you, so that's page 54. Do you see there on 25 January you went to Canberra I think, do you remember that? It's close to Australia Day?---Yes, I was there working.

What were you doing at Canberra?---Not Canberra, to Cooma.

Cooma. What were you doing in Cooma?---I was there representing Australia Day to the community and doing my goodwill.

Okay. You were being paid as a CEO for the IWSH, weren't you?  
---Of course.

So why did you claim facilitator fees on 25 January?---The same explanation I just gave you, sir.

Why? You're getting paid double, why is that fair, Ms Sharobeem?  
---Why double?

10 You're getting paid for facilitator fees and you're also getting paid your salary, aren't you?---Do I need to explain this again? Maybe I didn't make myself clear. 25 January I travelled there and did my work as Australia Day ambassador. If the date is written as a facilitator, as I said before, it doesn't represent the work I did as a facilitator because we just put the dates to mark the hours to get paid, as I also said the same thing about the other staff at the organisation. I think I, maybe I didn't make myself clear. Do I need to say it again, sir?

20 THE COMMISSIONER: No, I think I understand what you're saying, but are you really saying that you would put in claims for being a facilitator on days that you didn't work as a facilitator at all?---If you will look at the whole diary or the number of invoices I put as a facilitator you will find that for many many month I wouldn't put anything and then I would go and scam them all in one month or so and put the hours quickly.

So there was no accuracy about this at all?---The, no. The accuracy is the service was provided but I didn't get the chance always every time after providing the service to get the invoice and put it.

30 Where's the record of that though in terms of the business as such, the record of how many hours you worked as a facilitator and which days you worked and how did you work it out? I mean if six months later you hadn't put anything in, did you remember all that from the past and then put it all together?---I would look at the evaluation of the programs we did or the other record I provided to the funding body, which is an important one for me which is the three month delivery report and the six month delivery report and from there I would know the hours and then I would calculate the hours and try to get myself paid, all the other workers as well. That's how we used to deliver it, even if it's clumsy, but I was running everything.

40 It's also very time-consuming I would have thought.

Yes.

MR RAJALINGAM: Yes, thank you, Commissioner.

Page 35 of volume 9. Pardon me. That's a transfer on 7 May, 2014, to your Emma Adly, namely yourself, for \$4,500 isn't it?---Yeah, I can see that.

Yeah. Next page. 40 minutes later a transfer of \$500 is made to your account. Correct?---I can see that.

But you've put the name Emma Adly instead. Correct?---Yeah, I can see that.

Next page, 37. Now, that relates to – that's your invoice, isn't it?  
---It is.

10 Your handwriting?---My handwriting and my signature.

I see, yeah. Can you highlight in yellow, 13 January, 15 January and so on, those dates?---But it's the same thing, sir. Do you want me to highlight it?

What do you mean, it's the same thing?---It's the same principle of just putting the dates - - -

Yeah, I want you to highlight it, yes.---Sure. Yes.

20 Have you done that?---Mmm.

You agree that you've claimed every Monday, Wednesday and Friday in January 2014 in that invoice?---Yeah, I claimed hours.

And you've claimed for hours worked between 9.00am and 3.00pm?  
Namely 10,000, sorry, 1,080?---Yeah, I claimed the hours.

Page 38. That's again a cell site data table that's been prepared by this Commission.---Ah hmm.

30 Based on call charge records of your phone.---Ah hmm.

It shows you at home, doesn't it, for the hours you're claiming?---That's, it's not here. Maybe another page. We're talking about 20 - - -

Sorry, for 17 January - - -?---Mmm.

- - - it shows you at [REDACTED] from 1.00 up to 9.40.---Mmm.

40 And then from 1 o'clock onwards you're back at [REDACTED] aren't you?  
---It's the same explanation provided to the Commission.

Yes, I understand the explanation but do you agree that this document shows you at [REDACTED] at 1 o'clock?---Thank you for the document. I stand by my explanation.

I'll show you page 42. On 17 January there's a Caltex receipt. Don't worry about that one. 4.04, you're at Parramatta.---Yes.

And you make a purchase at Myer. 17 January, 2014.---Okay.

Next page. Again, Ping Dings on the same day. Do you know what you were buying? You submitted these receipts for reimbursement, Ms Sharobeem.---I didn't submit it. I just left it on the desk.

Those amounts were reimbursed to your account.---Okay, what, well, it's a women's service so definitely I bought something from there.

10

I thought your evidence was that you wouldn't spend more than \$50 on dresses and so on.---What dresses?

Well, Ping Dings is a fashion shop, isn't it?---Fashion can sell you jewellery, can sell you scarves, can sell you different things. And by the way, I didn't buy any personal item from these places. This is not where I shop.

So what, sorry - - -?---Personally.

20 Sorry, go to the Myer one. The Myer receipt. Back a page. That's for \$137.50. Is that another gift?---No, definitely it's something for the kitchen, preparing for the new groups. That's where we got the stuff for the kitchen in general.

All right. Ms Sharobeem, I'll take you to volume 4, page 244. It's not kitchen items at all.---I'm just guessing. I'm - - -

Well - - -?---Don't have any other document to relate to.

30 I know. And you received a reimbursement for this receipt, Ms Sharobeem.---Well - - -

If I show you - - -?---If it's personal, I would tell you it's personal. I have nothing to hide.

Page 244, volume 4 of the allegation brief. So, can we zoom in to the 17 January, 2014 entries? And you need to add up all of the 17 January entries to get to - - -?---Sorry, I don't have anything in my screen.

40 Yeah. That's all right. You'll see it. So if we can zoom in. Can you see 17 January, 2014 on the left-hand side?---I have nothing on my computer.

You've got nothing on your computer. Sorry, what's happened?

THE COMMISSIONER: It's come on now.

MR RAJALINGAM: Yeah. You could see the pictures before couldn't you, the transfers I was showing you before, those were coming on the screen?---Yes. This is the first time I didn't see.

The first time. Okay. Have a look at the 17 January. It's underwear and sleepwear isn't it, Ms Sharobeem?---It's personal.

It's personal.---It shouldn't be here.

10 All right.---And I didn't submit it.

Page 49 of volume 9. I'm going to show you a diary entry. Just while that's coming up, Ms Sharobeem, when you went to Community Relations Commission meetings would you submit invoices for your time as a facilitator?---No. It's the same thing, the same explanation.

20 That's the – your diary entry for 20 January I'm showing it to you.---20 of January in particular I was running an agreement between Minister Victor Dominello and Minister Pru Goward at White Ribbon Australia to give \$80,000 to White Ribbon to make it more diverse and the project still running until now and nothing is written here about that because I do remember the event. It was a remarkable event for the Australian women.

Yeah. But do you recall attending the White Ribbon meeting on 20 January, 2014?---It's in the morning.

Yeah. Page 64.---And it's not written here.

30 I'm only showing you these – I can't even read your writing, Ms Sharobeem. I'm showing these diary entries for you in fairness to you. ---That's in fairness to you as well, sir. I'm saying this event which took place and it's recorded - - -

I absolutely agree with you.--- - - - it's not here.

All right. Page 64. Is that a transfer dated 9 May, 2014 at quarter past 8.00 in the evening for \$4,130 to your account?---I can see that.

40 Page 65. Can you highlight 27, 29, 31 January first.---The same explanation, sir.

But can you highlight 27, 29, 31 then 3 February and 5 February and 7 February and then 10 February. And you've – can you show me your calendar.---You want it?

Yes, just have a – can you just show it to me from there. I see. Okay. So you've got the February dates as well?---Yes.

Yes, put them in.---Put what?

The February dates 3, 5, 7 and 10.--- It's already there.

It's in there. I see. Sorry, I couldn't see it, sorry. Thank you. The invoice just disappeared. No, you're right. So you've claimed between 9.00am and 3.00pm for those days. Correct?---The hours were claimed.

10 That's your writing isn't it?---Yes.

And you agreed earlier the transfer went – the money went to your account didn't you?---The hours was claimed.

And it's your signature there isn't it?---The hours I worked was claimed.

Page 66 and this is for 27 January, the day after Australia Day and that simply - - ----That explains.

20 That shows that you're still in Cooma doesn't it?---Yeah. I stayed the second day based on the community request and that's in writing. You will have the emails as well.

Later that evening, if we go to the next page, your phone turns up at Surfers Paradise. Do you agree with that?---That's maybe when I travelled, yes.

Is that the holiday you had on the Classic Club membership?  
---I believe so.

30 All right. On 27 January, 2014, you went to Surfers Paradise, didn't you?  
---It shows here.

You remember that, don't you, it was only a couple of years ago, Ms Sharobeem, you went to Surfers Paradise?---I'm trying to remember yesterday, sir, but you have documents showing that.

I'm not, Ms Sharobeem - - -?---Yeah.

40 - - - I'm not accusing you, I'm asking you to really think about it because it would have been a nice holiday, wouldn't it?---I wish.

Okay. Did you recall going to Surfers Paradise?---I just indicated that.

Page 72, and the cell site data still shows you at Surfers Paradise on 29 January. Do you agree with that?---Ah, it shows that, yes.

Page 77. It's a cut receipt that has been submitted for reimbursement, Ms Sharobeem. It was a transaction that was conducted on 29 January, 2014 - - -?---That's wrongly submitted.

- - - at Tarot Lodge, Surfers Paradise?---That's wrongly submitted, it was my holiday.

It's a personal expense, isn't it?---Yes, it's wrongly submitted. I'm, I'm – it's clear, it was my holiday.

10 Page 81, and that's a cell site information for 31 October – sorry, 31 January, 2014. Would you agree?---It was a week, yes.

Yeah, and you stayed there for some days, didn't you, till 31 January, 2014 at least?---It was a week, yes.

Page 84. If you see there, Ms Sharobeem, it shows that your Earth Black card was being used at all those various places in Queensland on 31 January. Would you agree with that?---(No Audible Reply)

20 So 2.36pm at Lovisa for \$50.98, at 5.18pm, Paradise Glass Blower Clear Island for \$137.45?---Yeah, but also it shows that it was in Fairfield West, or am I mistaken?

Well, you were clearly in Surfers Paradise, weren't you, on 31 January, 2014?---Sir.

Yeah?---The card is used in Fairfield West on 2 January.

Yes, but I'm talking, sorry, I'm talking about just 31 January?---So where is - - -

30 I know there's other transactions for 2 Feb onwards, but on the 31<sup>st</sup> there are transactions at Surfers Paradise, correct?---I'm sorry, yeah, you're correct, but I'm just looking at it and on the 2<sup>nd</sup> there is Fairfield West and the one after in Coolangatta.

I'm just asking you to focus on 31 January?---I'm sorry, there is something wrong about these transactions.

40 I'll take you to the next page, 85. These are the receipts you submitted for reimbursement?---I didn't submit any personal receipt, if it was there it was taken from my desk.

Well, receipts from transactions conducted at Surfers Paradise were submitted for reimbursement and you were paid?---The staff knew that I was on holiday and if it's Surfers Paradise why would I ask or seek reimbursement for it? No, I didn't. It was left and it was taken from my desk. I already established that.

I'll take you to a transfer date of 7 May, page 87. A transfer on 7 May, isn't it, to your account for \$4,500?---Yes.

Page 89, sorry, go to page 88. There was another transfer that was conducted on the same day about 45 minutes later for an additional \$500, so would you agree that an amount of \$5,000 was transferred to your account on 7 May, 2014?---I can see that. It's for the facilitation work.

Yes. Well, let's go to the facilitator invoice.---Okay.

10

Page 89. Is that every weekend in February?---It's the same principle.

Yeah, but can we, sorry.---We just calculate the hours. Do you want me to highlight it?

Yes, please.---Sure.

Are you finished? Are you finished?---I'm done.

20

Okay. You're claiming between 9.00 to 3.00pm, six hours per day, aren't you?---I'm claiming the hours.

Yeah. You're claiming six hours a day, aren't you?---I'm claiming the full hours I worked.

Page 90. That's again a cell site document prepared by the Commission. 1 February, 2014. That shows you still in Surfers Paradise. Would you agree with that? I think you turn up in Fairfield on the 2<sup>nd</sup>.---And then went back to Coolangatta on the 2<sup>nd</sup>? That's what the other document showed.

30

Turn the page. So at 11.34 on 1 February, do you agree there was a transaction at Gold Coast Airport? 11.34 on 1 February for 125?---That's personal.

What was it for? You must remember. You purchased something at the airport.---That's personal.

What was it?---It's personal. It shouldn't be reimbursed from the first place.

40

What was it?---What was it? I can't remember.

You certainly accept it was personal, though, don't you?---Of course it is. It's during my holidays, sir. It's personal.

Page 98 is your cell site data for 2 February, 2014.---Sir, can we take a second for just breathe?

THE COMMISSIONER: Yes, we'll just adjourn for five minutes.

**SHORT ADJOURNMENT**

**[3.32pm]**

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Thank you, Commissioner. I wonder if I can take the witness to page 98 of volume 9. That's the cell site data for 2 February, Ms Sharobeem. Do you see that?---Yes.

And this shows you coming back from Surfers Paradise to Sydney, to [REDACTED] on 2 February. Do you see that?---Yes.

Okay. Page 101. These are more receipts that have been cut and were submitted for reimbursement and reimbursed to your account. Do you understand that? You see the screen in front of you?---Isn't it very weird that for, after many years of being in the service and going to many holidays that the only holidays I bring back receipts to be reimbursed is 2014? Doesn't that say something about how I was framed or it doesn't? I'm not stupid and no-one is. Doesn't that show what happened to me? And I didn't reimburse and I didn't ask for reimbursement, and you know that.

Well, it shows, doesn't it, that you were making purchases from Coolangatta, then you end up at the airport.---It's personal. It's personal.

They're all personal, aren't they?---And why it went there? And who took it and why?

Next page.---Why they reimburse me for my personal on this holiday only in 2014?

That's the Cabcharge - - -?---When Ms Ghaly used to work.

Ms Sharobeem, that's the Cabcharge, I think, from the airport to your home. That's personal, isn't it?---A Cabcharge is paid, sir, by a Cabcharge card. This is not a reimbursement receipt.

This was submitted for reimbursement and reimbursed to your account. ---It's not submitted at all and that shows exactly how I was framed. A Cabcharge is a receipt when you give the Cabcharge to the driver. This is not a credit card receipt to be reimbursed.

It's the customer copy of the receipt, Ms Sharobeem.---Exactly. Because I didn't use - - -

That was given to you when you've got out of the cab.---Exactly. Not because I used my card, sir. It's because I used a Cabcharge, not my card. This is not a credit card receipt to be reimbursed.

I agree with that.---This is part of the framing.

I agree that that's not a credit card - - -?---Sir - - -

It's not a credit - - -

10

THE COMMISSIONER: Who do you suggest is doing this framing?---Am I in liberty to say it?

20

Well, you obviously believe that somebody has gone to a lot of trouble to cause you this - - -?---Somebody said to me when I was training her, "I'm afraid I'm going to disappoint you," in person in my office, and I said to her, "Why, Nevine? Why do you think you're going to disappoint me?" She said, "Nothing, nothing. We'll talk about it later." Somebody who changed after I give her all what I have as document honest tick. And she even created MOUs and receipts and I know I'm witness of that. I don't want to go on and on and on, but I'm just trying to respond to every question addressed to me. But, sir, this is just a very clear evidence of how I was framed. Everything was left on my desk, was taken and reimbursed to me, including a receipt of a Cabcharge. This is not even - - -

Well, I understand that. But, yes, yes, Mr Rajalingam.

30

MR RAJALINGAM: I'll take you to page 104. That's the transfer for 9 May, 2014. Now, I've already taken you to that transfer but I'm going to show you another facilitator invoice, which was submitted in support of that total transfer. Do you understand that?---Go ahead, sir.

Page 105. Now, you should have those dates highlighted. Would you agree with that?---Yes, fine.

Next page. That's the cell site data for 5 January, 2014. And it shows you at New South Wales Parliament House at 9.00am and later the Inner West. Would you agree with that?---Yeah, I can see that.

40

Page 109. Cut receipts for coffee in Queen's Square, \$7.50, on 5 February, 2014.---This is supposed to be a personal expense. I don't ever claim my own coffee from the organisation. I only claim coffee or whatever when I have somebody for a meeting - - -

And there's also some - - -?--- - - - which is work-related.

There's also an invoice for U-Turn Recycled Fashion, Rozelle, for \$70 that was submitted for reimbursement.---Yes, that's, that's actually for work. I

bought this for the STEPS to Employment dress for success area, where we give jackets and things for women so they can take and get ready for the interview process.

You know that the witnesses that have given evidence in this inquiry have not referred to any STEPS to Employment program which involved dressing other people up?---I was responsible about that and I did that.

10 Who were the facilitators involved to help you?---I was doing that myself as part of the hours I claimed, and I had couple of bags already stored with those jackets in the cupboard, in the psychologist room, which is the first to your right when you walk in the organisation. And the bottom level. Two big bags, wide bags. I left them there myself. And that was the recycled clothes where it's very good standard but it's less costly on the organisation and the program to dress women getting ready for interviews.

20 Page 113. That's your cell site data for 7 February, 2014, another day in which you claimed facilitator fees. Do you see - - -?---Yes, I already said that.

Yeah.---And some of those hours many of the time I would be going with the client to address and getting her ready for the interview itself so I will be taking her and going with her to prep her for the interview to find employment.

You don't know that this particular day related to taking someone to an interview.---No, no, I'm talking about the hours. I'm sorry.

30 I see.---No.

Yes. So look at the document.---I'm saying the hours I'm claiming.

You see 7 February, 2014?---Yes.

Does it show you making your way from the western suburbs to the city. You get there about 4 o'clock in the afternoon?---Yeah.

40 And you've left Smithfield, Wetherill Park at half past 1.00. Would you agree with that?---That's what's written here so - - -

114. This is a receipt for parking at the Governor Phillip Tower.---Yes.

And it's for \$45.80. Was this personal or work related?---No, it's work related. Why would I go personally to Governor Phillip Tower?

Well, that makes sense. Page 115. That's a diary entry for 7 February, 2014 for your assistance if you need it to know what you were doing on

7 January – 7 February, 2014.---Not everything is written here to represent what I was doing.

I understand. Page 116. I showed you this transfer earlier. I'm going to show you another facilitator form which I also have shown you earlier. You should have these dates. Page 118. This is the one where you added up 4,500 and 500 and you got to 5,000. Have you already highlighted those dates?---Whatever you ask me I did.

10 Yeah, I think you have. Go to page 119. That's your cell site data for 8 February, 2014 and it shows you at Waverton in the morning. Would you agree?---Yeah, I can see that.

It shows you at Waverton at half past 9.00. Do you agree with that?---Yeah.

Yeah. You weren't ever doing any facilitator work at Waverton were you? ---I can't remember where is Waverton even.

20 You don't even know where Waverton is?---I don't know the name of the area. Maybe if you can mention the area next to it.

Page 123.---But to be there at 9.00 it means I have a meeting there and I left home at 7.00.

These were cut receipts submitted and reimbursed to your account and they relate to transactions which took place on 8 February, 2014.---Okay.

At 12.27 you were at 7-Eleven. Do you see that?---Yeah.

30 At 3.06pm you were at Harvey Norman bedding Moore Park.---Okay.

And there's a purchase for \$300 there.---Yes.

It was reimbursed to your account.---Okay.

Was that work or personal related on 8 February?---8 February. I really can't say yes or no. I need to get more information to know and nothing in here I can relate to.

40 Next page and there's two more receipts from Harvey Norman bedding for 8 February again \$300 and another \$310.---Okay.

So it's fair to say you were at Harvey Norman on 8 February aren't you? ---All right.

You're not doing facilitator work on 8 February are you?---No, I just said that.

I'm not, I'm not suggesting that you've made a false claim I'm just saying that on 8 February just looking at this receipt at 3 o'clock in the afternoon you aren't doing any facilitator work at that point are you?---Maybe on that day I did the work at night instead of the morning. I don't know. It's as I say the hours does not represent the actual delivery.

Page 128. Is that a transfer on May, 2014 at 5.25pm to your account for an amount of \$4,140?---Yes, I can see that.

10 THE COMMISSIONER: Can I just ask you why these reimbursements are in the name of Emma Adly?---I um, sign on the invoices on the time sheet for the facilitator, the amount is going to my bank account and I put the different name so I wouldn't create a storm with the staff that I work as a facilitator as well, just to, just I, maybe it was my way to avoid being questioned by the staff that you work extra or why aren't we working extra like you, because they didn't have the skills to deliver what I was delivering, that's, I said that actually in the first hearing as well.

Yes, thank you?---And Adly is my father's name.

20

Yes, I understand that.

MR RAJALINGAM: Page 129. All right. This facilitator invoice, can you use the yellow highlighter and highlight the dates. Have you done that?---Yes.

You claim for hours between 9.00 and approximately 3.00 and 4.00pm for those days, don't you?---I claimed for the hours I delivered the service, not for the hours written here.

30

It's your handwriting, isn't it?---Absolutely. I was just locating hours so I can get reimbursed for the hours I delivered the work for.

It's your signature on that form, isn't it?---Absolutely, which is indicating that I was true, it's my signature and my bank account. I'm not hiding anything.

Page 130. That's cell site data for 14 February. Do you see that?---Yes.

40 It shows you in the city from about 10.50am at least?---Yeah.

Do you know if you were attending Community Relations Commission meeting that day?---What's, which day of the week is that?

This is 14 February. You have the calendar in front of you?---14 February?

Which is the Friday?---I might of.

Yes. You were not at the Fairfield office on 14 February, were you?---If the cell phone says I was in the city, then I was in the city.

Page 140, the cell site data for 26 February again shows you in the city but from midday onwards. Would you agree with that?---Okay.

Page 143, that's your Earth Black card, your credit card. Would you agree that's a printout of your statement?---Yeah.

10 Actually we'll go to page 145. You used your Earth Black card quite a bit, didn't you?---I used it for everything, work and personal. It was everything I used to have, I didn't have cash except what my husband used to give me.

All right. 10.40am you're at a beauty salon, \$35 - - -?---That's personal.

- - - on 26 February, 2014. Would you agree with that?---It's, it should not be reimbursed.

20 At 11.08am you were purchasing fuel for 66.57. Do you agree with that?  
---Purchasing fuel?

Yeah?---Yeah, it's, yeah.

12.08pm you were parking in the city for \$79. Next page?---Okay.

Can you see that, Secure Parking Elizabeth Street?---Yeah.

30 1.22pm you were again parking in the city for \$59?---From one meeting to another, yeah.

Yeah. Are you paying someone else's parking, Ms Sharobeem?---No, it's from a meeting to another.

At 2.54pm on the next page you're at SumoSalad for \$26.80, aren't you?  
---That's again personal.

40 But it's clear that on 26 February, 2014, you weren't doing facilitator work, were you?---If you're referring to the hours my claims stand as clear that I was just putting the hours to get reimbursed for the hours I delivered the work at.

148 is your diary entry, in fairness I'm going to show it to you. 26 February, 2014. Do you see that?---I can see that.

Can you see you're at an RAC meeting at night?---Yes.

See that?---Yeah.

You're getting your nails done, aren't you?---(No Audible Reply)

And 9.30 your hair cut?---(No Audible Reply)

Aren't you?---I don't think this is nails that word written.

What is it then?---I don't know. Noles or something.

All right. I'll take you to page – do you want to look at that?

10 ---No, no, but anyway.

Page 149?---My nails are my nails, it's personal. Why it should be something highlighted to the public?

Would you accept that all of your receipts at S and L Hair and Beauty were personal receipts?---No, not all of them. As I said before, very few I bought items for the groups but not much, and it would be an odd number, that's why as soon as you say 35 I know how much I did my hair for.

20 Page 149, I've taken you to this transfer earlier - - -?---Mmm.

- - - but I'll show you another facilitator invoice submitted in support of that transfer?---Okay.

Page 149. And the next page, page 150, that's the facilitator invoice. You're going to have to get your calendar and mark out those days in March. It's every weekend, isn't it?---Okay, I made it every weekend.

30 And you've claimed \$2,100. Is that right?---Yes.

For working 9.00am to 3.00pm every weekend. Is that correct?---Yes, most probably, but I'm not sure which weekends were actually the actual work delivered or it was at night sometime, other time in the week. And sometimes it's Saturday but at night instead of morning.

Page 151. That's a transfer date of 9 May, 2014. I think I've shown you that earlier?---Mmm.

40 I'm going to show you another facilitator form?---Mmm.

And this is when I'm going to give you a different colour highlighter, Ms Sharobeem. Do you see that, next page? You've claimed there for every Saturday in March again, haven't you?---If it's written here it means, it confirms what I'm saying that I was just putting the hours so I can get reimbursed.

I'm going to give you this red pen?---Okay.

I'm going to ask you to circle those days in red and we're going to come back to those days?---And my initial is down there, by the way.

Yes. It's your handwriting, isn't it?---Yes.

It's your initial, isn't it?---Ah hmm.

It's your signature, isn't it?---Ah hmm.

10 And you got the money, didn't you?---And as you can see I didn't even care to write the rest of it because we had an agreement that this is just a statement to claim the hours I worked, based on the reporting to the funding body.

Are you done with the circling?---Yes.

Page 153. On the first Saturday of March 2014 you were at Bankstown in the afternoon. Does it assist you in recalling what you were doing that Saturday as a facilitator?---No. As I said, I never looked at the date exactly  
20 when I claimed the hours.

Page 154. I understand that explanation. 154?---Mmm.

Your diary entry. There was a Bankstown event on Saturday?  
---Yeah, that's, I remember that event.

Okay?---By the way, it's work.

30 Were you performing facilitator work at the event?---Yes, I was the facilitator and - - -

What was the event?--- - - - organiser of the event.

What was the event?---We were doing youth empowerment and also parenting. Both of them we invited youth and parents together and we had a launch of a new body for the youth of Bankstown.

Where was it?---It was at one of the council buildings, I believe.

40 Where?---In Bankstown, if I recall. If it's, like, Bankstown event like that, it should be this one.

All right. 2 May, 2014. Page 156. 155, rather. I've shown you that transfer before, Ms Sharobeem. I'm going to show you another facilitator form. Page 156. All right. You can use - - -?---This is just, sorry, sorry to interrupt you.

Yes?---This is just an example of how things was running. Like, I would be preparing for this event for two days at least, but then in my calendar there is one entry, so then to claim the hours back as a facilitator.

Do you see that you're claiming for Thursdays and Wednesdays between 9.00 and 2.00pm?---Yes.

10 Can you highlight those dates on the calendar? It's your handwriting on the form, isn't it?---And my initial.

Your signature as well?---Yes.

Is it also your account number at the bottom?---Yes.

Page 157. That's a transfer to your account on 12 June, 2014 for an amount of 1,225, would you agree?---Yes.

20 The money goes to your account in the name of Emy Adel?---Yes. Just to identify the number in MYOB.

Yeah.---So I put, it's like my initial.

Page 158. You see that?---Mmm.

30 Can you highlight those days? And I think for 3 March, if you look at your calendar, you would use yellow highlighter because you haven't claimed on that day before. Would you agree? 4 March you'd use a yellow highlighter because you haven't claimed on that day. Would you agree with that? Ms Sharobeem?---You want me to highlight it in red, the other days?

Well, yes. I think you'd be highlighting 5, 6 and – 5 and 6, wouldn't you? ---And 7.

Well, why 7? Have you already highlighted 7?---It's already here in the paper. I - - -

Yes?---7. Oh, sorry, I know what you mean.

40 You're highlighting 3, 4 and 7 but you're using the red pen for 5 and 6, aren't you?---Yeah, okay.

You've claimed for 5 and 6 March before.---Yeah, okay.

Commissioner, I'm nearly done with this section. Ms Sharobeem, so that's your handwriting and your signature? You'd agree with that?---Yes.

Page 159. That's your cell site data for 5 March, 2014. Do you agree that it shows you having a late start from home and ending up in Bossley Park?

---Where do you want me to look?

Well, there's [REDACTED] all the way down till about 10.40am, isn't there?  
---Mmm.

And then you go to Horsley Park, Bossley Park, and you end up back at [REDACTED] at about 3 o'clock.---Wednesday. Okay.

Okay?---Yeah.

10

Page 163. These are cut receipts that were submitted and reimbursed to your account. At 12.53 you're at Target and spent \$184.15. Was that a personal or work-related expense?---I didn't use Target for personal that much, really, and Woolworths as well. So unless there is something to give me more indication, I can't really confirm.

Where did you buy your groceries?---Um - - -

20

For your own home.---For my own home. We don't buy a lot of groceries but it depends, really. And most of the grocery, actually, it's purchased in the last three years by Charlie or Haiman. And usually we go to Liverpool shops because we eat traditional food.

Transfers page 168 and just go back a page. I've shown you this transfer before on 7 May, 2014, Ms Sharobeem. I'm going to show you the facilitator form submitted in support of it.---Okay.

Page 168. Do you see that?---Ah hmm.

30

And your calendar -?---By the way, when I used to present this I used to present it empty at the beginning and then the bookkeeper said it's better to put some more details in that.

That's all right.---So that's why we're creating it.

40

We're nearly at the end of the day, Ms Sharobeem. I'm just asking you 4, 10 and 17 to highlight – you can highlight 10 and 17 because I don't think you've claimed for those two days but I think you've claimed on the 4<sup>th</sup>. Is that right?---What do you want me to do, sorry?

Well, would you agree that you haven't claimed for 10 March and 17 March?---How?

Look at your form, look at your calendar.---Yeah.

10 and 17 March will not be highlighted.---10 and 17.

Do you agree with that, of March?---Okay.

But you see that 4 March is highlighted?---4 March is highlighted.

Yeah. So put a red circle around the 4.---Yeah.

Because from what we've gathered haven't we that there's been a claim for that date but you're saying – your explanation is that it might not relate to that date. Correct?---It's not might it's for sure.

10 Okay. All right. Page 169. I've shown you that transfer before. Page 170 is the facilitator form that you submitted in support - - -.---Mmm.

- - - as well for this transfer.---Mmm.

And you're saying that – firstly, have you claimed for 3 March before? You have haven't you. Just look at your calendar. So 3 March should be yellow.---It is.

20 So circle that with red. What about 10 March, it's yellow?---Yes.

Circle that with red. What about 17 March, is it yellow?---Ah hmm.

Circle that with red. What about 24 March, that hasn't been highlighted. Correct?---(No Audible Reply)

So highlight that.---Ah hmm.

That's 24. Do you agree?---Ah hmm.

30 31 March you haven't submitted a claim for have you so it's yellow isn't it?---Ah hmm.

Do you agree that that's a facilitator form at page 117 in your handwriting? ---Ah hmm.

It's for an amount of 1,050 do you agree?---Ah hmm. Ah hmm.

And you're claiming for every Monday in March?---Ah hmm.

40 Go forward. That's a transfer for 12 June, 2014. I've shown you that previously.---Ah hmm.

Next page. Now, can you look at your calendar.---Ah hmm.

I'm going to give you a pink highlighter.---Ah hmm.

You see 10 March?---Ah hmm.

You've got a red circle around that haven't you?---Ah hmm.

Can you highlight 10 March with pink.---Ah hmm.

Do you see 11 March?---Ah hmm.

Use your yellow highlighter because you haven't claimed for that day have you?---Ah hmm.

10 What about 12 March, have you claimed? Yes, you have so a red circle around that because that's the second time you're claiming.---Ah hmm.

What about 13 March, red circle around that because you have claimed on that day before haven't you?---Which day?

13 March.---Ah hmm.

20 What about 14 March? You haven't claimed at all on that day have you so that would be a yellow highlight wouldn't it?---(No Audible Reply)

Do you agree with that, Ms Sharobeem?---I'm following your instructions, sir.

I might – I was going to – there's just a small part of this examination left in terms of this topic but I might leave that till Monday.

THE COMMISSIONER: All right.---Sir, can I – I'm so sorry to interrupt.

30 Yeah.---Can I just point this out to you, sir, and say just to confirm what I said several times that - - -

No, you've already said it?---And it's just clear here that I was just picking any days within the month that I worked.

Yes.

MR RAJALINGAM: Commissioner, I should tender that document at this stage, given that we're going to have a break.

40 THE COMMISSIONER: Yes. Okay.

MR RAJALINGAM: I tender that.

THE COMMISSIONER: Do you want to look at it first?

MR RAJALINGAM: Yes, please.

Ms Sharobeem, just before we break, can I ask you to use a pink highlighter for 10 March. Can you just cross over 10 March with a pink highlighter?  
---Cross over?

I know you've circled around it but it's just not clear. I'm not accusing you of not highlighting it, I'm just saying that just put the pink over 10 March so it's clear?---It is clear, there's pink and red and yellow.

10 Yes. Can you just scribble, just make sure you highlight the number 10?  
---It is here.

Okay. Just do it again for me, would you.

I tender that document.

THE COMMISSIONER: Do you want do see it, Mr Chhabra?

20 MR CHHABRA: I'd be indebted?

THE COMMISSIONER: Huh?

MR CHHABRA: I'd be indebted to see it but of course there's no objection to the tender. I'll hand that back.

THE COMMISSIONER: Thank you. It will be Exhibit 37.

30 **#EXHIBIT 37 - CALENDAR FOR 2010 TO 2015 HAND MARKED  
BY EMAN SHAROBEEEM**

MR CHHABRA: Perhaps while I'm on my feet I'll formally note for the record that I returned the transcripts from the compulsory examination.

THE COMMISSIONER: Thank you.

MR RAJALINGAM: Thank you my friend.

40 I think there was one other matter and I was supposed to forecast an application to adjourn, after next week's sitting to adjourn to potentially 15 May, next week, at 12.00pm on Monday and then to resume, after those days next week to resume later on, 13 June to 16 June.

THE COMMISSIONER: 13<sup>th</sup> to the 16<sup>th</sup>. Yes.

MR RAJALINGAM: But for the moment I think it's just 15 May, 12 o'clock.

THE COMMISSIONER: Yes, yes. So I'll adjourn now till Monday at 12 o'clock.

**THE WITNESS STOOD DOWN** [4.12pm]

10 **AT 4.12PM THE MATTER WAS ADJOURNED ACCORDINGLY** [4.12pm]