

TARLOPUB01153  
12/07/2017

TARLO  
pp 01153-01201

PUBLIC  
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION TARLO

Reference: Operation E15/1982

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 12 JULY, 2017

AT 10.00AM

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.

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Commissioner, I call Ms Ghaly, Nevine Ghaly.

MR CHHABRA: Commissioner, perhaps just as a matter of formality before that happens, seated beside my instructing solicitor, Mr Wassef, is an individual by the name of Mr Du, D-u, a university law student. I seek leave for him to be seated at the bar table beside us, assisting.

10 THE COMMISSIONER: Yes, I grant you leave for him to sit there, Mr Chhabra.

MR CHHABRA: May it please.

THE COMMISSIONER: Thank you.

MR MADDEN: Commissioner, I've made myself - - -

20 THE COMMISSIONER: Mr Madden, welcome to ICAC.

MR MADDEN: Thank you, Commissioner. I seek your authority to appear for Mrs Ghaly.

THE COMMISSIONER: Yes, I grant leave.

MR MADDEN: She will take an oath and she does ask for a declaration under section 38.

30 THE COMMISSIONER: Okay. Thank you. Just take a seat there, Ms Ghaly, would you.

So 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 this witness during the course of the witness's 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.

40

**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 THIS WITNESS DURING THE COURSE OF THE WITNESS'S 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.**

THE COMMISSIONER: That gives you protection, Ms Ghaly, in respect of any of the evidence you give, as Mr Madden has no doubt explained to you. You will take an oath?

MS GHALY: Yes.

10

THE COMMISSIONER: Thank you.

<NEVINE GHALY, sworn

[10.16am]

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Thank you, Commissioner.

Can you state your full name for the record?---Nevine Ghaly.

10 How do you spell your last name?---G-h-a-l-y.

Are you currently working?---No.

Where was your last job?---Ah, Wesley Mission.

And before that where were you working?---NESH.

All right. Do you know when you started working at NESH?  
---Approximately end of June 2014.

20

Prior to working at NESH, did you have any work experience, so prior to July 2014 did you have any work experience?---Yes.

And what was that?---I had been working for Mission Australia and prior to that it was MTC Australia and prior to that it was Finance Sector Union then in between there somewhere I was studying and prior to that it was the AMP Society Finance Sector Union.

30

Had you – I think you said you did some study?---Yes.

Did you complete some study at some stage?---Yes.

What was that?---Post-graduate degree in TESOL.

What does that stand for?---Teaching students of other languages.

So it's a teaching course, was it?---It's a teaching qualifications for adults.

40

How did you come to obtain work at NESH?---I was made redundant in Mission Australia and I picked up on the opportunity to take time out and I was renovating my home after that and - - -

When were you made redundant from Mission Australia?---2013, July 2014.

And I think you said July - - -?---Ah, '13, I beg your pardon.

Okay. What were you doing at Mission Australia?---I was the, managing six centres, English language centres, and it was a consortium with Navitas Australia.

Did you work at any stage for Navitas directly?---Never.

10 So you were talking about obtaining work at NESH, can you continue, I think I interrupted you?---Ah, yes. I was renovating my house at that time, then I got a few calls, no caller ID, and I didn't answer them, I couldn't return them even, missed calls, couldn't return them, and then I got a call from Audrey Lai telling me they were trying to call me because they want me for a position at NESH and I told them I'm just having time out, I'm renovating, I'm not really interested. Then they explained to me that they had lost the tender, the housing tender, and this position would only require me for three or four weeks to hand the homes over to the, to the successors of the tender of housing.

20 You said in your answer they were speaking to you and you mentioned Audrey's name.---Oh, yes.

Who else was talking to you?---Audrey had rung me and said just come and meet me over in Liverpool – because at the time she was working at Liverpool Centrelink – and I'll explain to you all about the position. So I teed up a coffee with her then. Then Eman rung me and said oh, you know, we, I want to meet you, it's about – I said oh, yes, yes, Audrey had rung me and I'm meeting her on such a day. No, no, no, don't worry about Audrey. She doesn't know anything, or something like that. Come here and I'll tell you all about it.

30 And what did you do?---I went to her.

How soon after the conversation did you go to Ms Sharobeem?---Maybe a day or two.

40 And did you know Ms Sharobeem when you had that call with her?---Yes, I knew her and I knew Audrey. I knew them from networking because my line of work with Mission Australia and the previous, it's about networking and be noting the organisation that I work for to get more customers on board. So going to a networking meeting where we meet other people from other communities was - - -

How you met?---How we met, yeah.

Did you meet Ms Sharobeem at the IWHS office?---Is this for the - - -

For the job?---For the job. Yes.

Sorry, yes.---Yes.

And what happened when you met her?---She just put it lightly to me that, you know, it's not going to be too long. It's going to be four/five weeks at the most and all you have to do – I said well, what about the other, the other people that are there? She said oh, no, no, they've got other jobs and they're leaving. Because it just made sense to me why wouldn't they hand over. I said O.K. So I said, you know, don't tie me down because I've still got things loose at home. I need to go back and forth. She said no, no, no, you just follow the instruction of Liljana, the team leader. She will write  
10 you out some instructions on what to do.

But was it your understanding that Liljana was leaving NESH?---Yes.

Okay. When you first met Ms Sharobeem what did you think her role was at NESH?---At NESH. She introduced herself as the chair of NESH.

Did she use those words?---No, no. She, she's known as Dr Sharobeem and I, I – to tell you the truth I didn't really think about, you know, how she's involved but I knew NESH came under her umbrella somehow.  
20

Did you think that she had some leverage in amongst the organisation?  
---Oh, yes, certainly.

Okay. To what extent?---She was the boss.

Apart from what you thought she was doing at NESH, what did you think about Ms Sharobeem when you first met her?---Oh, she's a high-profile, well-known woman and I was, I was privileged – I felt privileged at the time to make acquaintance with her and help her out.  
30

When you first met Ms Sharobeem did you provide her with anything in relation to your job at NESH, for example, a job application or a CV?---No. A CV came after a week or two.

How soon after the meeting with Ms Sharobeem did you start work at NESH?---I think the following week. I'm not 100 per cent sure but it would have been around that because they were in a hurry because Liljana, the team leader, was leaving.

40 What was your role at NESH specifically, what were you meant to do?---It was a project co-ordinator she called me.

Who is she?---Eman called me a project co-ordinator.

When did she give you that description or when did she call you that for the first time, was it at the first meeting or sometime later?---Sometime later.

And what did you understand your role to involved as a project co-ordinator?---Actually just making a few phone calls to the successors of the Housing tender to sort of hand over files and hand over clients' files and their personal details to whoever was going to manage the house that they were in.

Okay. You've spoken about a tender process, haven't you?---Yes.

10 I'll ask you some questions about that later because that's quite detailed, isn't it?---Yes.

What were you paid for your role as project coordinator?---1,900 a fortnight or something like that. I'm sorry, I can't - - -

Is that approximate?---Yeah.

Yeah. Did you receive payslips from NESH?---Yes.

20 Was that the only pay you received from NESH?---Yes.

Ever, from July 2014 onwards?---Yes.

Did you receive any other money from NESH - - -?---No.

- - - apart from your wage?---No.

Were you ever reimbursed for things from NESH?---Ah, maybe once.

30 And do you remember what that was in relation to?---It could have been ah, I'm not 100 per cent sure, but it was for frames.

What sort of frames?---Ah, ah, ah, Eman would collect newspaper articles and all of that and they were scattered all over the hallway when I, when I got there. It didn't look too tidy, so I was going to an appointment, I saw a frame place and I wanted the place to look a little bit tidy so I gathered all that and I took them to the frame place to put them all like, in a collage or something like that.

40 And do you know how much it cost you to do that roughly?---Oh - - -

Hundreds of dollars or thousands of dollars?---No, it could have been 150 or 130.

Had you ever received any payment from the Immigrant Women's Health Service?---No, no.

Do you know what the Immigrant Women's Health Service is?---It's a different organisation to NESH.

And in fact when you started working at NESH were you working from the Immigrant Women's Health Service office?---Ah, yes.

And that was at 92 Smart Street, Fairfield, wasn't it?---Yes. But not the full time.

Yeah. But when you started there you were at the IWHS office, weren't you?---Ah, yes.

10

In July 2014?---Yes.

Did you find it odd that you were working for NESH but at the IWHS office?---That was – yes, I did find it very odd and I struggled with it and then I kept saying you know, the girl you told me about, Liljana, the team leader, will be leaving soon and I, you know, need to meet her so I'm not left in the, you know, in the dark when she goes.

20

Did anyone give you the impression that both IWHS and NESH were pretty much the same thing when you started?---Look, I felt it was the same thing but as months got, got in, it was two different organisations because they had two, two different portals.

So you were working in the same office with Ms Sharobeem when you started. Correct?---Yes.

You said you started in July 2014. Is that right?---Ah, sorry, the - - -

30

The middle of - - -?---Mid-June, mid-June.

Had you done any work prior to that for either IWHS or NESH?---No, no.

Were you ever at the IWHS office before July 2014 doing work?---No,

Do you remember being at an annual general meeting for NESH in 2012? ---Ah, probably there was, there was something that I was – I was working for Mission at the time and they invited me to come to, I think it's William Street where they were conducting something.

40

Do you know what it was?---From recollection, annual general meeting and they invited me to and then when I got there they asked me to do a role of a returning officer.

Pardon me, Commissioner.

I'm going to show you volume 19, page 153, which is a part of the brief of evidence, and you'll just see one of the pages in front of you. Do you need your spectacles, did you say?---Ah - - -

You can see that?---I'll have a look when it comes up.

Volume 19, page 153. So that will appear in the screen on front of you and also on the other screens in the room. Do you see your name as present at a meeting recorded on these minutes for 7 November, 2012?---(No Audible Reply)

10 Oh, you need your glasses you do need your glasses. Sorry. Just wondering if that could be - - -?---Yeah, yeah, just - - -

- - - facilitated. So do you see your name - - -?---Oh, yes.

- - - on those minutes?---Yes.

And do you recognise those minutes or do you agree that they are minutes for 7 November, 2012 for the NESH Women's Scheme?---Yes.

20 If you go to the next page, I think you've already said that you thought you might have been a returning officer.---Yes, yes, that's right.

If you just read what's contained there underneath "returning officer". And can you tell the Commission if you agree with what is recorded there, as to what you did?---Yeah, I'm a nervous speaker when I'm in front of people, so I just recall that because I get nervous if I have to speak in front of a lot of people. And I was trying to remember what I have to say, what a returning officer does. So I'm - - -

30 Do you recall the meeting?---Yes. I recall that I was there, yes.

And do you agree that you took part in this election by overseeing it in some respect?---Yes. Yes.

Do you remember at the meeting that Ms Watton was introduced as a member of the management committee?---Sorry, I don't remember.

You don't remember. Do you actually remember the election, though?  
---Yes.

40 Was there one?---Ah - - -

Was an election actually held on 28 November – sorry, 7 November, 2012?  
---Sorry, I don't remember.

That's all right. Did you have any other involvement with NESH after this annual general meeting until you started work in July 2014?---No. No.

Did you take part or assist in any other meetings or functions, gatherings with NESH?---No. And if I had, it would have been one of those emails that come around to all the networking that we glance at. If it's something that, you know, is of interest to our organisation, we'll just hop in for the meeting but - - -

Nothing you were paid for?---No. No, no.

10 And did you do any volunteer work for either of those services prior to July 2014?---No, I didn't have time. No.

So from that time onwards, July 2014, what days were you working for NESH?---Monday to Friday.

And what hours?---Probably 8.30 or 9.00 to 5.00, the hours. Sometimes I'd go beyond that because there's meetings in Bankstown, FACS or something like that. But it was just generally - - -

20 A 9.00 to 5.00 job?--- - - - a 9.00 to 5.00 job.

And would you – I think you said you would work overtime on some occasions. Would you be paid for your overtime work?---Oh, no, no. No.

Would you work from home?---Actually, I did work from home when I was in hospital at the time, where Audrey had to - - -

When was that, do you remember, that you were in hospital?---It was when – May. May of 2015, I think.

30 How long were you away from work?---I think it was about two or three days.

And do you say you were doing some work from home?---Yes. Just replying, replying to Audrey just about the reply they have to give FACS for their audit. Don't quote me on the days, but - - -

All right. So, okay. When do you – did you at some stage move from the IWHS office to the NESH office in Guildford?---Yes.

40 When do you think you did that?---It would have been in the new year of 2015.

Do you know how that came about that you moved to Guildford?---When we got the funding, the Service Support funding. When, when NESH had lost their tender in Housing, apparently something happened and then the Minister had put the tender out there again. So we had to re-tender for the Housing tender. Again that was not successful. So the people who were not successful in the Housing tenders, Family and Community Service had

given them a token to assist the other organisations that won the tenders, and that was called Service Support funding.

That's SSF funding?---SSF funding.

When you move to the NESH office do you – was there someone by the name of Jihan Hana working there as well?---Yes.

10 Had she been there before you got there or was she – did she arrive after you?---She had been with IWHS before I got there. She was I think an aged care worker or a facilitator that would look after the aged.

Who else was working at the Guildford office when you arrived?---She wasn't actually at the Guildford office when I arrived there. She was given to me as a support. No one, no one at that stage, sorry.

So it was just you essentially at the office?---Me at the office and Jihan would cover for a day or two, yes.

20 What were your hours at the Guildford office?---The same, 9.00 to 5.00.

Now, you've talked about these tenders. When you first started work in July, 2014 you said you were at the IWHS office. What was your main task in 2014?---It was – I, I, I didn't consider as a task as such because I - - -

30 Just – I'm going to withdraw the question. I'll ask you another one first. What were you doing at the IWHS office in 2014 in terms of work for NESH, what were you actually doing?---I was actually just trying to understand the, the portfolio for Housing because I had always been in portfolios for Education so Housing was new to me. So I was on the computer looking at all the Housing, you know, how the government perceived the future of Housing.

What were you actually asked to do though in your role as project co-ordinator?---I don't know but Eman got the impression that I could be assisting in writing a tender. I, I did not have experience for that so in that time there was nothing else to do but skill myself up in that area so I was doing that.

40 And so in that first – in the first couple of months you were at NESH were you working on that tender, namely, the Going Home Staying Home tender? ---Yes.

Can I show you volume 19, page 214. Is that the application or the tender? ---No, that's not a submission for - - -

What is that document?---Oh. Oh, no, that, that was – I’m just looking for a key word there because – yes, yes. See on 3.5 it says here “effective 1 July, 2014 that from the said date Wesley Community Service”. See that?

Yes.---Okay. Go to the front, the front page. Okay. This was supposed to be done for – during the investigation of Family and Community Service when they ask for documentation how is IWHS involved with NESH. Is there such paperwork to say that they’re a – there is collaboration between the organisations. So that was produced.

10

So this was produced not in September, 2014 - - -?---No.

- - - as indicated on the first page?---No.

It was created much later after FACS started investigating - - -?  
---Something put together really quickly.

And do you know who put that together?---Ah, no.

20

You know that at the end of this document it’s got your name and Ms Sharobeeem’s name?---Yes, but please, bring me back because - - -

Can you go to the last - - -?--- - - - there was a few – bring me to the end. Yes, yes, sorry, I did have – she – Eman asked me to put something together but as a memorandum of understanding, but I did, I didn’t put anything together but I think, I’m not 100 per cent sure but someone put it together, maybe Audrey helped, I’m not, not 100 per cent sure, but we remember it and I am bringing, I’m bringing to your attention the Wesley one because that caught my attention when it came through the email, it looked like it was taken from the Wesley memorandum of understanding when we were doing the tender.

30

Right. So you’re saying that the Wesley, reference to Wesley was mistakenly left into that document?---Yes.

Right?---Because they had to put something together and - - -

They didn’t know how to put it together?---They didn’t know, yeah.

40

And when you say they, who are you referring to?---Either the committee or Eman, it was just something that was asked of them to produce.

In late 2014, in terms of the Going Home Staying Home application for the tender, what was submitted?---Oh, the tender document itself, there was a tender document itself and there was people that were – what I learned from learning what went wrong in the first tender, I immediately thought that this tender needed a lot of people on board, so you can’t just go ahead and, and furnish a tender just under the name of NESH, you have to be seen as

collaborating with other organisations. So I started contacting people that I knew on how to make this a successful tender and what was the course of housing, I studied it, so the course of housing for the cultural organisations, for the CALD people was that there was lack of language, unemployment, so I looked to bring on board MTC who were a job network provider and could teach English, and then I looked at Wesley Mission who were experienced in housing and there was another organisation also. So I approached them to join us in putting forward this tender.

- 10 Did anyone else help you with this particular work that you were doing?  
---Ah, yes. I did sort of the groundwork and then we had a tender writer, I think it was Sue, Sue, Sue Cripps or - - -

All right?--- - - - I don't know the surname.

And do you recall submitting that tender in late 2014?---Yes.

Were you successful?---No. It was a face-to-face meeting at the FACS office in Ashfield.

20

Right?---That the, that MTC, Wesley and another organisation came with us because we were all collaborating on the one tender.

And that was in late 2014?---Yes, maybe just before November, because we got the answer for it in December, that it was unsuccessful.

And after that was it the case that NESH received SSF funding as you've referred to it?---Yes, yes.

- 30 Can you explain that, how that came about?---Yeah. I was with Eman in the office when she received a call from somebody in the, in the Family and Community Service to give her the bad news that we missed out and would she like to submit a Service Support funding tender.

You referred to that earlier as funding for the purposes of assisting other organisations - - -?---Other organisations.

- - - who had won the actual tender?---The people who won the tender, yes.

- 40 The Going Home Staying Home?---Yes.

Was it also the case that around about 2015 or just the end of the 2014 that NESH was effectively going to be closed down because it had lost the tender. Was that the feeling?---Yes, yes, definitely.

So you received SSF funding with a view to sort of closing down after some months. Is that right?---Yes. After the SSF funding had come, you know, they, they looked at, you know - I wasn't privy to how much we have in

NESH as such but this SSF funding came across and I had forgotten about my exercise of being there for four weeks or six weeks because things were going fast. So they were, you know, the committee or – the committee didn't meet me but it just came across that okay, we've got this SSF funding. Start rendering any help, and I got that from the – I'm sorry, your question. I'm steering - - -

10 What I want to ask you essentially is was there any need for extra work – workers at the end of 2014 once you'd lost the main tender?---According – yeah, well, yes, there was after discovering – Family and Community Service didn't say oh, here's the, here's the money and you are to do X, Y and Z with it. I had a lot of problems struggling with FACS telling me what do I do with that, what do I do with that money, what is – what do I do, how do I help others, how do I help other organisations that we should be helping. There was no structure about what we should do with that money.

20 So you didn't know what to do with the SSF funding?---No, I didn't and we set up a few meetings – we tried to set up a few meetings on how they want us to work with it and then when they said to me knock on the doors of all the successors and ask them if they need – if their, their clients or their staff need training. Maybe you can help render training and that will come under your funding. I went ahead and did that exercise they asked me to do and everybody was very – they weren't ready. They had just received their funding and they weren't ready to start working with me or some of them were just not ready to share or have another organisation coming and work. So I developed a project because I was – at that time there has been months that I feel that I actually didn't work so I was trying to develop a project.

30 And did essentially that project involve networking with other organisations?---Not only other organisation. My main networking was the Department of Housing. So what I did I just thought well, I'm not going to get the answer off FACS. How about just knocking on the doors of the Housing. The areas that we, we got in the tender were Campbelltown, Fairfield, Bankstown and Liverpool. So there were four areas that we were looking after so that means we look after either the successors in those area – of those tenders or the department. So I went straight to the source. I read up a lot about it but I didn't really get a clear answer of how I'm going to help people. I went straight to the source, every Housing Department. I sat with the managers and I said to them if you had more workers what would  
40 you like to see happen? I put the question to them. So most of the managers were sort of like oh, wow, four workers. Yes, okay, we can do this, we can do that and then that's where the project developed.

Okay. And that was essentially end of 2014 into 2015. Correct?---No, that was the beginning of 2015.

Right.---Because the funding came around - - -

December?--- - - - around, yeah, December/January it was deposited.

You said you thought Ms Sharobeem was the adviser or she told you as such, is that fair, of NESH?--- No, she was chairperson until - - -

Chairperson, sorry.--- - - - I was told she's the adviser by the committee.

You said that you knew her as a doctor.---Yes.

- 10 Ms Sharobeem in her evidence suggested, transcript 1076, that you suggested to her that she should use an honorary psychologist title or honorary psychology title. Is that - - -?---No.

Any of that true?---No, it's not.

Do you recall any conversations with Ms Sharobeem about her qualifications?---No, no.

- 20 Do you know when Ms Sharobeem resigned as the CEO of NESH or did you ever know her as the CEO of NESH?---To tell you the truth I – no. I, I struggled keeping up with titles so whenever she asked me for something I'd just do it. I didn't bother looking at the title.

When you started in July 2014 did you know her to be a signatory to the NESH CBA account?---No, I didn't know that at the time, no.

Did you find that out later?---I found that out later when FACS had sent the letter trying to work out what's happening, the audit letter.

- 30 All right. Can I show you, just on this topic about Ms Sharobeem's role in NESH, I want to show you a document, volume 19, point 237, page 237. Ms Ghaly, you referred to SSF funding. Is there also a program level agreement that attaches to that funding?---Oh, yes.

And what is that all about?---The program level agreement sort of sets out our terms of the funding and - - -

What you have to do?---What you have to do.

- 40 Is that the program level agreement for NESH, and if I get the investigator to turn through that agreement just a page at a time, if you could, just stop there. Do you recognise your name there as the, essentially the contact person for NESH?---Yes.

And if we go through to page 241, and that agreement's for the period February 2015 to January 2016, isn't it?---Yes.

So we're talking about February 2015 it's clear?---Ah, yes.

Page 243 describes the amount of funding to be received - - -?---Yes.

- - - pursuant to the SSF funding. Correct?---Yes.

It's a fair bit of money?---Yes.

Page 247, that's your name - - -?---Yes.

10 - - - on that document? Is it your handwriting?---Yes, it is.

And is it, is Dr Eman Sharobeem written by you?---No.

Is that written by her?---Yes.

Do you see your - - -?---The date is mine.

Yes?---The date underneath her signature is mine.

20 And what about your signature, did you sign that document?---Yes, that's my signature.

Do you recognise anyone else's signature on that document?---That makes that Elizabeth Gallagher, that's from the department.

But on the right-hand side, whose, do you know whose signature that is?  
---That one, that's Eman's probably. Sorry, I can't be 100 per cent sure but  
- - -

30 You don't know for sure?--- - - - that's Eman's.

Dr Eman Sharobeem, as it's referred there in that document, she's being referred as the authorised representative of NESH. Can you explain that, in February 2015, how she's the authorised representative of NESH?---Sorry, what do you mean?

So just under her name - - -?---Yes.

40 - - - she's recognised there as the authorised representative?---Oh. Ah, well, she would be the representative for the, the project.

Right. At around about this time did Ms Sharobeem approach you about employing someone in January 2015?---Yes.

Did you ultimately come to know that person as Ms Sharobeem's son?  
---Yes.

In your own words can you describe how she approached you to employ him or what she said to you about this young man?---Oh, she just said that I have a young man who's, a male CALD and he's young - - -

Sorry, male what?---Sorry, the, it's a reference for the, for the non-English-speaking, the CALD.

CALD you said?---CALD.

10 C-A-L-D?---Yes.

Yes. I thought you said coloured. Okay?---He's from the CALD background.

Yeah?---And he's, he'll be really good on any youth project that you will carry out.

20 Did you know who she was talking about?---Later on I knew he was – later on I knew who she was talking about.

How did you find out who she was talking about?---Just from comments that she'd make and I can't really remember how, but it was just little comments that she'd made, and you'll get along with him, he's a good boy, and that's it.

How soon after that conversation did the boy start working at NESH?  
---Probably end of February or February, I'm sorry, don't quote me.  
February. Mid-February, end of February.

30 Well, and when he started working at NESH, do you know which office he was working out of?---He would have to come to the Guildford office but after that he was, he had surgery, so he wasn't coming that much. A little bit.

When did you first realise that he was Ms Sharobeem's son?---It was a day or two after she had told me about, about - - -

Right. So this is even before he started working at NESH?---Oh, yes.

40 How did you put it together?---Just the comments that she would drop. And also Richard was coming to the IWHS office a lot during that time.

What was he doing at the IWHS office?---Either picking up something or I, I don't know, sorry.

Have you ever seen him do any facilitator work at IWHS, like help with groups, et cetera?---No, no. This was women's organisation, so it's not really seen as there would be a male facilitator.

Did you – what did you have to do, if anything at all, in relation to Richard Sharobeem’s employment at NESH?---I just accommodated him in the, in NESH, the organisation.

Ms Sharobeem suggested in evidence at this inquiry, at page 1051.29, that you – and she’s talking about you, Nevine Ghaly – “looked at his qualification and employed him”. That’s what she said to this inquiry. Is that true?---No.

10

When you had this conversation with Ms Sharobeem about this young man coming to work at NESH, between that time and this young man starting work some months later, did you receive his CV?---Oh, yes. A few months later I received the CV.

No, no, no. Before he started working at NESH, did you receive his CV? ---No, no.

20

Do you recall receiving his CV after he started working at NESH?---Oh, yes, yes.

Okay. Was the job he was doing, ultimately doing, was that job ever advertised?---No.

Was anyone else interviewed in relation to that job?---No.

Did you interview anyone for that job?---No.

30

Do you know if anyone else interviewed anyone for that job?---No.

Do you know if Mr Sharobeem, Mr Richard Sharobeem, was interviewed for that job?---Maybe he was. I don't know, though.

Did you interview him?---No.

40

Do you know if – well, withdraw that. When – we’ll just call him Richard – when Richard started working at NESH, do you know what name he was going by?---I, I knew him as Richard Sharobeem, but then when we had to make up emails the name had changed.

When did he receive an email account for NESH?---Sorry, it would have been the first quarter of 2015.

Do you know the name that was used?---Shawky.

And by that time you knew that Shawky was Richard Sharobeem, didn't you?---Yes, yes.

Did you think it was odd that he was using a different name?---Yes.

Did you ever have a conversation with Ms Sharobeem about him using a different name?---I didn't have a conversation with her but she, you know, asked, told me that "It's best so FACS don't see as if I've employed my son."

When Richard first started working at NESH, what did you think his qualifications were?---Only what I received on the CV.

10

But you hadn't received a CV when he first started working at NESH.---Oh, oh, I, I didn't actually ask. I, I didn't, I didn't think about it. I was trying to really get the project – my focus was to actually do some work and get the project off the ground and I, I just had hope in everyone that they can do the job.

Do you know what Richard was doing when he was working at NESH? What sort of work he was doing?---I know the work that we assigned him to do.

20

What was he assigned to do?---After I had negotiated with the Housing Department, I had allocated everybody to a Housing Department, to sit themselves in there. I negotiated with each manager that these workers will be in your office on call for whatever you need. If someone walks in and you can't house them, this officer will take them and walk the ground with them to real estate agents to, you know, to assist them in getting housing.

And did Richard have a particular area or a Housing Department that he was meant to help with?---Liverpool, yes.

30

Okay. What were his working hours meant to be?---Same as all.

9.00am to 5.00pm roughly?---9.00 to 5.00.

Every day, Monday to Friday?---Yes.

Was there anything in place at NESH to review Richard's work?---No.

40 Was there anything in place at NESH to review your work?---Well, my work, either Eman was sort of finding out about or I would be at FACS meetings, and in the meetings they would document how NESH was doing. So I don't know if the exact question is that do I sit down with someone and tell them what I'm doing? No.

How often would you meet with FACS to tell them what you were doing? ---I think there was a monthly meeting and all the providers would go in and talk about their project and air out if they had concerns or if there's any problems with certain Housing Departments.

Were you the only person from NESH that attended those meetings?---I attended the – yes, I was. But on one occasion, because I believe that everyone who should be working should know what my role is, I took all the workers once with me and I asked Elizabeth Gallagher – she was the head of contracts – if that would be okay, because those meetings were essentially for the managers. But I wanted them to see where I was coming from when I go back to the office and I say, “We need this and this and this.”

10

Do you remember who you took with you to a meeting with FACS?---I took Richard and I took Amy. I'm not sure if Emmanuel was available.

What was Emmanuel's last name?---Condo.

Okay. And Amy was Amy Safain?---Safain.

And we'll talk about her later. How much was Richard paid?---The award.

20 Do you know if that was around about 50,000?---Yes.

Did you determine what his pay would be?---I didn't determine but we looked at what was involved in the job. There's a little – there's some sort of tool in the award that led you to what they should be paid.

Now, you've talked about receiving a CV in March of 2015 from Richard. Do you know why in that month you were asking him – or he provided you with his CV?---Sorry, what was the date?

30 March 2015.---Oh, yes. There was something happening and Eman said, “You have to get all your records straightened up.” I said, “Yes, I don't like this disorganisation. I need to have a cabinet for people's” - - -

That was around about the time FACS raised concerns with NESH?---Yeah, that was, that's right. That was around the time that we got that letter.

I'll show you volume 21, page 191. Is that the email that Richard sent you on 30 March, attaching his CV in the name of Richard Shawky?---Yes.

40 When you received that email, you knew that he was Richard Sharobeem, didn't you?---Yes, yes.

And it's obvious from his email, isn't it?---Yeah.

His CV, which is attached to the next page, is under the name Richard Shawky.---Yes.

Did you raise that with him in March 2015 in terms of FACS asking potential questions about - - -?---No, I didn't.

Aside from the - - -?---I raised - - -

10 Yes?---Sorry. I raised things about his qualifications where it said something like Bachelor of Business. I said I'd like a copy so I can attach it to the back of it so it's ready if FACS want to, and then – I don't know if his reply was then or around July, telling me that “If they want to know anything, get them to call me.”

I think we've covered this but the use of the name Shawky, Ms Sharobeem in another part of her evidence suggested that it was your idea.---No.

Are you sure about that?---Yes.

20 Do you know – you've talked – I've asked you some questions about whether you saw Richard doing facilitator work at IWHS. I asked you that before.---Yeah.

You've suggested in your evidence that Richard was working in 2015 at NESH Monday to Friday, 9.00 to 5.00.---Yes.

Do you know if in that year when he was working at NESH whether he was doing any facilitator work for IWHS?---No.

So you don't know or are you saying he didn't?---No, I don't know that.

30 You don't know. Do you know if Richard was the type of person to be working on the weekends?---Sorry, do I know Richard?

Sorry, I withdraw that. Was – do you know if Richard worked on weekends in 2015 at NESH?---No.

How would you describe his work performance – you were his boss weren't you?---Yes.

40 Can you describe how he – his work performance?---For a, for a young man he wasn't motivated.

Why do you say that?---Because I, I assisted him a lot and I usually like to put goals and things up for people and I like them to get excited about their jobs and he didn't show me initiative, that there was a, you know, a caring aspect of the job and I was putting it to lack of experience, he's young, and I pursued it and I kept assisting as much as I can but I just didn't feel that he was ignited by any part of the job.

Did he attend every day Monday to Friday?---No.

How often per week would he attend work?---Maybe twice a week.

And what time would he arrive?---Maybe 9.30/10.00.

What time would he leave?---I can't say that for sure because I was out on the road and so forth and I had Neth there, the bookkeeper, to try to manage and, you know, and supervise people that were in the office and he wasn't doing the hours that he was supposed to be doing.

10

Was he doing the work he was supposed to be doing?---No.

Why do you say that?---Because on two occasions Neth took – the bookkeeper took calls from people that were waiting for him at Liverpool Housing and some clients, that FACS would ring us and say your client's here waiting for Richard.

Where would they be waiting?---At the Liverpool - - -

20 Housing?--- - - - FACS – Housing office.

Right. When he first started working at NESH, did you send him letters of employment when he first started in early 2015?---Yes.

So you sent that to him - - -?---Oh - - -

Early 2015 he started working didn't he?---Yes, yes, part-time.

30 So when he got the job did you send him a letter of employment?---No. We, we had done the letter and I gave it to him at work.

Weren't the letters of employment sent to him much later in August, 2015 when the investigation had started?---There was two, two letters done.

Yes.---Yes, probably. I'm sorry, I - - -

Well, think - - ----I can't - - -

40 Yeah, think about it. He starts work. You've told the inquiry that you had nothing to do with his employment.---Yes.

Did you send him a letter of employment?---No, no. No, not, not straightaway.

Could you have done that?---I should have done that probably in hindsight but I didn't do it and I think what prompted us from recollection of having everything organised was the investigation.

I'm going to show you volume 21, page 170. So this letter which is dated 19 January, 2015 was it written in January, 2015?---Sorry, I can't give you a direct answer there.

Ms Sharobeem's suggested that these letters of employment were sent way after - - -?---No, no, no, no, sorry.

- - - transcript reference 1053.43?---Way after?

10 Well, did you - - -?---No, no, because - - -

- - - write this before he started working, Ms Ghaly?---Because the award, I had, I had looked at the award – sorry, I'm, I'm confused. I know for a fact that I had to make sure all the files were correct. If anything, a letter would have gone out with Richard Sharobeem, that's - - -

Just stop there. You provided a statement to the Commission, didn't you?  
---Yes.

20 I'm going to read from paragraph 25 of your statement. "I was shown by ICAC investigators the contents of the employment file for Richard Sharobeem which consisted two NESH letters of employment addressed to Richard Shawky dated 19 January, 2015, and 9 June, 2015. I have signed both of these letters and they coincide with when Richard Sharobeem started working at NESH. The first letter is for the part-time position working Monday, Tuesday and Wednesday, the second letter is for the full-time position working Monday to Friday." You said, "I created these letters around August 2015 on request from either Audrey or Eman in response to a requirement from FACS to produce employment records."?---Yes.

30 Does that make sense?---Yes, yes.

Can you – because I don't understand how you would have created these letters of employment in January 2015 when you say in evidence here that you had nothing to do with his employment. So I need you to just focus on the letter. When did you write this letter, if you wrote it at all?---That, that was prompted by the investigation.

40 So - - -?---So it would have been done during the time that we were told that, you know, we have to have files for employment files and all of that.

And the second letter is at page 171. Do you agree – 173 – that's the letter for 9 June, 2015. Why did you have to write another letter?---Because they were full-time.

Okay. Who decided that he would be full-time in the middle of June, 2015, sorry, in the middle of 2015?---I think the project got on its way and we saw

a lot of demand and there was some conversation to say that we had money, why don't we employ these people on a full-time basis.

All right. And who did you have that conversation with or who was present at that conversation?---Maybe Eman and Audrey.

You knew that FACS were asking questions when essentially these letters were written - - -?---Yes.

10 - - - didn't you?---Yes.

Can I ask you this. Why did you still use this name, Richard Shawky, for this document if you know that his real name is Richard Sharobeem?  
---Because that's what the, you know, the chair's requirement was, and yes, I might have done the wrong thing but I was really motivated by doing a job on the ground because I hadn't been working for the few months prior.

20 There was certificates for Mr Sharobeem on his work file at NESH, academic certificates. Do you know how they got onto the file?  
---He gave, he gave me what he could, but they were, they were, I think one was from TAFE, another one was that he acquired while we were doing, while he was at NESH, Train the Trainer, that was required if you were going to give a presentation to adults, and maybe another one for photography, I'm not sure.

30 Okay. Can you tell the Commission about the employment of Amy Safain?  
---Yes. That came about that – I take full ownership for that. That came about when we were in a meeting, a network meeting and the, the mother of this person was in the meeting and after – in break time the mother had told me that her daughter had just graduated marketing and, you know, and she's looking for a job and we we're just, just making small chat and my eyes lit up when it was marketing because – and the second language. So I, I, I thought oh, great, I, you know, the project is happening and I need someone who talks that language for the Fairfield area in particular, the Assyrian language and she's young and she's got marketing on hand and she would be the perfect person to go and knock on real estate agents and try to get accommodation for these people.

40 Was her job advertised?---No. Her job was not advertised.

Was she interviewed?---No.

Was anyone else interviewed?---Emmanuel was because I saw him an active person in the community and - - -

But hold on, he was already working at NESH - - -?---Yes.

- - - wasn't he?---Yes, yes.

Okay. Well, apart from Emmanuel was anyone else interviewed?---No.

Why not?---Any, anyone in particular you're, you're - - -

Yeah, anyone else?---No.

So effectively Amy Safain was chosen to be employed - - -?---Yes.

10 - - - at NESH - - -?---Yes.

- - - because of you?---Because of me, yes.

All right. In May, 2015 you're aware that NESH responded to FACS' letter of concern?---Yes.

And they were concerned about issues in the 2013 to 2014 financial year weren't they?---Yes.

20 The year before?---Yes.

I'll show you volume 19, page 299. Is that – and if we just flick through that document, is that the letter which NESH wrote to FACS in response to their concerns?---I, I just saw that when I was looking through the, the ICAC website. It was just brought to my attention. But during that time I was – and now I know how the, the fonts are all different because I was trying to respond to a little bit of what I could and then that's why – that was the time that I was in hospital and I was trying to help out. So I directed Audrey to – where I made notes, I said that will just give you a little bit of  
30 history - - -

Yeah.--- - - - on how to respond to FACS if you like. But not all of it was mine and then I find out from Anthony Hartley from FACS that the respond they received was in different fonts and so my memory recollected this letter when I saw it on your – on, on the ICAC website.

Do you see in number 4 where it says community development, do you see that?---Yes.

40 What's that all about?---I think I got that information from Neth and she told me that was a payment that was made to IWHS.

Okay. Did she tell you anything else about the payment?---When I prompted her she told me it was payment to Eman.

Okay. But it clearly doesn't say here in this document that money is being paid to Eman does it?---No. No, no. Just - - -

So why isn't it included in that letter to FACS that Ms Sharobeem is getting an extra \$1,500 a fortnight? You're the boss of NESH weren't you?---Yes. I only took it as transfer from what Neth showed me.

Ah hmm.---It had – Neth said to me this money is going to IWHS so - - -

You knew it was going to Eman Sharobeem didn't you?---Oh, no, no, no, no. At the time I didn't know that it was going - - -

10 When did you know it was going to Eman Sharobeem?---That was later on when Neth started befriending me and then, you know, telling me what was happening.

So this was in May 2015?---Yes.

When did you and Neth start getting a bit closer?---May 2015, did you say? Later on.

20 Okay. And when you say getting a bit closer, what happened in the work environment?---We would be – if I was at IWHS, we would be in the same room and Neth would be really scared to talk to anyone, even the girls in admin outside. And so she would be just working, working, and if anyone says anything to her, she would wave her hand and say, “Shush, shush, shush. No, no, no, no. Not now.”

Okay.---And - - -

And I just note for the record you've whispered.---Yes.

30 Yeah.---She would whisper and say, “No, no. Not now.” Yeah, and every now and again she would sort of make a comment that would prompt me to ask more questions, but then she would be – she'd go silent. So over time - - -

Like what, for example?---Like I'd make a comment about, oh, you know, “The real estate must be really happy with all this renovation,” or this or that. I don't know a particular time that I had made that comment, if you're going to ask me “When did you say that?”

40 No, no.---But little things like that, you know. Anyone would think that, you know, it's your house. “He's really happy, the real estate agent, that we're doing all this work. He should be paying for this,” or something like that. And then she would turn around and say, and whisper, “Shush, shush, shush.”

Ah hmm. How often would you be at the IWHS office in 2015?---Before, before April maybe three days a week or I'm sort of in and out, in and out.

Yeah. But after May?---After May, not a lot.

Not a lot. Okay.---I avoided going there at all costs.

So would you – how often would you see Neth, then, after May?---Oh, Neth after that came and worked at, at NESH.

Ah hmm. You knew that Ms Sharobeem was a signatory to the NESH CBA account at least in mid-2015, didn't you, prior to that time?---Yes, yes.

10

In mid-2015, did she ask to be removed as a signatory to the account?  
---Yes.

Going to show you volume 2, page 280. Oh, statements. Volume 2 of statements, page 280. Just that's an email written by Ms Sharobeem on 24 June, 2015 about her going to hospital, is that correct?---Yes.

And then if I take you to page 285, just recall that email is in June. Do you remember this note prepared in July 2015?---Yes.

20

Whose handwriting is that?---I think it's the guy at the bank.

Whose signature is that at the bottom?---Eman's.

So was it around about that time she's asking to be removed as a signatory?  
---Yes.

Were you then added as a signatory to the NESH CBA account?---Yes.  
Yes.

30

When was that, do you remember?---Probably the same time or August.

Yeah. I'll show you volume 2 statements, 293, page 293. Do you see that that's an email written by Ms Lai to a number of different people? But the first point is that you have been added as a signatory to the account, isn't it?---Yes.

Who asked you to become a signatory to the account?---The, the auditor from Family and Community Services.

40

Do you know his name was Satish Chand?---Satish, yes.

How did he ask you to add yourself as a signatory?---Ah, he said to me, "It makes sense that you are the operating manager of the project, that you, to put yourself down as signatory to the account."

Once you were added as a signatory to the account you had full access to the banking account, didn't you?---Yes, I understand that, yeah.

You would need two tokens?---Ah, yes.

Were you given a token?---We were sent a token – they were sent – actually they were sent to IWHS and I was to, I tried numerous occasions to pick them up, I can't recall but it was a little bit difficult, until I finally, I think Audrey assisted me to, to take them off IWHS.

10 Did you retain possession of any of those tokens?---I gave them to Neth, the bookkeeper.

Both of them?---Both of them, because we were in one office.

In August 2015, from that point onwards, did you do any bookkeeping for NESH?---Sorry, I'm not experienced in bookkeeping.

20 I think you had, you did say you had some finance background. Did you have a finance background?---Oh, no, no, no, I worked in the Finance Sector Union.

Okay?---A trade union assisting - - -

So you didn't have any finance or accounting background?---No, no, no, no.

Okay. Who was doing bookkeeping for NESH as of August 2015?---It was a new – I don't know if it was still Neth, I don't know when Neth left at the time, maybe at the end of, at the end of August Neth had left. We got a new bookkeeper.

30 Was her name Joanne Pappas?---Joanne? Rose. We had Rose as a bookkeeper.

Okay. Was she working at the Guildford office?---Yes.

I see?---That was on recommendation from Nathan, the accountant.

Okay. Do you know when Rose started?---Straight after Neth had left.

40 Okay. Did you know the password to log onto the NESH CBA website?  
---I was given a password while I was at a Commonwealth Bank at Fairfield but I never used it, it was just all too complicated to do things on their site. It wasn't like something that I learnt on my own account.

You said you at some stage were given tokens or, from Ms Lai I think?  
---Yes.

Did you ever use those tokens to conduct transactions on the online website for NESH?---No, no. That was Neth's, Neth's job or the new bookkeeper.

Had you used a token prior to August 2015 to process transactions?---No.  
I'm sorry, I don't know how to use them. They did show me once but it was just difficult. I don't know how to use the token.

Would you at any stage have transferred money from NESH to IWHS - - -?  
---No, I don't - - -

- - -online?---No.

10

Do you know if Ms Sharobeem had the bank password for NESH or IWHS written on a piece of paper left on a table?---No.

Do you know if she left the password visible on her table for either of those accounts?---No.

She gave evidence at this inquiry that she put the passwords on a piece of paper and folded it up four times or something and left it on her desk. Did you know anything about that?---No.

20

Do you have a key to Ms Sharobeem's office?---No.

Was her office locked when she was not there?---No, it's always locked I understand, from even the, the girls in the office.

But did you have a key for it?---No, no.

Did anyone, did you know if anyone else had a key to her office?---Ah, no.

30

Ms Sharobeem at transcript reference 855 said that she sent an email around asking if anyone had a key to her office and that you at some stage later stormed into her office, upset, and you threw the key at the reception. Did that happen?---No.

Did anything like that happen?---No.

Did you ever have a key to her office?---Never.

40

Did you ever throw a key at a reception, at the receptionist?---No, never.

Do you know who had the tokens for the NESH CBA account prior to August 2015? Sorry, I just missed, missed that when I was asking about the tokens.---No. No, I just took it that it was the bookkeeper's job and she would have the tokens. But when I first started with NESH, my pay was delayed and I got whacked with \$30 fee that there was no funds to do my housing loan. And I asked Neth. I said, "Why? You know, it's a week late." She said, "Because everything sits with Eman and she has to click an authorisation," or something.

What was your understanding of the way in which those transactions took place as of July to August – July 2014 to August 2015? How did you think transactions were actually done?---Well, I understood from asking from why my pay was delayed. Neth told me that she put it through but it stops at one end for Eman to go in and authorise.

So you need two people to make the – to effect the transfer, don't you?  
---Yes. Yes.

10

All right. Ms Sharobeem said something to the inquiry in relation to something that happened when you moved from the IWHS office to the NESH office to start work. Now, firstly, can you remember when that took place, when you moved from IWHS in Fairfield to Guildford?---Probably March/April. Formally, probably March/April. I was doing moves to actually try to take the NESH staff, whatever was, whatever boxes were marked NESH.

20

Do you know what boxes you were taking?---But the boxes were all mainly, that was there, was mainly accounts stuff. So there would only be one or two and I was directed by the bookkeeper, "Take that one, take that one," and then we purchased a cabinet from Officeworks to set ourselves up there.

At Guildford?---At Guildford, yes.

30

What Ms Sharobeem said at transcript reference 1058.25 is that you were all ready to move to the Guildford office and it was a cabinet of folders with effectively receipts in there. And you said, "We can reimburse you for the cabinet later on." Now, I'm not sure if Ms Sharobeem's referring to the cabinet or what was inside the cabinet, but can you say if Ms Sharobeem said to you, sorry, whether you said to Ms Sharobeem, "We can reimburse you for the cabinet later on"? Did you say that to Ms Sharobeem?---No. Because why would I carry a cabinet when I can get it from Officeworks? I got two already from Officeworks. We didn't carry any cabinets.

Did you – when this move was taking place, did you say to Ms Sharobeem that you were going to reimburse her for a whole heap of folders worth of receipts?---No.

40

Anything like that? Was there any conversation about receipts?---No. No, because I don't get into the accounts. I'm more concentrated on what my job entails, about what I had agreed with the FACS officers that I would be doing.

Do you – during the time of this move, do you remember if Ms Sharobeem raised a Westmead Hospital invoice or receipt with you during the time of the move?---No.

She said that during this move she said to you, “What is this doing here? This is my own son’s paper or invoice,” and you said, “I don't know. I don't know.” And that you kept looking at this piece of paper, and she later took it from you and said, “That shouldn't be here.” Did she say that to you when this move was going on, about a Westmead Hospital invoice?---No.

Is that no?---No.

10 Okay. She said that because of this recollection of hers of this event, she formed the understanding that people were taking receipts from her desk and doing whatever they wanted with them. Is that a practice that you were aware of when you were working at IWHS or NESH? People taking receipts from her desk and reimbursing them to her account?---Never. Never. Because her desk, her office was, was closed most of the time. And even if it was left open one day, people are very wary to even put a foot in the office. So - - -

20 Why is that?---It’s just the way that, you know, she put that persona to us that it’s out of - - -

Would you describe that persona?---It’s just out of bounds. And also that we don’t communicate with each other. It was – you just get a tense atmosphere when you get in there. You just want to get out quickly.

Ms Sharobeem also suggested that you and Neth were involved in processing duplicate payments to her account and processing reimbursements to get her into trouble twice as much effectively. That was at transcript reference 1065.29. Do you know anything about that?---No.

30 Did you ever process reimbursements to her account twice for the same receipt?---No. No. I - - -

Did you cut any receipts, Ms Ghaly?---No.

Did you cut any receipts and then process reimbursements to her account? --- (No Audible Reply)

Did you cut any of Ms Sharobeem’s personal credit card receipts?---No.

40 Did you cut any of her sons’ personal credit card receipts?---No.

Or her partner’s credit card receipts?---No.

Did you know if IWHS had a credit card?---No.

Did you have access to the credit card - - -?---No. I - - -

- - - at IWHS?---No.

Did you ever know of one?---No.

Did you buy 12 chairs using an IWHS credit card?---Never.

Did you buy 12 chairs from Officeworks using the IWHS credit card?---No.

Did you buy any chairs from anywhere using the IWHS credit card?---There was no – I’ve never seen a credit card in the first place.

10

Well, did you purchase any chairs for IWHS or NESH?---No.

Ever?---No.

Are you unsure about that or - - ?---No. I’ve never purchased anything. Sorry, I was just relating back to my own house when I was renovating. We were having a party at the back and when you mentioned chairs and all of that – no.

20

Yeah. Did you have the credit card information for, for the IWHS credit card?---I didn't even – I don't even know if there was a credit card for IWHS.

I understand you're saying that. Ms Sharobeem said at transcript 887 that you had the credit card information for the credit card, the IWHS credit card.---Oh, no, no.

Did you know the numbers?---No, no.

30

Did you know the expiry date and the CCV security code, anything like that?---No, no, no. On the contrary. If anything, for little things, even I think at one stage like a business card from Vesta Printing or whatever I would put it on my own personal credit, my own personal EFTPOS thing and I'd reimburse \$20, how much we got, or \$30 but there was no credit cards that I know of at all.

When did you find out about the \$3,000 Westmead Hospital receipt?  
---When Neth brought it to my attention.

40

When was that?---Probably during the time that we were trying to collect information for Family and Community Service audit.

Ms Sharobeem's evidence about the payment to her for the \$3,000 credit card receipt was as follows, that effectively in March, 2015, transcript reference 1062.33, that you – so in March, 2015 she's suggesting that you had access to the tokens, in March, 2015. Could that be true in any way?  
---No, I didn't have access at all, IWHS or NESH. I didn't have - - -

I'm talking about the NESH tokens in March, 2015.---I probably had access because they were with the bookkeeper but as I said, I don't know how to use them.

When you say you probably had access, what do you mean by that?  
---Because I was registered with the Commonwealth Bank when she – her name was taken down.

10 No, I'm talking about March, 2015. So pay attention to the date. You said to the Commission that you were added on in August - - ----Oh, yes. I beg your pardon.

- - - 2015.---Sorry.

So the question is in March?---Oh, no, no, no, no, not before that.

Did you have access to the tokens in March?---No. No.

20 All right. I think in your statement the investigator has already taken you to a number of emails that were sent about the Westmead Hospital payment. You know that I think Ms Sharobeem's first explanation for that was that it was a mistake by the bookkeeper.---Yes.

And then she said it was a payment for a DV conference - - ----Yes.

- - - made on behalf of IWHS.---Yes.

30 Can you comment on those two aspects in any respect, so the mistake by the bookkeeper and payment for a conference?---NESH at the time was very upset about directing it as the bookkeeper's mistake and, and we spoke about it and then I said if you're, if you're saying there was a talk given to Westmead Private Hospital I don't think that the like government organisations do any donations to private hospitals. That was - - -

After, after Neth brought the \$3,000 payment or receipt to your attention, did you bring it to the attention of FACS?---Yes.

40 How did you bring that to the attention of FACS?---Because I rang up Westmead Hospital and I asked them, I'd like to clarify what this payment is for, in the accounts area, and I read out the information on there. I said I can't make out what it's for and they told me.

That it was for an operation?---Yes.

And you brought that to the attention of FACS, did you?---Yes.

How did you do that, email, phone?---No. Because of other little issues we went and met with, the contract manager at the time was Anthony Hartley

and he set up an appointment for me and brought Satish with him and another man with him and I was scared that Neth would leave the organisation because she had left IWHS and I had a suspicion about there are some little loose ends of what Neth is trying to tell me and I won her confidence to come with me to, to meet at Bankstown with FACS.

The meeting. In – this topic of receipts and Neth, I think in December 2014 prior to the time Ms Sharobeem was purchasing cars for Neth, for NESH, she was also engaging some painters at the service?---Yes.

10

And around about that time I think you said in your statement there was an incident involving Neth with a grey plastic bag?---Yes.

Do you recall what happened?---Um, it was Christmastime and Watfa, Marie, I don't know who else was there, but Neth was there and we were joking around because she had the grey, the grey shopping bags, the plastic ones, two bags to go through, 'cause I walked in and we had some Christmas nuts and nibbles on the table outside in where the admin area was. So I said to her, "Come on, Neth, just give it a break for a while and come and have something with us," and stuff like that. "The boss isn't here, let's just, you know, have something," or whatever. And she said, "No, no, no, no, I have long time, I have to do this." I said, "What are you doing?" She said, "Oh, no, no, no, be quiet, be quiet." I said, "Are you going to do all this now?" And she said, "Yeah, yeah, I have to finish all this." And I asked her what, she said, "I have to reimburse." So the girls and I down the back were joking about it a little bit and we were trying to get her to come down the back, to come and have something with us, but it was an awful lot because we said to her, you're going to sleep over doing it.

20

30 Did she tell you who had asked her to do it?---Look, I don't have to ask because we know Eman would have to be, Eman's her boss and she'd only take orders from Eman.

Was Eman in the office when this was - - -?---No, no.

Commissioner, is that a convenient time?

THE COMMISSIONER: Yes. We'll take the morning tea adjournment till 12.00.

40

**SHORT ADJOURNMENT**

**[11.43am]**

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Thank you, Commissioner. Ms Ghaly, the first thing I want to ask you is you referred to someone by the name of Emmanuel working at NESH. Do you remember that?---Oh, Emmanuel, yes.

I'm just going to ask if this is the way you spell it. E-m-m-a-n-u-e-l?---Yes.

Asacondor is the last name, is it?---No, I think it's just Condo. No "A".

C-o-n?---D-o.

10

D-o. Okay. Condo. All right. I'm going to ask you some questions about the NESH cars. Cars that belong to the service, the NESH service.---Yeah.

When you first started working there in July 2014, what did you understand were the NESH vehicles?---From the team leader that was there at the time, she was driving a Ford Falcon.

Sedan?---Sedan.

20

What colour?---I think blue.

Yeah.---And, and she was meant to hand that over to me.

What other car was there?---When I asked to – I only asked to – I didn't go out specifically to ask about what other car. I said to her, "How do you get that through this narrow driveway?" So obviously she's much younger, experienced in that driveway. So I said, "Oh, my God, you know, I don't think I can get it through the driveway and I'll probably get a ticket outside." She said, "Why don't you go and swap it for the Mazda, Mazda 2." The little white one that's sitting at IWHS.

30

Was it parked at the centre at Fairfield, the Mazda?---That's what I understood from her, yes.

Did you pick it up?---Yes, so I did that.

When did you pick up the Mazda?---I'm sorry, I – maybe July/August. I'm sorry. I can't recall.

40

Was it when you were working at the NESH office - - -?---When, when I worked - - -

- - - or when you were working at the IWHS office?---When I, when I started with working with Liljana in the NESH office.

Okay. So it would have been March or April of 2015, is that fair?---No.

Before that or after that?---Before that.

Might have been at the beginning of the year, is that fair?---Because, yes, or even earlier than that because – no, no. I started in mid-June, July 2014. Liljana did a handover with me and Liljana was probably out of NESH by the end of July. So I would have got the car around July 2014.

10 And what happened? What car did you get?---I got, I spoke to Eman and I said, “This is a very big car. Can I swap you for, I understand you've got a Mazda here, a little one.” She said yes. She said, “All right, you can come and pick it up from IWHS.”

Do you know what happened to the Ford?---No.

Did you – when was the last time you saw the Ford Falcon?---Probably when Liljana left it. I can't recall whether she left it in the NESH office in Guildford or she dropped it off to IWHS.

20 At some stage were you made aware that NESH had a new car?---I was made aware after Richard was employed, after Richard was employed and also the comments that Neth would tell me that NESH got new car. Then we went to the accountant. He told me and Audrey.

Did you see – when you say that Richard started working, did you see him drive to work in a car?---Yes.

What sort of car?---The black Honda.

30 Okay. When did you see him drive the black Honda?---Actually, I saw him at Christmas, late Christmas of 2014.

Sure about that?---It's just that I recall it was a holiday period when he came to IWHS, when he parked on the driveway for something. But at the time we didn't know that it was his car, at Christmas time.

Who do you think owned the car at that time?---Richard.

Okay. When did you come to know that Ms Sharobeem had purchased that particular car?---Um - - -

40 The black Honda City sedan.---When, oh, around March/April.

How did you come to know that?---Because - - -

You've already said that Neth was saying things to you.---Neth was saying things and then all of a sudden Eman said to me, “Look, if Amy or Emmanuel want to use that car, by all means they can use it from, you know, from Richard. He, he's going to, that car can be shared.” That was just one-off conversation.

Did she tell you that she bought it using NESH funds?---No, no, no.

Did you still at that time think it was owned by Richard?---Look, I put one and one together that what, what Neth was telling me that NESH had a car and what Eman was telling me to share the car, I assumed that it could have been NESH's car.

10 Aside from working it out yourself, were you specifically told by Ms Sharobeem that she had purchased - - -?---No, no.

- - - the Honda City sedan - - -?---No.

- - - using NESH funds?---No.

I'll show you volume 2 of the statements, page 317. 317. Is that an email sent by you to members of the NESH board?---Yes.

20 What effectively are you saying in that email at August 2015?---That was – I was saying to them that I, I did not know that, I was not made aware of the NESH vehicle from Eman as they were putting in an email that Eman told me. I was responding to an email.

I'll show you that email. Go to the next page. Is that the email you were responding to? Ms Lai's email?---Yes, this, this meeting - - -

Well, is that the email you're responding to?---Yes, yes, that's the email I was responding to, yes.

30 And you go to the email on the page before, I don't really want to know about the rest of it?---Okay.

Essentially in August 2015 were you saying to the board that you had not been made aware the Honda City sedan had been purchased for NESH? ---Yes.

40 Ms Sharobeem in her evidence in this Commission, to this Commission, suggested that you refused to drive the Honda City sedan. What do you say about that?---Never happened.

And for the record, it's transcript reference 1054 line 6. She also said at transcript reference 1055 line 7 that you were aware of the purchase of the Honda City sedan prior to NESH receiving the car?---No, that's not true.

I've already asked you about some chairs before, but I'm going to put to you what Ms Sharobeem said that you've done. At transcript reference 645 line 30 Ms Sharobeem suggested that you purchased 12 chairs and effectively

had them stored in the meeting room at IWHS. Do you know anything about that?---No.

And I think you previously denied purchasing chairs - - -?---Yes.

- - - for IWHS or NESH. Is that correct?---No, it never happened, I haven't purchased any chairs.

10 I'm going to show you volume 2 of statements, page 320, 320. Did you have anything to do with this invoice, creating it, using it?---No, no.

When was the first time you saw this invoice?---When the accountant asked me.

Nathan Boyd?---Nathan Boyd, when he asked me about a purchase of chairs.

20 All right. You can turn that off. There was an annual general meeting for – I withdraw that. Was there an annual general meeting for NESH in 2014? ---No.

You started work in July 2014. Correct?---Yes.

Between then and then end of the year was there an annual general meeting? ---No.

Did – was there a function purporting to be an annual general meeting? ---Yes.

30 Was that on 28 November, 2014?---Yes.

At Stars Palace in Fairfield?---Yes.

Were you at that function?---Yes.

What happened on that day, was it during lunch?---Yes.

What happened?---Um - - -

40 Well, firstly, who organised the function?---I'm assuming Eman but I'm not 100 per cent.

Did you organise it?---No.

Did you have anything to do with arranging the lunch prior to attending it? ---No.

Did you make any calls to book at table or book wine or - - -?---No, no.

All right. What happened at the lunch?---At the lunch it was well-attended.

Who turned up?---There was I think two members of parliament or one, and there was the – I'm sorry, I don't know the name, the superintendent maybe of Fairfield Police Station and a councillor from Fairfield Council and a lot of women, and MTC, MTC is a school for non-English-speaking people to learn English and some of them brought their class, one or two classes.

10 Okay. Why do you say that that function was not really an annual general meeting?---Simply because it didn't have the proceeding of an annual general meeting, it was more talking about domestic violence, what was happening in politics at the time, and just thanking people that came in there for - - -

Who was on the board at that time prior to the meeting?---Audrey was there, Julie was there, Nada was there, I don't recall anyone else.

20 You're aware that the NESH constitution requires the annual general meeting to include an election of the board, you know that, don't you?  
---(No Audible Reply)

At an annual general meeting you have to elect or re-elect the board?  
---Oh, yes, yes.

Did that happen at this lunch?---No.

Did anything like that happen in relation to the - - -?---No.

30 - - - constitution of NESH or the office bearers, were they elected?---No.

Were any other members introduced?---Oh, no, no.

Or minutes taken of what was said at this particular function?---No. Oh, I'm sorry, I don't know if there was minutes taken but she was the, I don't know what you call them, the MC. Eman was the MC.

40 I'm going to show you volume 2 of the statements, page 340. Was it an expensive lunch, how much per head do you know off the top of your head?---I'm sorry, no, I don't know how much a head but looking at the - - -

This is the invoice - - -?---Yeah.

- - - for that particular lunch.---Oh, that's the first I've seen of that one but I know that it was 2,000 and something paid. I mean my signature is there but that's not my date.

And the date next to your signature is 28 November - - -?---Yeah, but that doesn't seem to be my handwriting on the date but nevertheless that's my signature.

Is that your handwriting on the top of the page?---No. No, that's not my handwriting.

Do you know whose handwriting that is?---No, sorry. Maybe it's the workers that are there or, I don't know.

10

On the actual day, on 28 November were you responsible for paying \$5,000 to the restaurant?---No. I'm not – I wasn't responsible to pay – I'm not responsible for any money. Money sits with Neth and the bookkeeper and Eman.

On the day, on 28 November were you approached by any of the staff to pay the bill?---No, they didn't approach me on that day but they did approach the, the office.

20 When was that?---It must have been in December.

And what were they asking?---Oh, could you please tell Dr Sharobeem to, you know – my father's coming from overseas. I think – I took that as he's the owner, and we need this account cleared.

And how much was remaining on the account at that time?---2,000 and something.

30 Was it about 2,626?---Yes.

Were you – did you pay that amount to the restaurant ultimately?---I pushed to pay the amount - - -

Using NESH funds?--- - - - but I don't know - - -

Sorry?---I don't do the paperwork but I did push to pay for the amount because leaving someone who we've taken service from for a while like that and not being paid I feel a bit awkward of not paying.

40 I'll show you volume 2 of the statements, page 339. I think you instructed Neth to effectively pay the bill didn't you?---Yes.

Is that your handwriting on that piece of paper?---Yes.

And that relates to the amount owing to the restaurant doesn't it?---Yes.

Dabbagh Holdings is the company isn't it?---That's right.

Did you tell FACS that the AGM in November, 2014 or the purported function – the function purporting to be an AGM wasn't really an AGM?  
---Yes, I did.

When did you tell them that?---When a minutes had been done and Audrey I sent, Audrey I think sent – circulated them or, or sent them. They came across to, to my email somehow and I looked at them and then I sent it across to either Anthony or Satish to say this never occurred.

10 I'll show you volume 2 of the statements, page 344. In November of 2015 did Ms Lai send you the minutes for 2014, is that effectively what's happening here?---Yeah, she did attach them.

Had you seen the 2014 minutes prior to seeing them for the first time in November of 2015?---No.

You were the boss of NESH weren't you?---Yes.

20 There was no other annual general meeting was there?---No.

Did you have a discussion with the board about there not having been an annual general meeting? Or was there any conversation about that?---I did, I did, oh, yes, I did send – it's not here I don't think.

No, that's all right.---I did send an email to Audrey and said something like, "This never happened," or something like that. And she said, "Well, FACS accepted them as the minutes for the AGM."

30 When you say in this email "Mary Abboud not happy," what do you mean?  
---Oh, they've made Mary, Marie - - -

Marie.--- - - - as the returning officer in the paperwork, the AGM minutes.  
And - - -

Just go to the next page. I'll show you the minutes.---Yeah, and Marie wasn't happy with her name being implicated there.

40 Just the next page. Are you referring to the portion in the middle of the second page? "Marie Abboud essentially, as the returning officer, declared all positions vacant and called for nominations."---Yeah, yeah, yeah.

Are you saying that you had a conversation with Ms Abboud about this, these minutes?---Yes, I said, "Marie, did this actually happen and I did not know about it?" I wanted to clarify it with Marie because she's the only one that I probably at the time could talk to, to see if this could happen. And she said, "Oh, my God, no. I was never there." She said, "You know, I was there helping you out with packing up after that day."

Did you have this conversation with Marie Abboud in November 2015?  
---When this, when this document was furnished, yes.

When it was sent to you by Ms Lai?---Yes, yes.

Okay. You were present at the lunch, weren't you, on 28 November?---Yes.

10 Just go back to the first page. Is anything contained on that first page?  
Does anything, rather, on that first page reflect what actually happened on  
28 November, 2014?---Well, my name wasn't there so – and the only  
person I could clarify it was with Marie. And, no, I don't think that ever  
happened.

Your name is contained in that paragraph.---Oh, that's - - -

So read it carefully.---Oh, sorry.

20 And just tell me, is there any part of that that didn't happen?---“Till Nevine  
came on board.” I think they were just telling a story about what's  
happening. Sorry, sir, what's your - - -

Is that accurate? Did that take place on 28 November, 2014, what you  
read?---No, it didn't. I, I, to my knowledge this meeting never took place.

Okay. Did you attend the annual general meeting for 2015?---Yes.

Where was that held?---That was on the premises.

30 Okay.---Of NESH.

Who was present for that meeting?---Oh, a lot of people. A lot of – I say a  
lot of people because a lot of people knew the organisation was going to  
close down, although reporting from FACS told otherwise. So people, like,  
from Mission Australia, Anglicare, a lot of other organisations turned up to  
assist in keeping the organisation open. The people that from the committee  
that attended would be Nada, and Berri for the first time came, who was the  
cook, and Houda. Julie, I think, resigned at that time. And all were waiting  
for Audrey.

40 Sorry, all were waiting - - -?---For Audrey, the chair.

So did she attend?---She attended later at the, later in the day about, I don't  
know, 4.00 or something because she was unable to leave work.

All right. Ms Ghaly, Ms Sharobeem has suggested to this Commission that  
you're setting her up. At a number of different occasions she's said that,  
generally speaking and specifically. First of all, generally, have you had

anything to do with setting her up in relation to any criminal offence, potential criminal offence?---No.

She specifically said in her evidence, at transcript 836.37, that you and the bookkeeper were responsible for taking receipts from her desk and reimbursing her account in effect. What do you say about that?---From me? No.

10 She also suggested, at transcript 837, line 7, that you were responsible for taking receipts from her desk and reimbursing amounts to her account when she was training you to be the bookkeeper. Firstly, did Ms Sharobeem ever train you to be a bookkeeper?---No.

Were you ever a bookkeeper for NESH?---No.

You said you weren't a bookkeeper for IWHS, didn't you?---No.

20 That's right? She said, Ms Sharobeem, at transcript 854, generally, that you were the brains behind setting her up and that there were other people involved. What's your response to that allegation?---Sorry, that's not true.

Again on that same page she said that there were two pieces of evidence she had against you. Firstly, she said there was an incident where you came to her and said – you said this to her, apparently, “I'm afraid I will disappoint you.” That happened in the office. Did you ever say that to Ms Sharobeem in the office?---No.

Did you ever say that to her at her house?---No.

30 Did you ever go to her house?---Yes.

How many times had you been to her house?---Once. On her request.

Why did you go to her house?---She had a sleeve operation at Westmead Private Hospital and she requested me to visit her.

Was that in about June 2015? I showed you an email about an operation that she was - - -?---June 2015. Probably. I'm sorry.

40 And does it help your memory if I suggest to you that she was removed as a signatory in August or July of that year?---Signatory of what?

To the, to the account.---The bank account?

Yeah. Some time before that she had an - - -?---Before that she - - -

Yeah.--- - - - she did that.

So was it in June 2015 that she had the operation?---Yes.

All right. Did you send her an email saying, “I was used against you and I'm sorry if I disappointed you.” Did you send her an email with those - - - ?---Yes, yes. I, I did send her an email. And that email, I don't know how others interpreted, but that email was from me because I was very confused on what she wanted me to do in terms of even going to FACS to meet with them. I did not understand the portfolio of housing and I felt really lost of how to communicate with them and I said to her - - -

10

What did you, yeah, what did you mean by “I was used against you”?  
---Because I felt that I was in the FACS meetings and I wasn't given any – the one-on-one meetings with other people from FACS, expecting me to know what I should be doing in this portfolio, and she should have been attending those meetings, and they would be throwing things at me like, you know, a few occasions she said to me, “Oh, I'm not attending. I'm sure you can handle the meetings.” So I was trying to give her a message that, you know, I don't know, I feel like I'm being used as a scapegoat and I, you know, I don't know what to do in this portfolio, so I might disappoint you.

20

If that's what you're - - -

What did you mean by saying to her “I was used against you”?---Oh.

That is, against Ms Sharobeem.---Yeah.

What were you doing against her?---Not – they were trying to get me to talk about Eman. Every time they tried to get her, to meet with her or do anything, she was either at her minister's office or she'd leave it till the last minute and say I'm not coming or whatever. And they were sort of trying to poke me on, you know, what's, what's going on? Why isn't she turning up? And I felt a little bit like, well, I'm not – I felt really small, that I couldn't fit in the meeting.

30

[REDACTED]

■

[REDACTED]

MR RAJALINGAM: On 4 September, 2016, did you meet with officers from FACS about what was going on at NESH, in a more general larger sense?---Probably yes, with the bookkeeper.

20 I'll show you the minutes of a meeting or meeting notes. I think you went there with Neth?---Yes.

At this meeting in September 2016 do you recognise those as the meeting notes of 4 September, 2016?---Yes, no, I'm just looking at the names. Yes.

Do you agree that the contents of these notes reflect what was said - - -?  
---Yes.

30 - - - at the meeting?---Yes.

Essentially in September 2016 had you already raised the following, firstly that Richard Sharobeem was not properly employed at NESH?---Yes.

Agreed?---Yes.

Did you also say that Richard had no experience to be working with the project at NESH?---Yes.

40 Now, why do you say that?---His, his CV didn't reflect any of the experiences that are needed for the position.

You said that Richard at that meeting that he was hard to manage at NESH, did you?---Yes, yes.

You've mentioned there that he turned up late?---Yes.

That he left whenever he liked?---Yeah.

How else was he hard to manage?---When he was assigned something to do he wouldn't follow through.

And you said that Richard was driving the Honda from the time it was purchased?---Yes.

At that meeting?---Yes.

10 You also say in those notes that Ms Sharobeem was using bullying tactics, and I take it that you're saying that in the context of Richard's employment. Can you explain that a little bit more?---At one time when I tried to – I wasn't using disciplinary procedures at the time, but at one time that I was trying to get him to concentrate on the job, I take it that he went to complain to her and Eman sent message through Audrey that she knows a lot of people in high places and if I continue to bully her son she will take me to the Anti-Discrimination Board because she was on some board.

Richard also complained about your management style, didn't he?---Yes.

20 What was his gripe of you?---That, that I was pushing him.

Do you also raise in those notes that the payments to – from NESH to IWHS was unclear to you, you didn't understand why?---Yes. In actual fact we were sitting there and on that particular day there was a reimbursement in the NESH account that appeared of, I'm not sure, 8,000 or \$10,000 credited back to the account.

30 Do you know – you may not know this but do you know if the board was aware that the Honda City sedan had been purchased in January or December – January, 2015 at least?---No. I'm sorry, I don't know.

They were not or you don't know?---I don't know.

Is there anything else you would like to tell the commission, apart from what you've said, said today and apart from what's in your statement?---It's just very unfortunate to be in this situation but I found that, you know, I had to bring forward any wrongdoing.

40 That's the evidence.

THE COMMISSIONER: Thank you. Mr Chhabra?

MR RAJALINGAM: Sorry, I've just got to tender those meeting notes. Pardon me, Commissioner. Sorry.

MR CHHABRA: No objection to the tender.

MR RAJALINGAM: I have three copies of those.

THE COMMISSIONER: Exhibit 46, then.

**#EXHIBIT 46 - COPY OF MEETING NOTES FOR MEETING HELD  
AT FACS BANKSTOWN DISTRICT OFFICE ON 4 SEPTEMBER  
2016 AT MIDDAY**

10 MR RAJALINGAM: Sorry to interrupt, Commissioner.

THE COMMISSIONER: Thank you. Yes, Mr Chhabra.

MR CHHABRA: Ma'am, I'll show you a document. For the record, a copy of the same document is with Counsel Assisting

MR RAJALINGAM: Yes.

20 MR CHHABRA: I will endeavour to provide the Commissioner with a copy in due course.

THE COMMISSIONER: Thank you.

MR RAJALINGAM: There's another copy here.

MR CHHABRA: Ma'am, do you have the document in front of you?  
---Yes.

30 Do you see that it concerns a purchase order?---Yes.

To the amount of \$39.97?---That's right.

And order date of 9 July, 2015, top left corner?---Yes.

Processed just after midnight at 12.25am. Do you see that, ma'am?---Yes, I do.

40 The goods purchased have an estimated date of arrival one week thereafter of 16 July, 2015?---Yes.

Below that are the details of a shipping address with the named recipient being yourself, Nevine Ghaly?---Yes.

To the right of that are the details of a billing address with the name included there being yours - - -?---Yes.

- - - Nevine Ghaly?---Yes.

And do you see there are details concerning payment information?---Yes.

There described is a Visa card?---Yes.

Card number ending 3-2-6-2?---Yes.

And expiry date of 6/2016?---Yes.

I'll show you a second document.

10

MR MADDEN: Commission, can I just raise something.

THE COMMISSIONER: Yes.

MR MADDEN: I've not seen these documents. As I understand it the procedure is that Counsel Assisting is the gatekeeper for documents that go to a witness. I don't know if Counsel Assisting has these documents. I don't know if he's seen them.

20

MR RAJALINGAM: We've just been provided with them.

MR MADDEN: It's really, with respect, this is not the way that it should be done in my respectful submission. These are inquisitorial proceedings not adversarial. Things aren't produced from the bar table and shown to a witness. If my friend had something he wanted to show my client it should have been provided to Counsel Assisting long before this. That's, that's my objection and if there's going to be more documents handed up I'd ask to be given a copy of them now before they're shown to my client. But in my respectful submission this is an irregular way of doing things at a  
30 Commission of inquiry.

MR RAJALINGAM: I can say that I haven't, I haven't been provided with any of these documents prior to the examination of this witness but I'm in the Commission's hands in terms of what can – what should happen now. If, for example, we might take a break and the documents to be presented to this witness could be shown to me and I can discuss that with both Mr Chhabra and Mr Madden.

40

THE COMMISSIONER: Yes. How many documents are there, Mr Chhabra?

MR CHHABRA: Three documents. To respond to the objection - - -

THE COMMISSIONER: Yes.

MR CHHABRA: - - - in two ways. Firstly, I must accept the thrust of the objection and the submission made but I should say that I only received the documents after the morning tea break. They only just came to hand some

15/20 minutes prior. Secondly, I do join the proposal that Counsel Assisting has made. Perhaps a brief adjournment so a further copy can be made for Ms Ghaly's counsel and for consideration and discussion to be had prior to further questioning.

THE COMMISSIONER: Yes, all right. Well, I think that's a sensible suggestion so we'll adjourn for – it's a quarter to 1.00. Will we adjourn till quarter to 2.00 for lunch?

10 MR RAJALINGAM: That's probably - - -

THE COMMISSIONER: So we'll do it that way. Thank you.

**LUNCHEON ADJOURNMENT**

**[12.46pm]**