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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION TARLO

Reference: Operation E15/1982

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 12 JULY, 2017

AT 1.45PM

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

<NEVINE GHALY, on former oath

[1.53pm]

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Commissioner, I'm quite content for Mr Chhabra to ask the witness these questions about this document. It's a matter for - - -

THE COMMISSIONER: Mr Madden.

10 MR RAJALINGAM: - - - Mr Madden. I'm happy to do it.

MR MADDEN: I'm sorry, I didn't hear what Counsel Assisting - - -

MR RAJALINGAM: I'm happy for Mr Chhabra to ask the witness questions in relation to this particular document essentially.

MR MADDEN: Oh, right. Oh, well, that's a matter, that's a matter for you, Commissioner, with respect. What I would ask though is that, through you, Commissioner, that counsel for Ms Sharobeem indicates how he came into  
20 possession of those documents, how they were obtained, from, from whom and in what way they were obtained, because it could have significant bearing on any questions that I might have to ask of my client after she's cross-examined.

MR RAJALINGAM: I'm in the Commissioner's hands and I'm not too concerned about this part of the evidence at all.

THE COMMISSIONER: Okay. What relevance is it going to have, Mr  
30 Madden?

MR MADDEN: As I understand it, those documents could only have been obtained if someone – well, two ways – one, from the company concerned or secondly, if someone logged into the account that as I understand it, is in my client's name. So if my client didn't – and obviously my client didn't provide that printout, it must have been provided by somebody logging into the account at the business card company using my client's name and password. That's as, that's as I understand the situation in the short time that we've been able to discuss it over lunch. So that's, that's the, that's  
40 why it would be of interest and be helpful to me to protect my client's interests if I know how counsel for Ms Sharobeem obtained the documents.

THE COMMISSIONER: Well, I think that might be a question that can be left till after we hear what the evidence is.

MR MADDEN: Thank you, Your Honour. Thank you, Commissioner.

THE COMMISSIONER: Yes, Mr Chhabra.

MR CHHABRA: May it please. Ma'am, I'll show you the same document I showed you before the adjournment. You have it before you?---(No Audible Reply)

Thank you, ma'am. Just to re-canvass some of the material covered before the adjournment, you see that the document before you is a copy of a purchase order. Correct?---Yes

10 The order date being 9 July, 2015?---Yes.

The purchase amount being \$39.97?---Yes.

Your name, Nevine Ghaly, is detailed under that of shipping address?---Yes.

Again your name, Nevine Ghaly, is detailed under the heading of billing address?---Yes.

20 You will see on that page the heading payment information?---Yes.

Detailed there is that the purchase was made by a Visa card?---Yes.

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

With an expiry date of 6/2016?---Yes.

30 In due course, Commissioner, I'll be tendering the documents but as a bundle. I'll show you a second document. For the benefit of all, this document is a purchase order to the amount of \$69.95. I'm informed that Ms Ghaly already has that document before her as well. I thank the investigator. Ma'am, do you see that second purchase order?---Yes.

It has detailed at the top left an estimated date of arrival of - - -?---Yes.

- - - 30 March, 2015?---Yes.

To the amount of \$69.95?---Yes.

40 Again your name is detailed under that of shipping address?---Yes.

Again your name is detailed under that of billing address?---Yes.

And the card used to make that purchase was a Visa card?---Yes.

Ending – number ending rather 3-2-6-2?---Yes.

With an expiry dated of 6/2016?---Yes.

I'll take you then to the third document you should have before you and that document contains four separate cards - - -?---Yes.

- - - or details thereof?---Yes.

Do you see in the top left of that document the words, "Welcome back, Nevine"?---Yes.

10 Underneath that is a left-facing arrow beside the words, "Back to my account"?---Yes.

You would agree that whatever this portal is, it's in your account?---Yes.

In your name?---Yes.

You will see on that page four different card entries.---Yes.

20 If I could take you to the second card recorded there, it is a Visa card?---Yes.

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

The next column an expiration of 6/2016?---Yes.

You agree that you made those two purchases?---I might of.

You agree that those two purchases are made in your name?---Yes.

30 Through your account?---Yes.

Logged into a portal through to your account?---

Yes. You agree that part of that payment methodology of the portal includes the card, details that I have taken you to?---Yes, I agree because it's in front of me now.

If the Commissioner could excuse me one second. I'll just lean over to the Counsel Assisting.

40 Ma'am, I'll show you a Visa card. Could you please read the last four digits of that card number?---3 ah, sorry, 3-2-6-2.

The expiration date?---June 2016.

Is it recorded as 6/16?---Stroke 16, yes.

And to whom is it issued?---IWHS, Eman Sharobeem.

I tender the three documents and the card.

MR RAJALINGAM: There's no objection.

THE COMMISSIONER: Yes. They can be Exhibit 46.

10 **#EXHIBIT 47 - TWO BILLING INVOICES OF NEVINE GHALY, A  
STORED VISA PAYMENT RECORD AND A ST GEORGE VISA  
CARD IN THE NAME OF MRS EMAN SHAROBEEEM**

MR CHHABRA: You agree, ma'am, would you not, that in your hand is an  
IWHS credit card?---Yes.

The very credit card that was used in your account to make those purchases?  
---Yes.

20 You agree that earlier today in your evidence you said multiple times that  
you didn't even know that IWHS had a credit card?---Exactly right.

Yet your account is being used to purchase items using that very card?  
---Yes.

Your evidence earlier was not true, was it?---No, it was true.

It was not correct, was it?---It was correct.

30 Because you in fact have used that very IWHS card to make purchases?  
---With all due respect, I never used that card to make purchases.

Yet before the Commission the documents of purchases made under your  
name?---Yes.

Are you denying making those purchases?---I'm not denying making the  
purchases but I'm denying using the card.

40 You have already agreed that those purchases were made with the card  
sharing or bearing those details?---Yes, I have.

MR RAJALINGAM: I object to that. The question was in two parts in  
actual effect. It was put to the witness that she used the card on the account.  
Now, in my submission this is a website she, the witness may not  
necessarily have used the card but simply clicked on the box that says - - -

THE WITNESS: To pay.

MR RAJALINGAM: - - - this credit card details, just like when you get onto any website which is common these days for a log in to be connected to credit card details and that's precisely what's happened here.

THE COMMISSIONER: Yes, Mr Chhabra.

10 MR CHHABRA: With respect, Commissioner, the third document details payment methods. The payment method is the second card. The second card is the IWHS credit card. It's not a matter of semantics, those purchases were made using that card.

THE COMMISSIONER: Yes, well, perhaps if you continue your questions to the witness and - - -

MR CHHABRA: May it please.

THE COMMISSIONER: - - - it might be cleared up.

20 MR CHHABRA: Do you agree, ma'am, that the two purchases I have taken you to, used the IWHS credit card?---Yes, I agree.

Do you agree that the two purchases I have taken you to were made under your name?---Yes.

The two purchases under your name were made using your account?---Yes.

Which would have required a person, I suggest you, to have been logged in?

30 MR MADDEN: Well, it's two parts there, it's, it's, it's two questions there really. Perhaps we can take them one at a time.

THE COMMISSIONER: Yes.

MR CHHABRA: I thank my friend.

It would have required a person to have been logged in to execute those purchases?---Yes, correct.

40 May I suggest, madam, it was you who was logged in to make those purchases?---It could have been.

I'll move on. If I understood your evidence earlier correctly, you said you made some inquiries regarding this \$3,000 amount?---Yes.

Your evidence was – and please correct me if I've misconstrued it or misunderstood it – you contacted Westmead Hospital?---Sorry, with all due respect, can we – are you finished with this?

Yes.

THE COMMISSIONER: There can be some re-examination about it if you, if you want of the - - -

WITNESS: Oh, okay, because it's not quite finished, yes.

THE COMMISSIONER: Okay.

10 MR CHHABRA: Thank you, Commissioner. You gave evidence that you contacted Westmead Hospital?---Yes, I did.

You inquired with them the purpose of the \$3,000 payment?---Yes.

And you said that they informed you that the purpose of that \$3,000 payment was related to - - -?---A surgery.

- - - a particular surgery?---Yes, from (not transcribable)

20 Surgery concerning Richard Sharobeem?---Probably. Yes, yes, I think so.

When you contacted Westmead Hospital how did you isolate or identify for them which \$3,000 payment you were referring to?---The bookkeeper had given me the little slip of the MasterCard or whatever that was used.

The slip being of a payment from NESH to the hospital?---No, it was like a MasterCard little slip that comes off the machine.

30 Was that MasterCard associated with NESH?---No. We don't have a MasterCard in NESH.

Okay. What I suggest to you, ma'am, is that there is no way the hospital would have disclosed to you confidential information regarding a patient? ---It wasn't about a patient. The question was put, can you put me on to the right department for a donation or is this a procedure that went on, something along those lines. I can't remember exactly what my question was but it led me to the area of services that were rendered.

40 But your evidence before was you inquired with the hospital regarding a \$3,000 payment from if I understood it correctly either NESH or IWHS? ---No, I didn't go out and say is this from NESH or IWHS. I – from recollection, it's very vague, but I was trying to determine whether it was a donation or not or what area. Can you put me on to donations. That's all.

So your evidence is now that without having identified a payer Westmead Hospital disclosed to you details of a patient?---We had another invoice to support that.

I'll ask the question again in case it was confusing or not understood by you. Are you suggesting now that without even identifying the payer Westmead Hospital disclosed to you the details, confidential details of a patient?---No. They said it was a procedure so we determined, and Richard was off during that time with the procedure because Richard told us where he had it and what procedure it was. The hospital would not go and say oh, it was a procedure made for so and so.

10 Earlier in your evidence you agreed or accepted that you were told the details of the patient and the procedure. Are you now suggesting otherwise?---I don't think that - - -

MR RAJALINGAM: I object to that. I don't recall that, details of patients.

MR CHHABRA: The question I'd asked earlier was whether the name Richard Sharobeem was provided to her. She said – she paused, reflected and then said yes or words to that effect. It wasn't quite – I withdraw that. It wasn't yes but I believe so or some expression thereof.

20 MR RAJALINGAM: Your Honour, can I object on a more critical basis, namely, relevance of this line of questioning. It would seem that the only relevance is that Westmead Hospital provided confidential information to Ms Ghaly and that is, that is impossible and therefore there is some attack on Ms Ghaly's credibility in that respect. In my submission it just simply doesn't go to the allegations the Commission is investigating with respect to reimbursement to Ms Sharobeem of the \$3,000 amount which occurred an hour and a half after it was paid for using her personal credit card.

30 THE COMMISSIONER: It's cross-examination and Mr Chhabra is entitled to put those matters. Yes, Mr Chhabra.

MR CHHABRA: May it please. In any event that part of the cross-examination is now complete. Ma'am, I'll ask you a few final questions regarding the employment of Richard Sharobeem. You said in your evidence earlier that you were not involved in employing him.---Yeah. Well, I was told to employ him.

40 Is it your evidence that you were not involved in the process however of choosing him or engaging him?---No, I was told to employ him. I'm sorry, could you, could you be more specific?

Excuse me one moment.

I withdraw the question. Ma'am, was there ever an interview conducted with Richard Sharobeem - - -?---No.

- - - regarding his employment?---No.

Were you ever involved in any such interview?---No.

Having accepted that you've said there was no interview?---Yes.

Nothing further.

THE COMMISSIONER: Thank you. Yes?

10 MR RAJALINGAM: Commissioner, I wonder if I might ask some questions in relation to that document that's been shown to this witness.

THE COMMISSIONER: Yes, certainly, yes.

MR RAJALINGAM: Ms Ghaly, I think you wanted to add something in relation to the Vistaprint document that was shown to you?---Yes.

What did you want to add yourself?---My account is - - -

20 I wonder if you can be shown that document first?---Sorry. My account has been open ever since I was with Mission Australia and - - -

So when did you have this account with Vistaprint?---Three years, four years.

Okay?---And this account was opened when I was working with Mission Australia and I've got a particular interest in marketing who I work for, so I look around for the cheapest people that we can use. So when this, when we had to do business cards or whatever or whatever, printing for the  
30 organisation, I use them.

And so when you joined NESH, did you have the IWHS credit card details in the profile - - -?---No.

- - - for you - - -?---No.

- - - in relation to Vistaprint?---No.

40 How did the IWHS credit card information get onto your Vistaprint profile?  
---I'm assuming I gave my personal details because it was used by Jihan who was more or less trusted by Eman, and Richard, to do some printing for us.

Now, Mr Chhabra presented you with a credit card, a red one?---Yes, that's the first - - -

And had you ever seen that red credit card before?---No, that's the first - - -

When was the first time you saw that red - - -?---Now.

Did you put the details of the IWHS credit card into this website?---No.

It refers to – and I think you’ve already said you weren’t sure if you made the actual payments - - -?---Yes.

10 - - - but if you had made those payments, would it simply be a matter of clicking - - -?---That’s right.

- - - the second tab to use that credit card?---Yes.

You wouldn’t necessarily have to know the credit card information, would you?---No.

All you would need to know was your password and - - -?---To get into my account.

20 - - - username to that account. Correct?---And then it gives you a timer where it’s going to be processing it or declining or not.

How did your shipping address, well, firstly how did your name get into that profile?---Sorry, which profile?

How did you – it’s a very silly question, but how did your name get put onto this profile?---You mean - - -

30 For Vistaprint, why is it in your name?---Because it’s my account.

That’s right. Why are your shipping details there for IWHS, who put that there?---Probably either it was there from somebody who last ordered something or looking at it, accepted the account, it’ll either go here or there, because only simply – I’m just saying that simply because we didn’t have – it was a shopfront that was closed and if the postman came at, I don’t know, 8 o’clock in the morning or some hour that we weren’t in the office ‘cause we were out on the road, he wouldn’t have a place to leave it. So there’s a lot of scenarios why, even if I did the, the, the order, I would, even if I saw IWHS I’d accept it because it’s only going to go there, if I’m going past or  
40 whatever I know that the IWHS office will be open and I’ll be able to pick it up. That’s if I did that order.

Now, the credit cards that are listed on the third page - - -?---Yes.

- - - or they might be on the first page for you, were they all there when you joined IWHS in July 2014? So I’m asking you to distinguish between using this profile for your work with Mission Australia, would all of these credit cards have been there when you were working with Mission Australia?

---Oh, no, no, no.

When did these credit cards, when were they put onto the website?---It would have been the time that I was with IWHS or Mission because Jihan, she was - - -

But why are you saying Mission? I'm asking you about these credit cards. ---Oh, I'm saying, I'm sorry, but the last credit card's my own personal account.

10

Yeah?---And when, by, by the looks of it, when you make an order it will automatically take the top and I wouldn't know.

So if you use another credit card it goes on the top of the list, does it? ---Probably because I wouldn't know unless it declined the card and then I'd have to go in and actually look at what card is being used and why it declined it, because I've never actually - sorry, I'm not very cluey on that, I never actually go to the screen.

20 So how would you have made a payment using the Vistaprint?---It just says, "Pay now," and I'll pay now and hoping that it goes on my card.

So your evidence is that you had used this Vistaprint online service at NESH when you were there?---Yes.

While you were working in the IWHS office you would have used this website?---Or while I'm working in NESH.

30 Okay. But you necessarily would not have chosen a credit card when making a purchase using this Vistaprint - - -?---No, no, no, no.

- - - website?---No.

That's the evidence.

THE COMMISSIONER: Mr Madden, do you want to ask any questions?

MR MADDEN: Just two, two very short questions.

40 THE COMMISSIONER: Yes, certainly.

MR MADDEN: The Vistaprint account in your name, is it your evidence that other people had access to your account to order business cards?---Oh, yes, and not only business cards, there was other things that were printed for IWHS.

Right. Okey-doke. And the document that you've been shown with the, with the credit card numbers on it - - -?---Yes.

- - - have you seen that document before today?---No.

Rightio. And I know this is a silly question, but I have to ask it. Did you print that document out?---No.

Did you give that document to Ms Sharobeem's lawyers?---No.

Thank you.

10

THE COMMISSIONER: Ms Ghaly, can I just ask you this question about the, the money paid to Westmead Hospital, the \$3,000. Do you remember when that operation was that Richard had?---Ah, that would have been in March.

Do you remember where you were on the day of the operation by any chance?---Probably in the NESH office.

At Guildford?---Yes.

20

Yes, thank you. Did anyone want to ask any questions about that?

MR CHHABRA: No

MR RAJALINGAM: No, Commissioner.

THE COMMISSIONER: Were there any other questions or was somebody here from FACS? No.

30 MR EURELL: There is.

THE COMMISSIONER: There was. Do you want to ask any questions?

MR EURELL: No, Commissioner, I'm not here for FACS, I'm here for Ms Watton.

THE COMMISSIONER: For?

40 MR EURELL: Ms Watton, Julie Watton

THE COMMISSIONER: Okay, thank you.

Is there any reason why Ms Ghaly can't be excused?

MR RAJALINGAM: No, not at all.

THE COMMISSIONER: Yes, thank you, Ms Ghaly. Thank you for coming. You're excused if you'd like to leave.

THE WITNESS: Thank you.

**THE WITNESS EXCUSED**

**[2.18pm]**

MR RAJALINGAM: Was the document that Mr Chhabra presented to the witness tendered?

10

THE COMMISSIONER: It was. I think it's Exhibit 47, is it? Yes.

MR RAJALINGAM: Commissioner, I call Charlie Sharobeem.

MR CHHABRA: Mr Sharobeem's outside. He's being brought in.

THE COMMISSIONER: Thank you.

MR MADDEN: I'll excuse myself, Commissioner, if that's okay.

20

THE COMMISSIONER: Yes, Mr Madden, thank you. Thank you for coming.

MR CHHABRA: He wishes to take an affirmation.

THE COMMISSIONER: Thank you. And you want me to make an order under section 38, Mr Chhabra?

MR CHHABRA: I do, Commissioner.

30

THE COMMISSIONER: Then 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 the protection, Mr Sharobeem.  
And you're going to take an affirmation?

MR C. SHAROBEEEM: Thank you.

10 THE COMMISSIONER: Yes, thank you.

<CHARLIE SHAROBEEEM, affirmed

[2.20pm]

MR RAJALINGAM: Can you state your full name for the record.---Charlie Sharobeem.

What other names do you go by?---Charlie Gamal Shawky Sharobeem.

10 All right. Spell firstly Charlie Sharobeem for me.---C-h-a-r-l-i-e,  
Sharobeem is S-h-a-r-o-b-e-e-m for Mary.

E-e-m?---M for Mary.

And you mentioned another name that you went by, what was that and spell it please?---Charlie is the same spelling, Gamal is G-a-m-a-l, Shawky is S-h-a-w-k-y.

When were you born?---4 June, 1988.

20 Can you speak up.---4 June, 1988.

4 June, 1988. Do you have any nicknames?---No. Oh, Charles sometimes but it's - - -

Do you go by Charl Gamal?---As a nickname or - - -

Do you go by Charl Gamal?---No. No.

30 Have you ever went by Charl Gamal?---Before my father died, yes.

Okay. So I'm asking about all the names that you've used - - -.---Yes.

- - - in your life.---So Charlie Gamal Shawky Sharobeem is my father, his father and - - -

Take it slow.---Sorry.

The first name that you gave - - -.---Yes.

40 - - - was Charlie Sharobeem. That's your name isn't it?---Yes.

And is that your registered name in this country?---Yes. Yes.

You then said Charlie Gamal Shawky didn't you?---Shawky Sharobeem.

You then said Charles as a nickname.---I don't go by Charles but, yes.

You don't go by Charles?---As a nickname, people calling me, yes, but not on any documents, I don't work by it, I don't get called it.

Charlie?---Yes, is my name.

Charl Gamal, have you ever gone by that name in an official capacity?  
---Not in an official capacity.

10 What capacity have you gone by the name Charl Gamal?---Because the word Charlie Gamal Shawky Sharobeem is a long name, sometimes before my father died it would just be Charlie Gamal which is my name and my father's name.

Do you understand that it's confusing to use many different names?---This was because in Egypt they refer to you to your father before they refer to your family name so that was the only basis.

Your name here in Australia is what?---Charlie Sharobeem.

20 Okay. How old are you now?---29.

So you're nearly 30 years of age aren't you?---Yes. Sorry, do you mind if I take the jacket off, Commissioner?

THE COMMISSIONER: Sorry, no, go ahead.

MR RAJALINGAM: Are you still living with your mother and father in [REDACTED] My mother and stepfather.

30 Stepfather, Mr Haiman Hammo. Correct?---Haiman Hammo, yes.

And how long have you been living with them, your entire life?---I've been living with my mother entire life and my stepfather since he's moved in.

And have you lived in the [REDACTED] home since your mum purchased it?  
---Yes.

Where did you complete school?---Prairiewood High School.

40 What about primary school, where did you complete primary school?  
---Egypt.

How old were you when you were in Egypt?---I think we returned when I was about 15/16.

So you completed the last part of your high school in Australia. Correct?  
---Yes.

What subjects did you complete in your final year?---I believe it was English, history, VET courses, a mechanic VET course, maths, woodwork.

How did you go in your HSC?---I didn't, I didn't – sorry. I didn't get a number because it was 30 and under so I didn't go good.

So you didn't do very well?---No.

10 After school did you study a Diploma of Mechanical Engineering at Granville TAFE?---Yes.

Did you complete it?---No.

How much of that course did you do?---I'm not 100 per cent sure but from recollection it should be a Certificate III or IV. It was the TAFE part.

How many months did you spend - - -?---Over six.

20 - - - studying mechanical engineering at Granville TAFE?---From recollection between six to nine months.

Is there some issue with your recollection?---Is there some issue?

Is there any issue with your recollection, do you have any memory problems?---I don't have any memory problems, no.

30 So I'm asking you to answer these questions using your memory, no other basis. How many months do you think you studied mechanical engineering at Granville TAFE?---Like I said, between six to nine months.

Did you complete your studies at Granville TAFE?---No.

Why not?---I left to work.

What?---I left to work in the field of mechanical engineering.

Where did you obtain work?---The first role at Sydney Fire Protection at the time.

40 How long did you work there for?---Less than six months.

How long did you work there for?---Less than six months.

Why did you stop working at Sydney Fire Protection?---So the basis of the job was going through high-rise buildings and lifting a lot of fire extinguishers. And after a while it became evident that I had tennis elbow and a doctor gave me a certificate to say I can't, and I was dismissed from the job because it's required to lift a lot.

After leaving school, did you complete any tertiary education? Anything?  
---No, no.

So the only thing you tried was mechanical engineering, correct?---I've done some customer experience or customer service courses via my new work, but nothing studied myself, no.

Currently working?---Yes.

10

Where are you working?---Optus.

How long have you been working at Optus?---I'm going into my 10<sup>th</sup> year.

And where were you before that?---I started, I started with Virgin Mobile, which Optus bought, so it carried in. This is part of the whole 10 years. Before that - - -

20

So you've been working in a mobile shop for 10 years, correct?---I work for the mobile company, not a shop.

Okay. Where's the company?---Macquarie Park.

How often do you work there?---Every day.

Do you go to work every day?---Every day.

30

Have you ever done any work for the Immigrant Women's Health Service?  
---Yes.

What type of work? And I want you to think about all the type of work you've done for the Immigrant Women's Health Service. What type of work did you do?---A variety of primarily reporting. So I would not do the reporting myself but I would create presentations via reporting. Cleaning - - -

Have you – okay.---Sorry. Did you want me to list the rest?

40

So, just to be clear about that, what are you saying you did? The first thing? You made presentations?---Yes, so part - - -

What sort of presentations?---The financial report. I believe it was - - -

You compiled a financial report?---So I was presented with reports and I would put it into a presentation and put it on CDs. So - - -

What do you mean? I don't understand what you mean by you'd create a presentation.---I receive documents. So I receive documents that - - -

What software would you use on the computer to create this presentation?  
---Just my normal PowerPoint or PDFs. So PowerPoint and then PDF at the end.

Okay. Have you still got a copy of the presentations that you made?---I don't have it on me, no.

10 Do you have them on your computer?---The computer that I don't have, that was taken, possibly.

Do you have a copy of any of the work that you did for the Immigrant Women's Health Service?---No. Not from my recollection.

Did you email your mum any of the work that you did for the Immigrant Women's Health Service?---I'm sure it would have been emailed for her to review.

20 You're sure about that?---No, I'm not sure but I would have asked her to review it.

Well, you just said, "I'm sure." You would have done it?---I'm sure I would have showed it to her for her to review it. Whether that was sent - - -

The question is, did you email her?---I cannot recollect if it was emailed or if I showed her in person.

30 So your work on the reports was limited to presentations or was there more to it?---The work on the reports was creating the presentation and printing out 300-plus CDs.

Printing out 300 CDs?---I would – yes, because it was presented to, I think it was part of the annual meeting where they would give it to the members that come to the meeting, and I would put it on CDs and that would be shared with the members of the meeting.

So are you suggesting at the annual general meeting they all sat there - - -?  
---I don't know what exactly - - -

40 But you've printed out 300 CDs worth of photographs, is that what you're saying?---Worth of presentations. The presentation would include financial reports, it would include other reports and it would include pictures from gatherings that went throughout the year.

What's on the CD?---The presentation that I put.

At the compulsory examination last year, in November, and I seek leave to lead that evidence.

THE COMMISSIONER: Yes.

## VARIATION OF SUPPRESSION ORDER

MR RAJALINGAM: You said that you, from time to time, looked at 300 to 400 CDs.---That I create them, yes.

10

Do you know how big a CD is in terms of electronic size?---700 megabytes.

What are you saying is on 300 CDs relevant to the Immigrant Women's Health Service? Can you be a bit more precise about that?---It is a report. I would receive - - -

How many pages was this report?---It was a PowerPoint, so I can't tell you how many pages. There was attachments within - - -

20

Well, how many, how many slides were there in this PowerPoint presentation, Mr Sharobeem?---I'd say there was more than five but each page would have a hyperlink that would open further things that I added in there.

I'm sorry. A hyperlink takes you to the World Wide Web. You don't need the CD for that.---No, that's not a hundred per cent true. A hyperlink can take you to a folder that's within the same device.

30

Okay. And was this the case in relation to these particular CDs?---Yes.

And what did these hyperlinks include?---The photos from the different events that they had throughout the year.

How many photos are you suggesting was on one CD?---I'm not a hundred per cent sure.

But you're suggesting there were 300 to 400 CDs that you had to look at, are you?---No, no. I make the presentation and then I print that same presentation on 300 or so CDs.

40

So you're saying that your work was to create a presentation and copy the same presentation onto 400 CDs?---Yes.

How often would you do that?---I did it maybe four times, I think. Four or five times.

Four times?---Once a year, sorry, for four years or so.

Four years, once a year?---Yeah.

You're creating a presentation?---Yes.

And you understood that the presentation was shown at the annual general meeting of the IWHS?---I'm not, I'm not sure which meeting but it was an annual thing so I assume it's an annual meeting.

10 Who did you take your instructions of in relation to doing the work for IWHS?---From my mother.

Yeah, what did she say to you about what you were doing?---It, it came as part, initially, of her needing to create this presentation because it had all these documents and they wanted to go into – instead of printing on paper – into a more digital way. There was discussion. I have an IT background. As part of it I said I might be able to help you. She told me what they wanted and I said, okay, I'll put it together.

20 What was your IT background?---Sorry, apologies, not IT as in I studied but I've been playing computers ever since I was a little kid.

Mr Sharobeem, you didn't do very well at school.---Yes.

You haven't studied any information technology, have you?---No.

No. So you don't really have a background in IT, do you?---I - - -

30 Every child plays with a computer, Mr Sharobeem. Do you understand that?---Yes, but I - - -

So what particular experience did you have in IT?---During that time, for many years before that, I was one to manage a lot of the presentations for the churches or I would create a lot of the documentation. I did a lot of the computer work when we're presenting the screens. I've been involved in computer work for quite a while. I've built computers with my friends as hobbies. I've disabled them. I've worked on laptops. Right now I work in the world of technology also. So I have a background.

40 Where did you do your work on the annual reports?---At home.

You said, what, you'd spend, you did this four or five times?---From my memory, yes.

Once a year, because there's only one annual general meeting, isn't there? ---Yes. I, again, I don't know if it's the annual general meeting, but I would do the work once.

Well, do you remember in November last year you pretty much said you did work on the annual reports?---That, that's the annual report that I'm referring to. I don't know if it's part of the annual general meeting, is my point.

Right. So you're saying that you created the format of the annual reports? ---I put it in a presentation pack. So I received just normal Word documents. I would - - -

10 Did you receive the annual report?---What do you mean? I received - - -

Do you know what an annual report is, Mr Sharobeem?---Probably not. Of course, for a business. The annual report of the business.

All right. Well, why don't I show you the annual report?---Sorry, I, sorry, well, I don't understand.

I'll show you. When do you think you started doing work on the annual reports, Mr Sharobeem?---It would have been during school.  
20

What year?---Maybe 2006/2007.

2006/2007?---It would have been before I started work.

When did you finish school?---2006.

When did you start working at Hungry Jack's? Didn't you say that in your private examination in November?---Yes.

30 That was during school?---Yes.

You did mechanical engineering after school?---TAFE. Yes.

TAFE. For about six months. Were you doing the annual reports during that time, when you were trying to do mechanical engineering?---I'm not a hundred per cent sure.

Why not?---Because it's a once-a-year thing. I would just do it when it came up.  
40

And you said for about four years.---Yes.

Do you recall working on the annual report in 2015, for example?---No.

You didn't?---The annual report 2015, I might have helped out but I didn't create the presentation.

What about 2014, then?---I was still, I was employed by Optus. I don't - - -

This, this is about three or four years ago.---I - - -

Was it more recently or was it - - -?---No, it was further away. It was before I started working with Virgin and Optus. I might have done one right in the beginning when working for Virgin, but I don't believe I continued on.

So in the course of preparing these presentations - - -?---Yes.

10 - - - did you have the annual report for Immigrant Women's Health Service?---Again, I receive documents. I don't read them. I don't look at them. I don't know what I'm looking at. But I create it into a nice way to present it to people.

What, what, sorry, what was the presentation about? Tell me.---Okay. So I receive Word documents that are just scattered Word documents.

What were the Word documents?---Whatever reports the business had.

20 What were the reports, Mr Sharobeem?---I don't know. I didn't read them.

Did you read the heading of the reports?---I don't read them, no.

Did you understand what you were reading?---No, I don't read them.

So were you just cutting and pasting things into another document?

MR CHHABRA: Object, Commissioner.

30 THE COMMISSIONER: Yes, I think this cross-examination is getting a little too aggressive, Mr Rajalingam.

MR RAJALINGAM: Yes, yes, yes, Commissioner.

THE WITNESS: I received Word documents, I create a PowerPoint from scratch, make it colourful, put the logo of the company, make it look presentable, put little arrows that make it fade out, fade back in, et cetera, et cetera. I don't look at the wording, I don't read it.

40 THE COMMISSIONER: Are there copies of the CDs that you've done? ---I don't believe so, Commissioner, but I can look at home but I don't believe I have any. At the time I printed what was needed and they were all given.

Okay.

MR RAJALINGAM: Pardon me, Commissioner.

Mr Sharobeem, I'm going to show you the 2005-2006 annual report and you can indicate to me what you did with it, if anything at all?---Thank you.

So if you can look through the entire document. Have you seen that document before?---I don't read them. I receive a Word file. I don't read it.

Okay. Well, have a look through it?---I, I, I haven't done anything - - -

10 When you receive the Word file do you at least look at it?---No.

So what did you do with it?---Add it as hyperlinks to the PowerPoint presentation that I'm making.

And what was in the PowerPoint presentation that you were making?  
---Like I was saying, so it just looked nice with the heading of The Immigrants Women's Report of whatever year it was, put little colours, make it fade out, make it fade in and that was it. I don't actually read the data.

20 Did you write the data - - -?---No.

- - - into the presentation?---No, it's a hyperlink.

Who wrote, but who wrote, who prepared the presentation?---I create the presentation, this document is prepared by the work.

Put this document aside, when you say you created the presentation - - -?  
---Yes.

30 - - - can you describe what you actually did, because I don't think you've done that yet, apart from saying you added hyperlinks.

MR CHHABRA: Object, Commissioner. Whilst Counsel Assisting may not have quite understood the answers, he has on multiple occasions now, Mr Sharobeem, described what his work was, preparing a presentation on PowerPoint that at times also involved PDF-ing, fade-in, fade-out, in particular a cleaner more sophisticated way of presenting information. Not producing the information, not collating it, but creating a method of presentation.

40

THE COMMISSIONER: Well, I understand what he's saying. Yes, Mr Rajalingam.

MR RAJALINGAM: Well, apart from those things that have been referred to, the hyperlink, using different colours, did you write anything using letters, English letters, into the presentation?---I'm sure I would have written the Immigrants Women's Health Service Report of 2006 or 2007 or whenever it was. Did I write anything regarding the work? No.

How many other words did you write in the presentation, setting aside the hyperlink, roughly?---I, I couldn't tell you for a fact because each page would be something different, if this is the annual report part, then I would add it on the annual report page, if there was a financial report part, then I would add on a financial report header.

Do you - - ?---If there was photos I would write photos as the header. Other than that, nothing.

10

And so you did this once a year for about four years?---From my recollection, yes.

What other work did you do for the Immigrant Women's Health Service? ---Cleaning, a lot of work just around the place whether it might be gardening or fixing a door that was a bit broken or just I guess handyman work around the place um - - -

20 Was it of much significance, the type of handyman work you were doing? ---Was there much – well, yes, we would do it to help the place so yes.

Name some of the things that you did in terms of the handyman work? ---Just little things around. So I think I remember there was a door that was broken once, we replaced it, there was a few wooden panels on the fence um, we've gardened the place, I think there was the post um, the mailbox was broken once, there was a few things. We, we did a lot of things in the place.

30 When you say we, who are you talking about?---My brother and I, but I'm referring to just myself now.

And when do you recall doing cleaning and handyman work?---Oh, over the course of the years. The place was like a home to my mum so whenever she needed help we'd go help.

What was the biggest handyman job that you did?---Oh, I couldn't tell you. Nothing too major, nothing that was too major.

40 Did you know that the IWHS was using plenty of funds to hire subcontractors to effect repairs?---To do actual work yes, to do actual work. This stuff was me just going with a little hammer and helping out, instead of paying for someone we just did it.

Did you ever – how did you claim payment for work that you did?---I didn't claim payment for any of those things.

Did you claim payment for the annual reports?---The report I was paid for.

Did you fill out time sheets for the work that you'd done on the annual reports?---No.

Did you keep a record of the amount of time that you were spending on the annual reports?---No.

Did you report to your mother how much time you had spent on the annual reports?---She would see that it took a few weeks. Did I report to - - -

10 The question is did you tell your mother how many hours that you spent on the annual reports from time to time?---I'm sure I would give her an approximation.

What sort of approximation would you give her?---As long as it took. Initially it might have taken me a bit longer but after a while I got used to it.

Are you talking about a rough figure of hours that you spent on a particular job?---Potentially, yes.

20 Did you give her times?---No.

Did you know that when you were giving her these times it was for the purposes of receiving payment?---Yes. She would ask me how long have you spent and I would tell her. I didn't say a particular time that I started here or finished there. It wasn't like that.

Did you know you were being paid by the Immigrant Women's Health Service for your work?---I, I get paid by my mother so whatever shows up would be Eman Sharobeem. I never really noticed on IWHS.

30 You didn't notice that in your account?---No. I don't pay attention to my accounts.

You saw the transfers into your bank account didn't you?---I don't look at them.

And you knew that the money was coming from the IWHS didn't you? ---No. Like I said, my mother will pay me.

40 On 2 May, 2014 – just listen to the amounts and then we can talk about – 2 May, 2014 you received \$400 under Gamal. Understood?---Uh-huh.

This into your account.---Okay.

On 7 May, 2014 you received 250 under Gamal.---Uh-huh.

22 May, 2014 900 under Charlie G. 6 June, 2014 900 under Gamal.  
11 June, 2014 \$150 under Charlie G. 27 June, 2014 2,400 under Charlie G.

13 August, 2014 1,100 under Gamal. 22 August, 2014 300 under Gamal. 3 February, 2015 450 under Gamal, and that's a total of \$7,750. Do you accept that I've given you amounts between 2 May, 2014 and 3 February, 2015 which I say have been transferred into your account?---Uh-huh.

Do you need your statement to confirm what I've just given to you, the details?---Sir, I don't understand what that means.

10 Do you need your bank statement?---I believe you. I don't look at it but I believe you.

Well, did you – do you accept that you received about 7,750 between 2 May, 2014 and 3 February, 2015 for facilitator fees effectively?---Okay.

Do you accept that?---If you say so.

And are you suggesting that that was for your work on the annual reports? ---No, not, not the reports, no.

20 So what was that for?---Helping out with working in the office a lot of the time. If I'm not mistaken during that time – I do not recall 100 per cent but if I'm not mistaken there was something with their computers in the office, one of the computer training rooms and we would go and help out the different rooms. We spent a fair bit of time just helping ladies get into computers, understand what they do, rebooting all of the PCs in the place. I helped them do some of their Internet work in the back rooms.

30 Are you saying to the Commission that you weren't paid for your annual report work?---No, I got paid. I just don't recall when. I can't tell you that that period was for that.

Well, that's the only money you received from IWHS.---I – like I said before  
- - -

Did you receive any money before that period in – before May, 2014?---Not from IWHS, no.

40 From NESH did you receive any money?---No, I've never received from NESH.

Well, I'm asking you about Immigrant Women's Health Service.---Yes.

I'm suggesting to you that between 2 May 2014 and 3 February, 2015 you received about – well, you received exactly \$7,750.---Okay.

Are you suggesting that that was not for your work on annual reports?---I, I don't know. I really don't know. I don't believe so but I don't know.

What did you think the money was for?---I don't know. I, we do a lot of work as part of the, like - - -

You understand - - -?---There was, there was never a time that I did something that I said, hey, I need to get paid for this. It was a lot of work that just happened all the time. So if the payments didn't go in before, I wouldn't have noticed because I never kept a track to say, "Oh, you didn't pay me or you did pay me." If it went in at that time, then that's when it went in.

10

When you say a lot of work, are you talking about once a year - - -?---No. - - - for the annual reports?---No.

Are you talking about the cleaning work?---There's other things that we would just go to in the place, like the handyman stuff that I said and the cleaning work, yes.

20 Weren't you doing that to help your mum?---A lot of the time, yes. The cleaning part was a job job. We actually cleaned because there was no cleaners at the time. She couldn't hire someone.

30 All right. Well, Mr Sharobeem – pardon me, Commissioner. Page 76 of your compulsory examination. I was asking about what work you did and we were talking about the annual reports. And I asked you how many times per year you would do that work. You said, "It varied over a couple of years. There was a couple of years that had a lot more pictures, a lot more presentations throughout the year, so I built them through that. One of the years required, I think, 300 or 400 CDs so that took a lot of time also. But I'd say maybe twice a year." And I asked you when you started doing that work and you said, "Not a hundred per cent sure. It could have been 2010 but I'd say 2012." Then I asked you, "Were you paid for your work preparing on the," and you said, "Were you paid for the," sorry, I said, "Were you paid for your work on the annual report?" and you said, "Yes." So were you paid for your work on the annual reports or not?---Yes.

40 Why did you suggest before that you hadn't been paid?---I was saying that particular payment in 2014, I can't say that during 22 May to whatever date you said, that that was related to the annual report. Just because I can't recall.

There was no other time you were paid by IWHS, Mr Sharobeem.---Okay. So - - -

Do you understand that?---Okay. Right.

You would have known that in 2014, wouldn't you? That you had never been paid by IWHS?---No, I wouldn't have because I don't pay attention.

Do you own a property?---I owned a property, just myself, but it's been sold and now I'm in a joint with my mother.

How did you purchase a property?---Pardon? I don't understand the question.

How did you find the money to buy a property?---In 2009 or now?

10 Well, when you bought it, where did you get the money from?---I had been working before that and my mother helped me a little bit.

Where did you work?---Would you like to know all my jobs?

Yeah.---So I worked at Hungry Jack's and then I did handyman work for a family friend and then I worked at Allphones in Bankstown. I was a normal employee and then an assistant manager.

20 When did you start work at Allphones?---During my school. So it was from possibly mid-year 10, I think it was, until after year 12.

Sorry, weren't you working at Hungry Jack's in school?---Hungry Jack's was from when I first started school, so the end of 2009, and probably went on to about 2010.

Mr Sharobeem - - -?---Yes?

30 - - - in November last year you said when you were 14 years and six months you started work at Hungry Jack's.---Sorry.

Now you're saying that you were working at Allphones.---So I – when we first came to Australia, my first job was Hungry Jack's.

40 How old were you?---I'd say around the 15 mark. So, 15 years old. I stayed there for a little bit and then as – I was in school at the time and then as things changed I started working for Allphones, which was related to the person, they were family friends of the person that got me the job at Hungry Jack's and I started helping them out in their store, and I started working there continuously and left Hungry Jack's. And this was during school.

Did your mum help you with the purchase of your property in 2009?---Yes.

Can you say where it was located?---The - - -

The property.---The unit. In Parramatta.

What address?---195/22 Great Western Highway, I believe.

195/22 Great Western Highway?---I believe.

How many bedroom place?---It's a studio apartment. A studio apartment.

A studio apartment. How much was it worth when you purchased it?---I believe 170,000.

And what was the deposit that you paid?---I'm not quite sure.

10 How much money did your mum give you to help you buy that property?  
---My mother my whole life has managed a lot of our money stuff so I don't know.

The question is not about that?---I didn't – she was with me in the bank during the purchase. I didn't myself give the lump sum so I'm not 100 per cent sure.

Did you contribute any money - - -?---Yes.

20 - - - towards the deposit?---Yes, any of my savings.

How much money did your mum contribute to the deposit?---I couldn't tell you.

Are you saying the mother, your mother pretended to be you to purchase the unit?---No, no.

Weren't you there?---I was with her.

30 MR CHHABRA: Object, Commissioner. That is not even approximate to the evidence that was given.

MR RAJALINGAM: Well, Commissioner, the witness said, I was there, I didn't know what happened, the money went in some direction, suggesting that he had no idea what was going on when he was buying property.

THE WITNESS: No.

40 THE COMMISSIONER: What do you remember about it?---I know that we purchased the property. I don't remember how much, I don't remember what funds I gave because my mother managed everything in our life. I was with her, I know that it was in North Sydney branch because I worked in North Sydney, she came and met me after work one day, we went to the bank, she sat with me in front of the lady, she did all the work for it and that was it. And I managed the payments after that one.

You managed the payments?---Yes, repayment into – for the mortgage, yes.

Do you remember how much the mortgage was for?---Oh, oh, yeah, actually, oh, it was 150 in my account, there was \$150,000 loan that I had to pay back.

Okay.

MR RAJALINGAM: Your mum gave you \$20,000, didn't she?---If you say so. Now I'm remembering the number and how much but I can't recall how much she gave me, and I don't think it would be the full 20,000  
10 because like I said, I had some savings.

Well, did you get the first home-owner's grant firstly?---(No Audible Reply)

It was your first home, wasn't it?---Yeah, yeah, I think so, yeah, I think so.

Yeah, it was under 650,000 or whatever?---Yeah, yeah, I think so, yeah.

All right. So do you think you paid any money towards that property, towards the deposit?---Yes, I would believe that I put some of my savings to  
20 - - -

How much?---I don't know.

Was it in the tens of dollars, the hundreds of dollars, the thousands of dollars or tens of thousands of dollars?---It would have been the thousands.

Okay. So not more than ten grand?---No.

Is that correct?---Yes.  
30

And I think in your compulsory examination last year in November - - -?  
---Ah hmm.

- - - you said that your mother might have given you 10,000 and you later said she might have actually given you 20,000?---Yes, because I can't recall.

What happened after you purchased the property, was it rented out of did you live in it?---I believed we had to stay in it for a little bit.  
40

How long?---Six months.

When you say we, who are you referring to?---As in like, it would have to be my mother and I or something but I would just stay there overnight um, but I think it was for a six, probably a six-month period.

Were you there?---Yeah, well, the majority of the time, yes.

What happened after that?---We believe we rented it out. I rented it out.

To who?---I'm not 100 per cent sure of the lady's name or who she was because it was done by my mum, but from my recollection it was an older lady with a kid.

Where did the rent money go?---To my, to my mother, and then she would transfer me.

10 So you received rent on the property that you'd purchased. Was there ever any formal lease agreement in relation to that property?---I couldn't tell you.

Well, have you as the owner of it signed a lease agreement, Mr Sharobeem?  
---Not that I am aware of.

Did you or did you not sign a lease agreement in relation to that - - -?---No, I didn't, not from my recollection, no.

20 That's simple, isn't it?---Well, it's not, because I wouldn't of done the lease agreement myself, but if my mother came home and said, hey, it's going to be rented out, you need to sign this, then it's possibly that I did, but I didn't do it myself.

Did you at some stage falsely nominate yourself as the driver of a vehicle your mother was driving in a speeding offence?---No.

You didn't?---No.

30 Can I show you volume 6, page 22?---You can. Do I look here?

THE COMMISSIONER: Yes, it will come up on the screen.

MR RAJALINGAM: It will come up on the screen. Do you recall that document at any stage?---No, but okay.

Do you recall a time when your mother asked you to nominate yourself as the driver of a vehicle?---No, and you can't on this. This is given by the officer on the spot.

40 Go to the next page. Do you see that?---Yeah.

Is that your handwriting?---Yes.

Which part of it is your handwriting?---The top.

What's written on the top?---It says the person that was in this is not in this, or that's me saying that I did it, that she wasn't driving.

So is that right?---Sorry, I might have understood your question incorrectly because I – if – all my cars have been under my mother’s name so if we ever get a fine in the mail, because I’ve had a lot of fines and if the statutory declaration is with it I would put that it was me the driver. I, I probably understood your question incorrectly but any statutory declaration that comes to the house with a camera detected fine that was for the car that I drove I would say it’s mine.

10 Go back a page. So you hadn’t seen that. It says there, clearly relates to your mum, Eman Sharobeem.---Yep.

It’s a penalty notice issued to you – to her.---Yes.

Why would there be any mistake about that?---So this is written by an officer.

Yeah, I understand that.---A statutory declaration - - -

20 But a letter in your mailbox would include her name on it wouldn’t it?---If an officer pulls you over and takes your licence you won’t get a statutory declaration because that’s confirmed to the police that that’s the person that’s driving. The only time you get a stat dec is if it’s camera detected and it comes in to say if you weren’t the driver of this car write this which is the next page. But this part that you’re showing me right now, this is a radar penalty that’s written by an officer to my mum.

Yeah.---I couldn’t of taken that.

30 That’s – I understand that, Mr Sharobeem.---Yeah. I couldn’t of taken that though.

But you seem to be indicating on the next document that you were nevertheless the driver of the vehicle.---Can I see - - -

How did you do that?---What do you mean?

40 How did you fill out the next – go to the next page. How did you fill out this form, where did you get the form from?---It would have come in the mail.

Yeah.---Yeah.

So why did you suggest that it was you?---This fine doesn’t relate to that last one. The last one was written by an officer. An officer will confirm who is the driver at the time. They will witness the licence and they will say this is the person.

Did you ever rent your unit to your, your stepfather, Haiman Hammo?---I personally didn't.

Do you know if it was rented to him?---I don't know.

Are you sure about not knowing about this?---It was possible but I'm not 100 per cent sure.

10 How possible is it, Mr Sharobeem, that your stepfather rented the first unit that you purchased for the first time in your life?---I'm sure it's possible but it wasn't done by me so I can't tell you that I know.

Do you know if your stepfather was living in the unit for some time?  
---Possibly.

When I asked you in November - - -.---Yes.

- - - have you ever rented the unit out to Haiman Hammo - - -.---Yeah.

20 - - - you said yes.---No, sorry, I would have corrected myself. I said I didn't rent it out, it was possibly rented out to him but I never managed - - -

Yeah, okay.--- - - - the property at all.

But you knew it was being rented out to him didn't you?---Possibly. I don't know if it was rented or if he was staying there for a brief time. I don't know the exact details.

30 Do you think your mother rented it to him?---My – if anyone did it would have been her, yes. It wasn't me.

Did you ever receive any money from Mr Hammo, your stepfather, in relation to - - -?---Not to myself, no.

Are you sure about that?---From Haiman regarding the rent - - -

Yes.--- - - - to myself, no.

40 The Commissioner asked you some questions about the bank, going to the bank and the loan, the deposit.---Mmm.

And tried to recall that day when you applied for a loan.---Yes.

Can you do that now or is it difficult for you?---I – it's exactly what I said, that I worked in North Sydney, Miller Street. My mother came and met me after work one day. I think I finished early and we went to the bank that was on Miller Street.

How did you apply for the loan if you didn't know how much money was in your account?---What do you mean? My mother's guided me through all of this.

So you at that stage never thought about how much money was in your account. Is that what you're saying to the Commission?---No. I – my mother has always guided me.

10 Even when you were buying your first property you didn't think about how much money you yourself had. Is that what you're saying?---Yes, that is what I'm saying.

How did you know you were going to make the monthly or weekly repayments for the mortgage?---From my pay. At the time I was working and the pay would cover the repayments required.

20 So you were – are you saying, seriously suggesting you're a 29-year-old man who, what, four years ago didn't know how much money was in his account?---I still probably don't know. It's fine.

You still don't know? Is that your evidence?---Right now I couldn't tell you how much money is in my account, no.

Thank you, Commissioner.

THE COMMISSIONER: Mr Chhabra.

MR CHHABRA: No questions.

30 THE COMMISSIONER: Okay. Any reason that Mr Sharobeem can't be excused?

MR RAJALINGAM: Pardon me, Commissioner. I've just been handed a note. That's the evidence, Commissioner.

THE COMMISSIONER: Okay. Thank you. You can step down. You're excused if you'd like to leave.

40 **THE WITNESS EXCUSED**

**[3.01pm]**

MR RAJALINGAM: I call Richard Sharobeem.

MR CHHABRA: Mr Richard Sharobeem is just outside. My instructing solicitor can go out and get him.

THE COMMISSIONER: Thank you, Mr Chhabra. Mr Chhabra, do you want me to make an order under section 38?

MR CHHABRA: I do.

10 THE COMMISSIONER: 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.

20 **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.**

30 THE COMMISSIONER: That gives you the protection, Mr Sharobeem. Now, will you take an oath or an affirmation?

MR R. SHAROBEEEM: An oath.

THE COMMISSIONER: An oath.

THE COMMISSIONER: Thank you. Yes.

MR RAJALINGAM: Thank you, Commissioner. May you state your full name for the record?---Richard Sharobeem.

Do you go by any other name?---Currently no.

10

Previously in your life have you gone by any other name?---Richard Shawky.

Anything else?---No.

What about Rachie Kakel?---No.

What about Rachel Kamol?---No.

20 Do you have any nicknames?---No.

When were you born?---21<sup>st</sup> of the 2<sup>nd</sup>, 1992.

Where were you born?---Westmead Hospital.

Did you move back to Egypt when you were about 5 years old?---I believe so, yes.

30 Did you come back to Australia when you were about 11 or 12?---That's correct.

What did you do in Egypt, if you can remember?---Lived.

Did you go to school?---Yes.

How many years of school did you do in Egypt?---I can't recall.

Did you complete high school in Australia when you returned?---Yes.

40 Where did you complete high school?---Christian Community High in Regents Park.

Did you complete year 12?---Yes.

HSC?---Yes.

How did you go in your HSC?---I think I went all right.

What did you get?---About 50 something.

What did you do after school?---I went and studied business at Liverpool TAFE.

Leave to rely on some evidence at the CE in November, Commissioner.

THE COMMISSIONER: Yes.

10

## **VARIATION OF SUPPRESSION ORDER**

MR RAJALINGAM: I think you said in your evidence in November that you did some study in ancient history as well.---Yes, that's correct.

Where was that?---That was at Macquarie University.

20

Did you complete your diploma in business at TAFE?---No.

What else did you do after school in terms of education?---Yeah, I studied criminology at Griffith University. I studied - - -

Just taking it one by one so it's easier. How did you go with the criminology course?---I didn't complete it.

Did you fail most of the subjects?---I don't recall.

30

All right. Hold on. Can I take you to volume 21, page 277. You pretty much failed everything, didn't you, Mr Sharobeem?---Quite possibly, yes.

Okay. That's your academic record from the University of Griffith, Griffith University, isn't it?---Yeah.

And that's your fail record for that subject, isn't it?---Yes. Yes.

You knew that, didn't you, that you failed every subject from Griffith University?---I couldn't remember.

40

What else did you do after school?---Um - - -

You said criminology. Then what else?---I studied photo imaging.

Where at?---Ultimo TAFE.

How long did that course take?---About a year.

Did you pass?---Sorry? Yes.

What else did you do?---I studied a diploma in community service and case management.

Was that after you started at NESH?---Yes.

What else did you do after school?---I can't recall.

10 Did you have any work experience after school before you worked at NESH?---Yes.

What was that?---Volunteer work with COCOS, which is Coptic Community, Coptic Orthodox Community Outreach Service. That's with the homeless.

How long were you doing work with them for?---Several years.

How many years?---Approximately two beforehand.

20 "Two beforehand"? What does that mean?---Before work.

Two before work?---Yes.

Two before work where?---NESH.

Prior to working at NESH did you at some stage also help your mum with IWHS work?---Yes.

30 When was that?---I couldn't give you an exact timing.

Were you paid for your work at IWHS?---For some of it, yes.

What work were you paid for?---Cleaning. Some maintenance jobs.

Did you work on any programs?---No.

Did you know you were paid for your work at IWHS?---For some of it, yes.

40 Did you know you were paid by IWHS?---I believe I was paid by IWHS.

Sorry?---I believe I was paid by IWHS.

And you knew that you received money in your account, didn't you?---Yes.

And you knew that you received sometimes thousands of dollars in your account, didn't you?---No.

I'll take you to bank statements volume 7, page 2424. You knew at some stage you were paid about \$20,000 in the space of three days, didn't you?  
---No.

Well, have a look at your bank statement. Can you see that page? It's for June 2014, Mr Sharobeem.---Yes.

Can you see how much money you received in your account from the IWHS? It's fairly clear, isn't it?---Yes.

10

How much money, roundabouts, do you think you received? Just from that page?---28,040.

Do you know what you did for that money?---No.

You didn't think your mum was giving you pocket money, did you?---No.

You were getting paid by IWHS, correct?---Yes. But I don't recall this amount.

20

Really?---From my memory, no, I can't recall it.

Well, do you think when it actually was transferred into your account you noticed it, Mr Sharobeem?---I can't recall if I noticed it.

You didn't notice \$30,000 being transferred into your account over a couple of days?---At the time I didn't check my account that often.

Were you living at home in June 2014?---Yes.

30

Did you have any other accounts?---No. Not at the time.

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

And you received \$30,000. Are you saying to this Commission that you didn't notice it?---I don't check my bank account.

Go to page 2427. You had the habit of transferring money to and from two accounts that you had, didn't you, Mr Sharobeem? Just answer the question first.---Oh.

40

You had the habit of transferring money from one of your accounts to the other.---It would have been an automatic.

Automatic?---Yeah.

All right.---If that's the case, yeah.

Well, have a look here. You see the transfer into this account, the \$4,000 on 30 March, 2015?---Okay.

And you see there that on 2 March you receive some pay from the Immigrant Women's Health Service, then on 10 March you received from the Immigrant Women's Health Service and it's got Rachie Kakel there, 500 and \$900. Do you accept that? And then another transfer on that same page, from the Immigrant Women's pay. Do you accept that?---It's there.

- 10 Go to the same volume, page 2417. How many automatic payments of \$4,000 do you think you've made from one account to the other?---I don't know.

Well, it was automatic, how often did you make these automatic payments? ---I don't recall.

How, well, what did you set the website onto in terms of the regular payments?---I actually don't recall setting it up.

- 20 Well, can I give you your bank statement and can you show me the regularity of these payments of \$4,000 from one account to the other, or is that a lie, Mr Sharobeem?---No, it's, I don't recall transferring it. If I was to transfer it, it would have been an automatic, I wouldn't have done it. I don't recall transferring it.

So the website just automatically transferred money from one to the other. Is that what you're saying?---No, it's very possible that it has been set up, however I don't recall setting - - -

- 30 Who set it up?---I don't know. I don't. If it was me I don't recall it.

All right. Did you – what type of work were you doing at the Immigrant Women's Health Service?---Cleaning, some maintenance work.

What else?---I did some photography.

In terms of the maintenance work, how, when did you start doing that? ---I can't recall.

- 40 For how many years did you do it?---I also can't recall. Can't recall.

In November last year you said that you were doing some cleaning work to replace the old lady that was there?---Ah hmm.

And I think you said you'd been doing it for about three to six months? ---That's the cleaning work, not the maintenance.

Yeah, so that's the cleaning work. So when did you start the cleaning work?---The cleaning work, I can't remember when it started, I can just remember how long it went for.

You said at page 71 that it was around 2012/2013. Would that be fair?  
---Yes.

10 Can I show you Exhibit 42, and it's the hard copy, Exhibit 42. Do we have it on soft copy? I'm going to get the investigator to turn through these facilitator invoices with the name Rachel Kamol, and you can take it from me that all of the amounts that are on these documents were transferred to your account. So have a look at these. These are all for 2012?---It's not on the screen. Not on the screen.

They're on the screen Mr Sharobeem. Do you see all these invoices?---Yes.

Did you complete them?---No.

20 When you look at the transfers, if we go to a transfer, they're all for the period in 2012. And does this relate, Mr Sharobeem, to your cleaning work at the IWHS?---I would say so.

Where did you clean, Cabramatta or Fairfield?---Both.

You said in the CE in November last year you more often cleaned the Fairfield office?---Yes, more often to clean it but I did clean the Cabramatta.

How often wouldn't the cleaner be there?---Whenever they needed me.

30 The question was, how often wouldn't the cleaner be there?---I don't know.

Was it every week?---I don't recall but I don't believe so, no.

Well, how often do you recall cleaning the office, on a, on a regular – in terms of regularity, monthly, weekly, daily?---No, it was most likely once a week.

What day?---I can't recall what day.

40 Was it daytime or night-time?---Night-time.

And what would you clean?---The office.

What part of the office?---The whole office.

What would you start with?---The front and finish at the back.

Did you do the dishes?---Yes.

You said in November last year that it was in relation to this cleaning work that you were not getting paid.---No, I said I got paid a bit. I didn't say I got paid all the time. There was some work that I – some cleaning that I just did for free.

How much cleaning did you do for free?---I can't recall.

10 You said you did some photography work. What did that involve?---Going to events and taking pictures there. If there was an event held at the office I would take pictures for them there.

How many events did you go to?---Quite a few.

You – when were these events, 2000 and what?---From 2013 or 14 to 2015/16.

Where were they held?---Different venues.

20 Where were they held?---Some were held at - - -

I understand that they would have been different - - -.--- some RSLs, some were held at the office, some were held at different venues. I can't remember the exact names of the venues.

You were taking pictures with the camera that the investigators located at [REDACTED] weren't you?---Yes.

30 Do you still have that camera?---Yes.

Where did the pictures go?---They're still on my computer in the hard drive.

Can you bring that to the Commission?---Yes.

Tomorrow?---Yeah.

How many photographs do you think you took?---Well over 500.

40 How many folders of photographs do you have from the Immigrant Women's Health Service?---I can't precisely say how many folders.

How many days do the photographs relate to?---Quite a few.

What does quite a few mean?---More than 10 days.

More than 10 less than what?---Less than 30 or – I can't exactly say.

Should we say about 20 days, is that fair?---Yes.

Do you know what a facilitator is?---From my understanding, yes, from my understanding.

Today do you know what a facilitator is?---I believe so.

In November last year when I was asking you questions did you know what a facilitator was?---I believe me and you had different understandings of what a facilitator is.

10

Well, did you know what a facilitator was in the context of Immigrant Women's Health Service?---Yes.

You did?---I believe so.

Did you know what a facilitator was when you were working there taking these pictures?---I believed that my facilitation was different from my photography.

20

No, no. You're evading the question. What I'm asking you is did you know what a facilitator was when you were taking pictures for the Immigrant Women's Health Service?---I believe so.

Page 73 of the transcript I asked you, "Do you know what a facilitator is?" You said, "No, I do not." Then I said to you, "In the context of the Immigrant Women's Health Service?" You said, "No, I do not." Were you lying to the Commission?---No.

30

How are you not lying to the Commission when you clearly knew what a facilitator was?---Well, no, because as, as we had the discussion then, me having an understanding of what a facilitator is, is from what you – it's different from what you had the facilitator – understanding what a facilitator is.

Your answer to the question was no, I don't know what a facilitator was. ---To your – to the context.

What do you mean by that, what do you mean by no then?---From my understanding - - -

40

No, no, no. What do you mean by no?---What do you mean what do I mean by no?

In the – the question is do you know what a facilitator is. Your answer is no.---Okay.

What did you mean by that?---No, I didn't know what it meant.

Wasn't that a lie?---No, because I was relating to the context.

Please explain that.---I was relating to what does a facilitator mean to the IWHS. To me I was understanding a facilitator is a person just able to facilitate an event.

Isn't that what a facilitator is?---Well, that's what we kept going around in circles about.

10 Were we?---Yes.

Are you sure about that? You're simply saying no, I don't know what a facilitator is when you clearly did know what a facilitator was in the context of IWHS.

MR CHHABRA: I object, Commissioner. I appreciate – I bring the objection at a disadvantage as I was not present at the private hearing, nor do I have access to the transcripts. But the context which Mr Richard Sharobeem speaks of concerns different interpretations of the term  
20 “facilitator”, that he took it to mean a certain thing in one context whereas the questioner, which I assume was Counsel Assisting, at the private hearing took it to mean another. And there was some back and forth, round and round, and differences of construction or opinion. What Counsel Assisting has done at present is taken the witness to one question, one answer, which is denuded of any of that context which would involve pages of transcript. Accordingly - - -

THE COMMISSIONER: Is there a context?

30 MR RAJALINGAM: I'm going to get to the context.

MR CHHABRA: May it please.

THE COMMISSIONER: Because that's his – that's what he's – Mr Chhabra's right. That's what he's saying.

MR RAJALINGAM: Yes.

40 MR CHHABRA: Yeah.

MR RAJALINGAM: Mr Sharobeem, do you agree, then, at least that you said, in response to my question “Do you know what a facilitator is?” you said, “No, I do not”? That's the starting point, isn't it?---Yes. I do agree.

At transcript reference 74 you said in response to my question at the end of the page, and I say to you, “Were you doing, apart from cleaning work and photography work, were you doing any social work?” That was my question to you.---Okay.

Do you understand? I have made no reference to facilitators. I asked you if you're doing any social work. You said, question back to me, "Social work at the time?" and I said, "Yes." And you said, "No, just facilitating." You must have known what a facilitator was in November 2016, didn't you?  
---Again, I believe it was just based upon my general idea of what a facilitator does.

10 Had you heard of facilitators working at the IWHS as of November 2016, when I was asking you these questions?---I'm sorry, have I heard of other people working as facilitators? Is that what you're asking?

No, I'm asking you have you heard essentially of the concept? Had you heard of the concept of a facilitator as of November 2016?---Yes, I have.

So when you said in response to my question "Do you know what a facilitator is?" "No, I do not," that was a lie, wasn't it?---No, because I simply said I've heard of them. I don't know what they do.

20 Between 2 May, 2014 and 19 March, 2015, you received \$34,050 into your account for facilitator invoices. Do you understand that?---Yes.

The transfers to your accounts started off in small amounts. On 2 May, 2014, \$100. Five days later, on 7 May, 2014, \$250, both under the name Kakel. 12 May, another five days later, you received \$100. 13 May, the next day, you received \$900. 14 May, the day following that one, you received \$900 under Kamol. Then eight days later you received \$900 under Kakel. Just shy of a month later you received \$1,200 under both names. Are you following this so far?---Yes.

30 11 June, that is five days after the last transfer, you received another \$900. 20 June, nine days later, you received \$2,100 under both names. Do you accept all of that so far?---Yes.

I'm going to show you volume 9, page 318. For some of the facilitator invoice, Mr Sharobeem, that were paid to you, the hours claimed, in relation to the hours claimed, you were not even in Sydney. Do you accept that?---If it's there.

40 Well, have a look at this invoice. It relates to 24 April. Do you know where you were on 24 April, Mr Sharobeem, 2014?---No. I would not be able to recall.

You don't remember going to Shoal Bay with your family on 24 April?---I actually don't.

You don't?---I don't.

I'm going to show you volume 9, page 320. How many holidays have you been in your life?---Not many.

Not many?---No.

So how do you not remember this one?---I have a bad memory.

Have you seen a doctor about it?---No, I haven't.

10 You should.---I know I should.

Have a look at this page. On 24 April you moved from Pennant Hills to Shoal Bay. That's your mobile phone record.---Okay.

Okay. So you're nowhere in the Fairfield area, are you?---No.

And on the next day, now you must remember, Mr Sharobeem, the next day you were still in Shoal Bay, weren't you?---Well, if it says that I am.

20 Well, it doesn't say that you are, it's relating to 24 April. I'm asking you if you remember that you were at Shoal Bay. Do you remember being there at Shoal Bay on 24 April?---I really don't remember.

You don't remember going there with your parents?---I really don't.

Well, I'll show you the next one then, 325, volume 9, allegation brief. 325. That shows you on 25 April in Shoal Bay. Do you understand that?---Yes.

30 And essentially the facilitator invoice that I showed you was claiming for hours on 24 and 25 April?---Yeah.

Now, we go back to that, page 318. Is that your handwriting first of all? ---No.

It's your mum's handwriting, isn't it?---I don't know.

You don't know your mum's handwriting?---No, I don't.

40 In any event, on 23 June, three days after you got paid for this work you were doing but when you were actually in Shoal Bay, three days later you got another 4,800 under Kakel into your account. Four days after that on 27 June you got another \$4,800 under Kakel. I'll show you volume 9, page 331. Firstly that's the transfer. Do you see that?---Yeah.

Do you see your, your account number has been deleted but you can take it from me it went into your account and you saw that, your bank account when I showed you those transfers - - -?---Yeah.

- - - the 4,800 coming through. Do you remember me showing you that?  
---Yes.

And this is one of the transfers, this is the transfer receipt on page 331. Next page, you're claiming there or someone is claiming on your behalf, and I suggest to you that it's your mother, between 9.00 and 5.00am for seven days straight from 23 June. You didn't work that amount, did you?  
---I don't believe so.

10 It's, it's absurd, isn't it?---I wouldn't say it's absurd, I just, I don't believe it's happened (not transcribable).

I'll show you page 333 of volume 9. It shows you essentially at home on 25 June then going to Westfields Parramatta. So I suggest to you that not only did you not do the work at all but you didn't do that many hours, you didn't do those many hours at all?---If it's there. I didn't claim it so I don't really recall.

20 Page 336, then for 28 June in relation to the same claim, can you tell me what you were doing at those places?---I can't tell you.

But none of it's work-related, is it?---I don't believe so.

Those locations?---I don't believe so.

Now, after this transfer on 27 June for \$4,800, three days later you get another \$4,800 and 5,000. So what I'm trying to say to you is, three days after that you got \$9,800. Do you understand?---Yes.

30 It was on 30 June, 2014. A month later you received another \$1,800 under Kakel, a fortnight later you got \$600 under Kakel, 15 August, two days later, you receive \$600 under Kamol. Five days later on 20 August you receive \$600 under Kakel, two days later on 22 August you receive \$300 under Kakel. Then some months later you receive 450 under Kamol, eight days later you receive 600 under Kamol on 23 January, 2015 some 10 days later you receive 450 under Kamol, a fortnight later another 400. Are you following this?---Yes.

40 They're very frequent payments, aren't they, Mr Sharobeem?---I would say so, yes.

A week later another \$500 to you under the name Kamol, a week later another 900 to you under Kakel, seven days, eight days later another 500 on 10 March, 2015, another nine days later you received another 500 on 19 March, 2015, coming to \$34,050 in the space of not even a year. What do you say that you did for that money?---I didn't, I don't know. I, there were – you're saying the names that they've been transferred to me and you

showed me some evidence showing that the, the, the, the claims for them that I didn't fill out - - -

Are you suggesting that the figures that I've read out to you are incorrect?---  
No. I'm saying that I don't know.

Well, do you want to, do you want to find out, do you want to look at your own statement?---That would be great.

10 I'll show you these two tabs here. They're your bank statements.  
---Ah hmm.

So do you want me to list the dates out again and the amounts so you can check?---I'm sure I'll be able to see them.

Have a look.---(not transcribable)

Do you want my list here, Mr Sharobeem, do you want the list?---It's okay.

20 I'll give you part of the list if you want it. Can I give you – why don't you start at 14 May, 2014. I can give you all these dates. If you have any concerns about the dates and the amounts you can check them.---What was the question again?

No, no. You were suggesting that it might not have been accurate.---No, I didn't say it might not be accurate. I said that some of it - - -

MR CHHABRA: Object, Commissioner. That was not the suggestion made. I appreciate Mr Sharobeem can speak for himself but that simply  
30 was not the suggestion made.

MR RAJALINGAM: I'm simply - - -

MR CHHABRA: He gave evidence that I can't speak to effectively providence, origin or purpose of payments but the veracity of the numbers was not called into question nor their very receipts.

MR RAJALINGAM: Well, with respect, I'll withdraw that, the suggestion that he said it was inaccurate. That's right. Mr Chhabra is right about that  
40 but I'm giving this witness an opportunity to look at his own bank statement, a statement that he must have had since all these transfers to this day well knowing that he was going to be asked questions about his financial affairs and the receipt of payments in relation to facilitator invoices. The fact that he hasn't looked at his bank statements is quite frankly a surprise.

THE COMMISSIONER: What's your question?

MR RAJALINGAM: Well, I've given the witness the document. Is there anything else you need to satisfy yourself that I haven't inaccurately - - -? ---It is actually the first time I'm looking at them.

Okay. Do you need to look at them further?---Please continue with the question.

Okay. Well, I'll have the bank statements returned. Mr Sharobeem, you yourself didn't keep a record of the hours worked did you?---No.

10

Did you tell your mother how many hours you worked?---No.

Did you provide any indication to her as to how much hours work you did? ---If I did it would have been approximate.

Did you ever think you were getting paid a bit too much, Mr Sharobeem? ---As I said before, I never checked my account.

20

Did you ever think you were getting paid a bit more than others who were working there as facilitators at the IWHS?---Again I never checked my account and I don't know what others pay.

Did you know, did you know you were being paid a rate approximately \$10 an hour more than the other works there, sometimes \$12 an hour more?---I wouldn't know that.

Did you know that your rate was 30 bucks an hour?---I didn't know that.

30

Did you know that that was higher than pretty much all the others apart from your mother, the bookkeeper, did you know that?---What was the question?

Did you know that your rate of pay was higher than everyone else at the service apart from your mother and the bookkeeper?---No, I didn't know.

Did you know that your mother was submitting your credit card receipts for reimbursement to her account?---No.

40

Did your mother pay for your Suzuki motorcycle?---Sorry?

Did your mother pay for your Suzuki motorcycle?---Yes.

Do you know how she paid for it?---I believe it was by card. By card.

Card. Did you contribute anything to your motorcycle?---No.

Did you buy a tank pad for your motorcycle?---Yes.

Did you buy it?---I can't recall if I bought it or I bought it on the day.

Your mum bought it for you, didn't she?---I can't recall if we bought it on the day or I bought a different one.

Did you – some time after you purchased the bike, didn't you purchase some boots as well?---It's possible, yes.

Did you buy them?---I can't recall.

10

Your mum bought them for you, didn't she?---I can't recall.

Did you go to Action Motorcycle to purchase the motorcycle or was it your mum who bought it for you?---I was with my mother.

You were there?---Yes.

When she made the transaction, were you sitting at the desk with the attendant from Action Motorcycle?---It's quite possible that I was moving around.

20

That's you, isn't it?---Yes.

At Action Motorcycle?---Yes.

Is that the bike?---Yes.

It's a red Suzuki?---Yes.

30

I'll show you volume 2, page 113. Mr Sharobeem, I'm going to show you some transfers that were made to your mother's account. That's – you see that's a figure of about \$4,000 on 17 April, 2013. That's the important part, the date.---Yeah.

Do you understand that? Next page. Another transfer on the same day of \$3,000 to your mother's account. In amongst the receipts submitted for reimbursement to your mother on 17 April, 2013, the same day of these, both of these transfers, firstly do you agree that the transfers are made four days later, after you purchased or your mum purchased the motorcycle for you?---Yes.

40

17 April. It's four days after the 13<sup>th</sup>, effectively, isn't it?---Yes.

Now, if you go to page 117. The receipt on the top right-hand corner was from Action Motorcycle, so top right-hand corner, for 1,000. Next page. Page 118. The receipt on the top left-hand corner was another receipt from Action Motorcycle. Next page, 119, bottom left-hand corner. Bottom left-

hand corner, another receipt from Action Motorcycle. This particular receipt, Mr Sharobeem, relates to the IWHS credit card.---Okay.

Okay? So we've got three receipts so far.---Yeah.

Next page, 120. There's a receipt there for 2,670. That's your mum's personal credit card. So do I understand that on the day you – and do you see there the date and the time of the purchase? 13<sup>th</sup> of April, 4.55pm?  
---Yeah.

10

Is that – were you there on 13 April at 4.55pm?---What is that? Action Motorcycle?

Action Motorcycle.---Then, yes, I was there.

Yeah, you were there. So did you see your mother use her two different cards to buy your motorcycle for you?---I don't recall.

20

Do you recall her making a number of different transactions to purchase the motorcycle for 5,760?---I don't recall.

When did you first get the keys to the Honda City sedan?---It was at the end of January, 2015.

Where were you when you got the keys to the Honda City sedan?---At the dealership.

You got the keys from the dealership, didn't you?---Yes, I picked it up.

30

You picked up the car, didn't you?---Yes.

You took it home, didn't you?---Yes.

You said in November last year that Nevine gave you the keys.---Because I took the keys after to the office and she gave it to me. It was a NESH car.

40

When did Nevine, when do you say that Nevine gave you the keys to the car?---When I started working at NESH, that's when I officially received the car. I simply picked it up.

All right. Page 81 of the compulsory examination. I asked you about the Honda City sedan.---Ah hmm.

Question at the bottom of page 81. "When did you first start using that car?" You said in answer to this Commission in November last year, "I can't recall the day. It would have been towards the beginning of my employment at NESH." Now, that's completely different to picking up the

keys from the dealership, isn't it?---I wasn't using the car. I simply picked up the car.

Next question. "Do you know how you came to first drive the car?" And you said, "I believe it was bought for the business and I was simply using it because at the time," then I said, "But, yeah, how did you get the keys? Who gave it to you? Oh, Nevine gave it to you?" And I asked you, "Where were you when you got the keys for the car?" and you said, "I believe the office." Simply put, you picked up the car and you picked up the keys, didn't you?---Yes.

Nevine never gave you the keys to the Honda at any stage, did she?---No, she did.

Why did you give the keys back to Nevine?---Because it's a NESH car.

So was Nevine driving the Honda?---I don't know. I don't know if she was driving it, sorry.

20 Were you driving the Honda?---When I first started work, yes.

Yeah. And how often would you drive the Honda?---I drove it for work so it was on a daily basis.

Where did you leave it after you drove it for work?---I would take it home.

And that's pretty much once you started at NESH, you accept that?---Yes.

30 I suggest to you that you pretty much used it as your personal car since you picked it up from the dealership, Mr Sharobeem.---No.

I suggest to you that Ms Ghaly had no idea that it was purchased for NESH until a couple of months later.---No.

She's given evidence to this Commission just this morning that you were using the car like your own. Do you accept that?---I accept that she gave that evidence, yes.

40 And she also said that she only – in August she sent an email saying that she was not aware of the car being purchased. August 2015. You know the car was purchased in January 2015, don't you?---Yes.

Do you want to see her email to the management committee about it? Have you seen that particular email?---Yes, I did.

You have?---Yes.

Did you have an accident in the Honda City sedan?---Yes.

And when did that take place in relation to when you first picked up the keys?---When I first picked up the keys, okay, a few months into the year. I can't recall exactly.

Sorry, and between picking up the keys from the dealership, where did you take the car after that?---I took the car from the dealership home because it was unsafe to leave at work.

10 And how long did it stay at home before it got to NESH?---I can't recall.

Weeks or days, in your evidence?---Quite possibly days.

So you went to NESH and gave the keys to Nevine, is that what you're suggesting?---No, I gave the keys to my mum.

Right?---And my mum gave the keys to Nevine and Nevine gave them - - -

20 How do you know that?---Because Nevine had the keys.

When?---I don't know when she had them but she gave them back to me.

When did she give them back to you, Mr Sharobeem?---When I started working at NESH.

Where were you when she gave you back the keys?---Office.

And where was the car?---I can't recall where the car was at the time.

30 How long – you said you had an accident in the Honda City?---Ah hmm.

The insurance documentation that we have suggests that it happened on 1 April, 2015. Is that roughly correct, do you know?---That would be, yeah.

So early on in 2015. Is that right?---Yes.

Where were you going that day, do you know?---I was going to work.

40 Do you know what road you were on?---I believe I was ah, on Victoria Road.

How long did it take to – what happened to the car?---There was a small hole in the front bumper.

And how long did it take to fix?---I can't recall how long it took to fix.

Did you pay any money towards fixing the car?---I can't recall if I did.

You didn't, did you?---I can't recall if I did.

IWHS paid the excess, didn't they?---I can't recall.

Did you get a hire car some days later?---Again I can't recall.

Did you pay for a hire car?---I can't recall.

10 Did you start work at NESH in January 2015?---I believe so.

How did you get the job?---I went for an interview.

Who interviewed you?---Nevine.

She said this morning that she didn't interview you, had no involvement in your recruitment at all?---I know.

What do you say about that?---Well, I went for an interview so - - -

20 Who else got interviewed, do you know?---I don't know if anyone - - -

Do you know if anyone else got interviewed?---I'm not sure.

Was your job advertised?---No, I don't believe so.

Who told you about it?---My mother.

Did anyone else tell you about the job?---No.

30 Did you submit a job application?---I can't recall.

Did you submit a written job application, Mr Sharobeem?---It's possible.

Did you provide your CV prior to starting work in January 2015?---Yes.

You said you were interviewed. How soon after you were interviewed did you start work?---I can't recall, could have been a week.

40 Was it days or weeks?---It could have been a week.

You said in November that it was a day after?---If I had better memory then than this.

Who told you that you got the job?---Nevine.

How did she tell you?---You got the job.

Where, in person or on the phone?---It was in person.

Where, where were you?---I can't recall.

You don't know where you were when she told you that you go the job?  
---No. It could have been on the, at the office, I can't recall.

You didn't provide your CV to Ms Ghaly in January 2015, did you?  
---No, I did.

10 You only provided her a CV in March 2015. Isn't that right?---No.

Can I show you first of all volume 21, page 191. Is that an email from you to Ms Ghaly on 30 March, 2015?---Yes.

Why are you sending Nevine your CV in March 2015?---She requested for me to ah, change the name.

Pardon me? So you send, you're sending, why did you send her a CV though?---She requested for it.  
20

You'd never sent her your CV prior to that, had you?---I gave her a physical copy.

Sorry?---I gave her a physical copy.

A physical copy?---Yes.

As in, in person?---Yes, at the interview.

30 She denies that, Mr Sharobeem?---I understand that.

Again she says she had no involvement in your recruitment?---I understand that.

Why would she be asking for your CV in March 2015 when she's already had it - - -?---I don't know.

- - - in January 2015?---I don't know.

40 In your staff file at NESH there's a letter of employment of 19 January. There's another letter of employment for 19 January. There's a CV under the name Richard Shawky, one page, okay. There is a letter of employment 9 June, 2015. NESH policies and procedures. Position description. Richard Shawky CV, two pages. Tax file number. ANZ choice of superannuation fund super details. Your Regents Park Higher School Certificate. A certificate from Management Institute of Australia. A statement of attendance from FACS for your June, 2015 course Sims Youth Mental Health First Aid Worker certificate in 2015 and your course in

vocational and community engagement which you had only completed two subjects in. That's your academic record.---Ah hmm.

That's your photo imaging certificate. Do you understand that?---Ah hmm.

And there are some emails here that are part of the other brief. There is no CV in your staff file in the name of Richard Sharobeem. So why would she be asking for your CV again in March, 2015?---I don't know.

10 You hadn't provided it to her in January, 2015. Isn't that right?---No, I gave her a physical copy.

Are you suggesting that it was Ms Ghaly's idea to – for you to use the name Shawky?---Yes.

I suggest to you that it is incorrect. What do you say about that?---That that's incorrect.

20 Weren't you using it to avoid a conflict of interest with your mother or something like that, Richard?---Yes, that what was - - -

Sorry, Mr Sharobeem.---Yes, that was under the advisement of Nevine.

Why are you now saying it was Nevine's idea?---As I was just about to say, it was under the advisement of Nevine.

Sorry?---It was under the advisement of Nevine.

30 When I asked you this in November you didn't mention anything about Nevine.---You didn't ask about it.

Well, I asked you if you – why you used the name Richard Shawky at times. You said it's my father's name, sorry, my father's and my grandfather's so it's (not transcribable) so it wouldn't be like Richard Gamal Sharobeem and that's how it would be in Egypt and that's how I go sometimes here as well. Is that fair?---Yes.

40 But you don't say in your examination in November, you never say that it was Nevine's idea.---I wasn't asked.

But you agree that you never said that?---Yes, I agree I never said it then.

And a serious concern at that point was you using this name Shawky to claim potentially facilitator fees. You understand that don't you?---Yes.

You're now saying that Nevine had something to do with it. Why don't you mention this in November?---It wasn't asked.

You didn't mention it because she had nothing to do with the suggestion did she?---No, she had everything to do with the suggestion.

Shawky as you mentioned at the very beginning is a name that you go by.  
---I simply went, went by at NESH nowhere else.

I didn't – when I first asked you about names you went by you said Shawky.---Yes, at NESH. That was the only place I've ever gone - - -

10 No, I didn't, I didn't say anything about NESH. I said what's your name then I said what other names do you go by. You used Shawky because you wanted to differentiate yourself from your mother didn't you?---When I was at NESH.

Yes.---But that was under the advisement of Nevine.

It wasn't. It was your idea wasn't it?---No, it wasn't.

20 And your mother told you to do that as well didn't she?---No, she didn't.

How did Ms Ghaly know about this name Shawky?---She knows surprisingly a lot about my family.

30 I'll just bring that CV up again, which is volume 21, page 191. Sorry, I'll withdraw that. Just getting back to this Richard Shawky topic. Page 78 of your CE, your evidence in November, Mr Sharobeem, you said this. My question to you was, "Our inquiries say that you used the name Richard Shawky when you applied for your job with NESH. Does that sound right?" You said, "Yes." "Why did you use that name instead of your own, your real name?" Answer, "Because I differentiated. Sorry, can I just correct that for a second. Richard Shawky is a real name. It's my father's name." Next question, "Is your registered name," you cut me off, you said, "In Egypt, yes, not here. The reason why is it was because I wanted to differentiate myself from my mother." That's what you said in November last year.---Yes.

You didn't mention Nevine Ghaly in your answer at that stage.---Yes.

40 Do you agree with that now?---Yes, I agreed with it in the first place.

You said, in response to my question, "Did you write Richard Shawky into the job application?" "Yes." "Did you write Richard Shawky into the CV that you provided to NESH?" And then you said that "I provided two, Richard Sharobeem and Richard Shawky." And I suggest to you that was false. You only provided Richard Shawky. And you said you prepared your CV yourself. "Yes" is your answer to that question.---Ah hmm.

So where does Ms Ghaly, where is Ms Ghaly's involvement in that?---None of what you said in the previous hearing was asking about what Nevine had said.

No, just forget about what Nevine had said. You're suggesting today that Nevine told you or advised you to put this name, Richard Shawky, on your CV.---Yes.

10 If that happened, you would have mentioned it here, when I asked you about it, wouldn't you?---No, because you didn't ask about it. I was advised to simply answer the question.

Going back to your CV. Volume 21, page 191. Sorry, next page. Your CV that you've attached to that email includes a Bachelor of Business and Finance, Griffith University, doesn't it?---Yes.

That's false, isn't it?---Yes.

20 Certificate IV in frontline management. That's false because you hadn't completed the course, had you?---Yes.

That's, so you're agreeing with me?---I was, yes, that's on there - - -

You're agreeing it's false?---Yes.

Certificate IV in photo imaging at Ultimo TAFE. Now, that's true, isn't it? ---Yes.

30 I've shown you the certificate. So the time you started at NESH in January 2015, the only completed training you had was photo imaging Certificate IV, correct?---At the time, yes.

You listed your mother in the CV you sent to Ms Ghaly but you referred to her as Dr Emma Adly. Why?---I needed more references.

But why did you call your mother Dr Emma Adly?---Because I wanted to differentiate myself.

40 It certainly wasn't Nevine's suggestion, was it?---At that time, no.

The investigators located a number of CVs in your name during the execution of the search warrant at your Abbott Street home, and on one of the versions it was noted that you held a Bachelor of Criminology from Griffith University. Is that true?---That I held one?

Yes.---No.

Did you hold one?---No, I didn't hold one, no.

Did you try? I think I showed you those, that document.---Yes, I did try.

You did enrol but you failed. What did you do at NESH, Mr Sharobeem?  
---I was a project officer.

10 What did that involve?---When I first started it was bringing on different projects and different clients into the housing field. And then once we got on a project where we trained refugees on how to get into the private market of rent.

Who asked you to do all that?---Nevine.

And did she ever ask you to go to the Liverpool Housing Department?  
---Yes.

Did you do that?---Yes.

20 Were you often not there?---What do you mean?

Did you often not turn up to appointments?---No, I always turned up to appointments.

Were you always on time at work?---Yes.

When did you arrive at work, Mr Sharobeem?---9.00 to 9.30.

How many days did you do?---Five days.

30 Were you always at the office?---Yeah.

So you were there 9.00 to 5.00?---Unless I'm going out to appointments.

How often would you go out to appointments?---When we first started it wasn't that often but after that it became frequent.

Did you start at the Guildford office?---I was always at the Guildford office.

40 So you were always at the Guildford office. Correct?---Yeah.

So from January 2015 to when?---To I think November/December.

When did you leave work?---November/December.

Sorry, through the day would you stay till 5 o'clock?---Yeah.

Nevine Ghaly suggests that you were probably there two or three days a week you turned up at 9.30, late. What do you say about that?---It's not true.

Were you a bully at work?---No.

Did you push yourself around in front of Ms Ghaly?---No.

10 While you were at NESH did you obtain some qualifications?---Yes.

Did you finally complete a community services degree?---A diploma.

Had you started that prior to NESH?---No, I didn't start it prior to NESH.

Okay. So your first training in community services was after you started NESH, correct?---I had volunteer work with COCOS which is - - -

20 No, no, just training, don't worry about the experience, training?---Okay, yes.

What does the Sims Foundation course run by FACS involve?---I can't recall.

Pardon me, Commissioner.

Commissioner, those are the questions.

THE COMMISSIONER: Thank you. Mr Chhabra, any questions?

30 MR CHHABRA: Nothing arising.

THE COMMISSIONER: Thank you. Is there any reason that Mr Sharobeem can't be excused?

MR RAJALINGAM: No, not at all.

THE COMMISSIONER: Okay. Thank you for coming, Mr Sharobeem. You're excused and we'll adjourn.

40

**THE WITNESS EXCUSED**

**[4.02pm]**

**AT 4.02PM THE MATTER WAS ADJOURNED ACCORDINGLY**

**[4.02pm]**