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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION TARLO

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 14 JUNE, 2017

AT 10.00AM

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

THE COMMISSIONER: Ms Sharobeem, you're still under the same affirmation to tell the truth.

<EMAN SHAROBEEEM, on former affirmation

[10.03am]

THE COMMISSIONER: Yes, Mr Rajalingam.

10 MR RAJALINGAM: Thank you, Commissioner. Ms Sharobeem, yesterday I was asking you some questions about credit card receipts that you had submitted or were submitted in support of reimbursements to your account. Do you remember that?---Yeah.

And that's the last thing that we were talking about. I'm going to suggest to you that in total over your time at IWHS a total of \$7,291.42 was reimbursed to your account because IWHS credit card receipts had been submitted. What do you say about that?---I don't know.

20 That's the evidence the Commission has in relation to the IWHS credit cards. What I'm going to do is I'm going to take you through the remainder of the receipts but only by reference to where they are in the brief. Your lawyer can note them down and you can speak to him about what they're about. The Commission says that all of these receipts should not have been reimbursed to you. Do you understand?---I understand what you're saying.

So I will take you to where they are in the brief and you can look at them at your leisure. Do you understand that?---I understand what you're saying.

30 So they are at the following locations at volume 2, and this is leaving – starting off from where we left off, at volume 2 there are IWHS credit card receipts at pages 215, 217, 285, 330 and 333. At volume 3 there are also IWHS credit card receipts at volume 3, page 27, page 30, page 74, page 117, page 121, page 160, page 185 and page 190. Do you understand that I've give you and your lawyer references to where those receipts are in the brief?---I understand what you said.

Is it the case that you submitted IWHS credit card receipts for reimbursement to your personal account?---No.

40

Is it the case that you did that dishonestly with an intention to obtain IWHS funds for IWHS credit card purchases?---No.

The Commission also has evidence, Ms Sharobeem, that credit card receipts submitted, credit card receipts – withdraw that. The Commission has evidence that Mr Haiman Hammo's credit card receipts, your partner, were also submitted in support of reimbursements. Do you understand the allegation?---I understand your words.

Okay. The allegation is that between February, 2010 and June, 2015 \$6,630.38 was reimbursed to your account because of these credit card receipts from Haiman Hammo that have been submitted to the IWHS. Do you understand that?---I understand what you just said.

Did you dishonestly submit Haiman Hammo's credit card receipts in support of reimbursements to your personal account?---No, I didn't, of course.

10

The Commission also has evidence that in relation to your son, Charlie Sharobeem, his credit card receipts were also submitted for reimbursements. What do you say about that?---Of course I didn't do that.

Between August, 2009 and March, 2015 a number of Charlie Sharobeem's receipts have been submitted for reimbursements and your account had been reimbursed for the total value of \$3,507.41. Do you understand that?---I understand what you say.

20

Did you submit Charlie Sharobeem's credit card receipts in support of reimbursements to your account, to your personal account?---Of course not.

Ms Sharobeem, those receipts, and I didn't take you to Mr Hammo's receipts. I'm going to give you some references to those receipts. Firstly, Charlie's receipts are located at the following places at volume 1, page 3-4. This is Charlie. Volume 1, page 3-4, volume 1, page 33, 78, 125, 192, 198, 209, 254, 284, volume 2, 50, 69, 69, so there's two receipts on page 69, page 112, page 148, page 158, page 171, page 174, page 255, page 339, page 68 and page 143. So your lawyer should have noted all of those down and in fact I might even give your lawyer a copy of these schedules but for the sake of the record, I'm going to put it on the record. For Haiman Hammo his credit card receipts are located at volume 3, page 170, page 175, page 189 and page 190. Did you submit credit card receipts for your son's debit card or credit card for reimbursement?---No.

30

Did you submit his receipts, Richard Sharobeem's receipts for reimbursements between March, 2011 and June, 2014?---No.

40

The Commission has evidence that those receipts were submitted and reimbursements were made to your account to the value of about \$441.57. What do you say about that allegation?---I understand your words.

Well, what do you say about the allegation that you submitted those receipts?---No, I didn't.

Did you have Richard Sharobeem's, your son's receipts in your bag?---I always have everything about the house in my bag.

And you say that his receipts somehow made it to your IWHS desk?---I explained that to the Commission before.

What were you doing for example with Richard Sharobeem's Action Motorcycle receipt in your bag?---Everything about my family is with me and maybe your parents will do the same.

I'm going to take you to another topic. Firstly I'll show you a document, volume 1, page 46.

10

THE COMMISSIONER: Just before you move on, Mr Wassef, you might have had difficulty noting down all those things, but you can speak to Mr Rajalingam to make sure that you - - -

MR WASSEF: Yes, thank you, Commissioner, and I'll have the benefit of the transcript as well.

THE COMMISSIONER: Yes, yes, that's true.

20

MR RAJALINGAM: I've just asked the financial investigator to print off some of the schedules that I'm reading off for Mr Wassef. It'll make it easier.

THE COMMISSIONER: Okay, thank you. Yes.

MR RAJALINGAM: So if I could take the witness to volume 1, page 46. Do you see that, Ms Sharobeem?---Yeah, I can see it.

30

What do you think that that is?---I, I don't know what is this, sorry.

Ms Sharobeem, it's a part of a water bill that was submitted in support of a reimbursement to your account?---Okay.

Do you accept that it is for \$210.45?---Yes, I can see that.

Do you accept that where it says, "Direct debit payments," under that it says, "www.sydneywater.com.au?"---Ah, sorry - - -

40

Do you see that?--- - - I didn't see that.

Under "Direct debit payments," it says, "sydneywater.com.au?"---Ah, yeah, I can see that.

On the face of it, it would appear to be a Sydney Water bill, doesn't it? ---Yes, I can see that.

And I can say to you that the Commission has done its investigations and it is a Sydney Water bill?---Okay.

And it was reimbursed to your account. It related to your [REDACTED] address. Can you tell the Commission why water bills from your [REDACTED] address were being submitted, cut, and reimbursed to your account? ---How this is cut?

10 Well, the other portion of this bill is not there, it wasn't submitted. Only this part of the bill, which doesn't show your address, was submitted. Do you understand that?---I understand this is very bad bookkeeping because no bill should be, should only have the bottom part.

The suggestion, Ms Sharobeem - - -?---In my own understanding.

- - - is that you dishonestly submitted Sydney Water - - -?---No, I didn't.

- - - the Sydney Water bill to have the money reimbursed - - -?---No, I didn't.

20 - - - to your account from IWHS?---No, I didn't, no.

Ms Sharobeem, between 2009 and 2010, did you on occasion use the IWHS credit card to pay for your Sydney Water bill related to your [REDACTED] address?---No.

30 The Commission has evidence, and I'll take you to volume 5, page 121, and while that's coming up just listen to the question. On 23 February, 2009, \$185.10 was - I withdraw that. On 23 February, 2009, \$185.10 was, there was a transactions of \$185.10 on 23 February, 2009, in relation to Sydney Water. Do you understand that?---I understand what you said.

On 24 August, 2009, there was another transaction for Sydney Water for \$188.75, and on 20 November, \$195.50, 23 February, 2010, \$210.45. Have you got that document up? That's essentially a summary between 2009 and 2010 for your [REDACTED] address. This is a document that Sydney Water provided the Commission. Do you understand that?---I understand what you said.

40 What I said to you, the first figure I gave to you was for 23 February, 2009. Now, do you accept that there's no date on the right-hand side for the 23 February, 2009? Have a look?---What do you want me to accept, sorry?

So on the right-hand side of this document of the schedule, there's no entry for 23 February, 2009. Do you accept that?---I can't, I, I don't understand from this what you want me to say.

All right. Well, what you have to do, Ms Sharobeem, what I, what I said to you was, on 23 February, 2009, there was a transaction for \$185.10. It doesn't appear on the schedule, does it?---(No Audible Reply)

Anywhere on that, on that column, in that column?---What doesn't appear?

\$185.10. I'm trying to show to you where the payment is. Do you see that? It's not there. Do you agree?---105, I can't see that number.

10 All right. If you go to the last three entries for \$1.07, \$45.04, \$138.99, all of those numbers add up to \$185.10, which came out of the IWHS credit card. So the suggestion is that the IWHS credit card was used to pay for your bill on 23 February, 2009, in three stages?  
---Impossible.

Well, that's what happened, Ms Sharobeem. Did you use the IWHS credit card to pay for your Sydney Water bill at [REDACTED] No.

20 The next one I took you to was 24 August, 2009. If you add the figures \$38.06, \$150.69, you get what came out of the IWHS credit card of \$188.75. Did you use the IWHS credit card to dishonestly pay for your Sydney Water bill at the [REDACTED] address?---No.

The same for 20 November, 2009. The top of that page, \$150.65 and \$44.85 comes to \$195.50 which came out of the IWHS credit card on 20 November, 2009. Did you use the IWHS credit card to pay for your [REDACTED] water bill?---No.

Well, it's happened three times in 2009 for each quarter, hasn't it?  
---(No Audible Reply)

30 Did you ever use your personal credit card to pay for your [REDACTED] water bill?---Always.

Well, Sydney Water doesn't think so?---I can't really reply to that.

Did you use the IWHS credit card to pay for your son's water bill on 21 January, 2010?---No.

It's suggested that you used the IWHS credit card to pay for his bill in the amount of \$138.90. What do you say about that?---No.

40 On 23 February, 2010, can you take it from me, I've done the calculations, that a transaction for \$210.45 came out of the IWHS credit card. This is the first quarter of the next year, Ms Sharobeem. Did you use the IWHS credit card to pay for your [REDACTED] address service on that occasion?  
---No.

You never paid for your water bill using your own card in 2009, did you, your personal card?---No.

So you're agreeing with me, aren't you?---I don't agree with you.

Well, you were paying for, you paid for at least, for the [REDACTED] address you paid for your water bill in February 2009 using the IWHS credit card. Agreed?---No.

Well, that's the information we have, Ms Sharobeem. Are you suggesting that the bank statements are incorrect?---No, I suggest somebody else used the card to pay for it by mistake, but I didn't.

10

So someone else is paying for your water bill using the IWHS credit card. Is that what you're saying?---I explained to the Commission before that all my correspondence, all my letters, all my receipts, including my family's, is always in my bag and it's always in my desk.

Did your - - ?---If that happened, that, then it's somebody else's mistake. I am not that stupid to make such a mistake, and I had my salary to pay for my bills.

20 THE COMMISSIONER: Can you explain to me how the IWHS credit card was used by somebody else?---Yes. The information was known to the receptionist, Marie, in particular and to Nevine Ghaly and the bookkeeper.

You mean they would, they could ring up, would they ring up and they could ring up and use the IWHS credit card details?---They can, because they had it also to facilitate other things at the service and if the bookkeeper would find the bills she would try to pay it, so most likely she was confused. I don't pay bills in this way. I have my BPAY, usually I use the BPAY, not the phone most of the time.

30

Why would they pay your private bills?---I actually have evidence the management committee told me during my, in this time that we discovered that the bookkeeper, by mistake, even the last bookkeeper by mistake paid my bills. Basically all my bills used to come to Immigrant Women's Health because I'm never at home, so most likely bookkeeper were doing mistakes and if this wasn't picked by the auditor again that's another mistake I am not responsible of.

Yes.

40

MR RAJALINGAM: Yes. Thank you, Commissioner. Ms Sharobeem, just to finish off on the payments to Sydney Water. In 2013 there were three payments made by BPAY transfer from the IWHS St George account to Sydney Water for the following amounts, \$298.20, \$340.80, \$317.05, \$489.82. That information can be found at volume 5, page 156 of the brief. Did you, did you use BPAY transfers online to pay for your Sydney Water bill?---No.

Did you instruct anyone at the IWHS to pay for your Sydney Water bill from [REDACTED] using IWHS funds?---No.

You said that the water bills all went to the IWHS. Is that right?---All my bills.

Do you agree that you used the IWHS credit card to pay for your Foxtel between April, 2011 to September, 2015?---Yes. Foxtel was part of the package.

10

The information the Commission has was that about 7,000 – exactly \$7,608.77 was paid to Foxtel using the IWHS credit card. Would that be correct?---I don't know how much is the amount but it was part of the service.

For how long was your – where was the Foxtel service connected?---At my home. At the beginning I thought of having it in the office because I spend more time there but then I found it's easier for me to have it at home to be able to see the other channels.

20

Which home?---My home. Wherever my home is.

So where did you have the Foxtel installed, which locations?---I think I had it first in [REDACTED] and then moved it to [REDACTED] I, I – that's roughly.

How often were you at the office?---Sorry, come again.

30

How often were you at the office?---How often I am at the office?

Yeah.---It depends.

When did you get to watch Foxtel at home?---Um - - -

You were very busy weren't you?---I am, I am very busy, yes, but - - -

Why didn't you have the Foxtel connected at the IWHS instead of at home? ---I tried that at the beginning.

40

Was it for the benefit of your sons and your partner and yourself?---No. My partner just came in the late years of my life. But, no, it was originally because of my public work as a public speaking of the organisation.

Was it for the benefit of your sons then?---My sons are hardly at home and they are boys. Like any other man wouldn't sit in front of TV. They have a life.

Did your - - -?---But it is my – as a public speaker it is my privilege, yes.

Did – was the board aware that you had used the IWHS credit card to pay for Foxtel over those years?---I believe, I believe it was - - -

10 Who - - -?--- - - - mentioned in one of the meetings and also I had with the board an open door policy which means anyone of the board can come and check the accounts, can talk to the bookkeeper and they used to have that and they used to have very common relation with everybody to the extent that I wouldn't be there and they would be there alone without any staff and it happened in many occasions and all the rooms are open. All the files and folders are open for anyone to investigate and, and see what they want.

Who did you tell at the board about your Foxtel connection?---I believe it was mentioned in one of the meetings.

To whom did you say it to?---I believe it was Audrey and Nada. That's fake memory – fade memories or - - -

20 Who else could have been there at – when was this meeting?--- - - - like very shallow memory.

When was this meeting that you had in relation to you having Foxtel installed at your private address?---I can't remember. Can't remember.

How many years ago did this happen?---I can't remember.

Was it many years ago, only a couple of years ago?---Not a couple of years ago. More than that.

30 Did you also use the IWHS credit card to become a member of Fitness First?---I used to have at the beginning of my service something called supervision where a supervisor, an external person because there is no one above me, would come - - -

Did you use the IWHS credit card - - -?--- - - - and do supervision with me - - -

40 - - - to become a member of Fitness First?---She finished with me – can I finish?

THE COMMISSIONER: Could you just answer that question.---That's exactly the answer.

What is the answer?---When she finished with me she said you can have – because she finished the supervision and she said I don't need supervision any more she said you can have any other privilege, and Fitness First was one of them, to be able to remain fit as, as a manager.

Sorry, who told you that?---It was my supervisor at that time. Her name is Margo Moore and she wrote me a letter about her recommendation that I can have any other – something to support my health and wellbeing after that.

MR RAJALINGAM: Sorry, did you say your supervisor?---Yeah.

Your supervisor from where?---I used to have a supervisor, external one when I started my work at the Immigrant Women's Health.

10

You had a supervisor?---Yeah.

Was that person being paid by the IWHS?---Yeah.

Who was this person?---Her name is Margo Moore.

How do you spell it?---Moore. M, let me write it. I believe M-o-o-r-e, and Margo is M-a-r-g-o.

20 Margo Moore?---Yeah.

Where did you know her from?---She used to work at the Health Department and was recommended by the Health Department to have a line of support for me as a manager.

When did you meet her?---What do you mean?

When did you meet her?---At the service.

30 When, as in time, did you meet her?---Whenever we arrange a time. When -  
- -

When did you first meet her?---What do you mean when?

When did you first meet this lady Margo Moore?---I knew her years ago. Years back. Like, she's been in the sector for quite some time. She's a well-known figure in the sector.

40 So explain to me how Ms Margo Moore gave you her Fitness First membership. Is that what you said?---I didn't say that.

THE COMMISSIONER: Yes. No, I understand what you've said. You said that she said that you would be entitled to it as the manager.---Entitled to it, I chose to do as a manager, to relieve my stress from work.

So when did she tell you that?---At the last meeting where we had a final meeting for our supervision. She said you can have anything or you can do anything. You can purchase books to – if it will give you some relaxing

time, or you can join any gym membership. And at certain time I was trying to find a way to release the stress and the burden I have on me, so the Fitness First membership wasn't for long. It was only for certain time, like some month.

The question was when. When did she, what year was it?---It was maybe '05, '06, something like that.

10 When you first went to the Immigrant Women's Health Service?---When she first came and she became my supervisor.

Okay. Thank you.

MR RAJALINGAM: For how long – thank you, Commissioner. For how long were you supervised by Ms Moore?---I can't remember exactly but it's maybe more than a year. Maybe.

20 After starting at the IWHS, how long after that did you first meet Ms Moore? So you gave evidence that you started in 2004.---Mmm.

When was it that you met Ms Moore?---She was recommended maybe six month after or around that.

So relatively soon after you started? Or later?---I started in the organisation where there wasn't any manager for a year and the work was very heavy. At that time I discovered that there is \$27,000 was stolen from the organisation.

30 Wait, wait, no, I'm talking about Ms Moore. Hold on, Ms Sharobeem. ---And that took a lot of burden on me, and that's where the management committee decided to get somebody to support me with all the trouble I was facing.

So six months into your employment?---Roughly. I can't really be precise with this. It's very long time ago.

And then you say that Ms Moore supervised you for about one year? ---Around that. I can't really be precise.

40 And she told you that it was O.K. to sign up with Fitness First and use the IWHS credit card?---I didn't say those words. That's your words. My words is she said that it would be- - -

She said that it would – sorry, what were her words?---“It would be fine for you to do other activities to relieve the stress and the burden.” And we used to pay her around \$300 each session. So it was, that money should be going through relieving the stress and the burden, which we call it staff supervision or staff remuneration.

All right.---Some, some words like that.

And did she say to you that it was okay or fine or – you use the words. Did she say it would be okay to use the IWHS credit card?---I don't think she would say that, use the credit card.

10 Well, what did she say about how you were going to pay for the Fitness First membership?---She didn't mention even the Fitness First membership.

Well, how did – did she – you gave evidence that this lady said you could do a number of things, correct?---Yeah, yeah.

Did she say to you also how you would pay for doing these things?---Of course she wouldn't.

So she said nothing to you about payment?---Of course she wouldn't, no.

20 So I asked you a question, did you use the IWHS credit card to become a Fitness First member.---I had to pay for it.

And you said that this lady said something to you.---What would I pay for it with? They have to have a credit card to do the payment.

So do you agree that you used the IWHS credit card to become a member of Fitness First?---I just explained the reason why I used it for short time.

30 THE COMMISSIONER: But you – the answer is yes, you did use it?  
---Yeah, as part of my package as - - -

Yes, I understand?--- - - - to relieve the stress and the burden of a job around the clock.

MR RAJALINGAM: How soon after Ms Margo's conversation about this did you become a member of Fitness First?---A while after because I remember I tried other things. It was - - -

40 Like what?---Reading, buying books, taking time off, I tried different things.

All right. Ms Sharobeem, I'll show you a document, volume 4, page 13. Pardon my back. Ms Sharobeem, do you see that document in front of you?  
---Yes, I can.

Is it a Fitness First membership?---Yes.

Do you see your name on it?---Yes.

Do you see your, your IWHS address that you've written there?---Yes.

And do you also see at the bottom where it says, "Credit card number," the IWHS credit card number ending in 3-7-7-4?---Yes.

Do you agree that that's your signature on that form?---Yes.

And do you agree that it's dated 16 July, 2008?---Yes.

10 Did you think it was improper to pay for Lite n' Easy using the IWHS credit card or was that appropriate as well?---Yes, I used Lite n' Easy for work for the senior group for such, for quite some time and it was a trial to get the women to experience different food. They are all from migrant refugee communities and we tried different cooks, we even tried the Meals on Wheels for multicultural women and I was supporting it, and one of the trial was Meals on Wheels, sorry, the ah - - -

20 THE COMMISSIONER: Lite n' Easy?---Lite n' Easy, sorry, for such a time and it worked and then some of them refused to continue with it and we had to go to the traditional food.

MR RAJALINGAM: For how long were you trialling Lite n' Easy?  
---I can't remember how long.

How many months or weeks were you trialling Lite n' Easy?---I can't remember.

30 You really can't remember, but you're able to give evidence about it that you tried it out, what sort of cuisine did you try through Lite n' Easy?  
---We had different argument with the women about that and that's why I remember because their stories.

Which women do you recall eating Lite n' Easy meals?---The ah, Middle Eastern Seniors Support Group.

The Middle Eastern Seniors Support Group. On which day?---They usually, they varied, they, they usually were around Fridays but in the beginning it was Wednesdays. I can't remember exactly.

40 All right. You said that you were trialling it, at some stage you stopped and went back to traditional cuisine?---Ah, yeah.

Okay. Do you remember what happened that made you go back to traditional cuisine?---The women said that they don't taste the food and they said they are in an age where they really don't want to try new things and they really want to have their own food and there was always debate about the food with this group and many people can witness that.

For how long were they debating about the deliciousness of Lite n' Easy food?---They, no, not the deliciousness of the food, they were actually upset from our trials to lead them into healthy lifestyle and the department knows about that.

So was this – Ms Sharobeem, the Commission has evidence that between 2010 October and June 2013, that's about two and a half years, that IWHS was paying using the credit card, the organisation's credit card, for Lite n' Easy. What do you say about that?---Well, that's all what I remember.

10

Two and a half year. That's not a trial, is it?---That's all what I remember about that.

Well, it's not a trial if it's for two and a half years, is it?---The group actually lasted with me for more than 10 years, so that's why I can't really remember when.

20

How much food would you purchase on one occasion from Lite n' Easy for a meal for the group?---Maybe around \$100, 150, something like that, in one time or in one week or something.

Do you recall having E-way tag, Ms Sharobeem?---Yes, of course.

And do you accept that it was being paid by the IWHS credit card?  
---Of course.

Why is it that your son's vehicles use the same tag?---If my son was going into a trip across and there is a toll, then he would borrow my tag.

30

Did you do anything to differentiate between personal and work-related expenses on your E-tag?---No, not really. I can't remember doing that.

Do you accept that your sons may have taken personal trips and incurred charges on your E-tag?---I also did personal trips on my E-tag.

The Commission has evidence that charges for about \$721.85 for your son Charlie's Kawasaki motorcycle were billed to the E-tag for IWHS. What do you say about that?---That shouldn't happen, no.

40

Well, it has.---No, that shouldn't happen.

And for Richard's Suzuki motorcycle, \$130.90.---No, the E-tag was registered for myself as the driver of the vehicle. If they use it, definitely the money was paid back by then to the organisation, I'm sure of that.

Pardon me, Commissioner. Do you know if your son was using the IWHS credit card to make payments to Lite n' Easy? Richard?---No.

Do you know what if your partner, Haiman Hammo was using the Lite n' Easy card and the IWHS credit card to pay for meals?---No, they never even saw it.

In May, on the last occasion, Ms Sharobeem, when I was asking you questions about facilitator payments, and do you recall that I said to you in summary that about a hundred thousand had been claimed by you over June 2014 and March 2015? Do you remember that?---I remember what you said.

10

Okay.---And by the way, this money was paid back in full to the organisation while I know it is my right, because I did the work. They requested from me to pay it because Nathan Boyd put it as a condition to finalise our audit and I paid it to do that. I paid it back.

THE COMMISSIONER: How much did you pay back?---The full amount they requested from me to pay.

Do you remember what that was?---No. I'm sorry, I was very ill.

20

MR RAJALINGAM: When you were receiving payments as a facilitator was the board aware?---I can't really remember that.

Was anyone aware you were receiving payments for facilitator fees?---I can't remember but I do remember that we talked about my work as a facilitator. I do remember.

Who did you talk to about your work as a facilitator?---Mainly Audrey because she was the chairperson at that time.

30

Do you know if the board was aware when Richard first started working as a facilitator that he had been employed by you to work as a facilitator for IWHS?---I mentioned that also to Audrey about various things Richard did with us as employee.

So you mentioned it to Audrey, did you?---Yes. And - - -

First of all, when did you mention it to Audrey?---When, in one of the occasions when we were talking. Specific time, I can't remember.

40

Who else was there when you spoke to Audrey about your son becoming a facilitator?---I didn't say my son's becoming facilitator but the word facilitator here is very vague and big and I just need to explain to you at this organisation what we mean by that. Anyone doing anything with the groups, because we don't have any other financial system in the organisation except the invoicing, we call them facilitator and we use this invoicing. Because we're not a big organisation, that's how everybody in that sense is classified as facilitator. So if they do a report, write a report,

taking pictures, doing any administration around the groups, setting up the tables, setting up the rooms, even buying something from IKEA and fix it up for us, they are all classified in our bookkeeping system as facilitator because we're a tiny organisation.

What qualifications did Richard have that made him a suitable facilitator for the Immigrant Women's Health Service?---Under the classification I just give he had many skills to work under different things.

10 What skills? Many is a descriptive word. What skills?---ICAC have the bundle of qualifications - - -

What skills did your son have to work at Immigrant Women's Health Service?- - - - - Richard has, Richard even doesn't have it, ICAC has all his qualification.

What skills are you aware of did Richard have that made him suitable to become a facilitator?---It depends on the job he delivered.

20 Well, what were the skills that he had?---For example, one of the things he did with us or he participated with us is by doing all our framing or taking all our pictures and the management were aware that Richard is doing that and producing also CDs of all our activities and organisation had the CDs. Richard have qualification as a photographer and ICAC have all his qualification, that's just an example.

What other qualifications did you think he had?---I, I believe it's better to ask him, he have all - - -

30 You're not aware of what your son - - -?---You are more aware.

- - - is qualified?---You are more aware, you have all his qualifications.

Hold on, Ms Sharobeem, you employed him to work, do work at the IWHS, didn't you?---I just gave you an example of what he delivered to us.

So what skills did you think he had?---I just gave you an example, I don't know what else I would say.

40 Did you have a conversation with him about what qualifications he had to be working at the Immigrant Women's Health Service?---It depends on the task he delivered.

Well, what skills did he have, Ms Sharobeem?---I want to be very careful replying to you, sir. If you will give me a question I can answer I would be able to answer it. Ask me about the task and I'll tell you what the qualification. So the facilitator, as I said to you, it's a very big word. I gave you an example of pictures, taking pictures, and that's the qualification.

Okay. All right. I understand. When, how old was Richard when he started work as a facilitator at the IWHS?---Under the classification of a facilitator ah - - -

How old was he?---He was maybe 19 or 20.

So when did he finish school, Ms Sharobeem?---20 maybe.

10 When did he finish school?---I can't remember that.

You can't remember when your son finished school?---No.

Well, let's say he finished school when he was about 17?---Right.

Let's assume that?---Yeah.

He had three years before he started work at the Immigrant Women's Health Service?---Yeah.

20

What was he doing between school and work at the Immigrant Women's Health Service?---He was studying something.

You don't even know what he was studying, do you?---I found other day his registration at uni for criminology course and also he did at TAFE, if you're asking me that question about what's his qualification, he also did welfare and community development, he also did the photography course, he also did training qualification, if I remember.

30 Training in what?---Um - - -

You don't even know. You're just saying training without even thinking about it, aren't you, Ms Sharobeem?---Um - - -

You know you're under an obligation to tell the truth in this Commission? ---I am, I am. And to be able to tell the truth while you're trying to pressuring me in various way I am trying to respond nicely and quietly so - - -

40 Did Charlie do work as a facilitator - - -?---Yeah.

- - - for the Immigrant Women's Health Service?---Under the classification of a facilitator as I just give, yes.

You know when he gave evidence at the compulsory examination, and of course, with the Commission's leave, I seek to lead evidence of that.

THE COMMISSIONER: Yes.

**VARIATION OF A SUPPRESSION ORDER: COMMISSIONER  
VARIES THE SUPPRESSION ORDER OVER EVIDENCE GIVEN  
BY CHARLIE SHAROBEEM AT A COMPULSORY  
EXAMINATION HELD ON 21 NOVEMBER 2016**

10 MR RAJALINGAM: In short, he said that he never did work as a facilitator for the Immigrant Women's Health Service, Charlie?---I just explained to the Commission - - -

So your suggestion is that your son is incorrect about where he worked?  
---I just gave explanation to the Commission that to satisfy our bookkeeping system we used the word facilitator, not necessarily - - -

THE COMMISSIONER: Yes, you've explained that before.---Yeah.

20 Did Charlie work at the service?---Yes.

He did work at the service?---Yes, yes.

And did he work as a facilitator, is that the title that you gave him?---The bookkeeping title - - -

Yes.--- - - - is facilitator because we didn't have any other classification for people providing this service.

30 And was he doing some bookkeeping work?---No, no.

Oh, sorry.---To satisfy the bookkeeping of the organisation.

Oh, to satisfy the bookkeeping.---I'm sorry.

40 What work was he doing?---He did our reports for more than three years. He did a lot of IT work because we didn't have anyone to do IT at that time before we were able to secure - a neighbour was doing IT work. He - and he is qualified in these two areas. He was also producing our reports, not only on CD or DVD but also he did the graphic work of it which is extensive kind of work to do after his work as well.

So he actually did quite a bit of work for you?---Yes, he did.

MR RAJALINGAM: Ms Sharobeem, you agreed in your compulsory examination and I think in May this year that the facilitator or the alias for the facilitator Rachie Kakel was your son Richard. Correct?---I explained that.

So why did you tell the auditor that Rachie Kakel was Adyan Rezag?---I didn't say that at all.

Well, in your response to the auditor's questions you said that to the auditor. Why did you say that?---I didn't say that.

Your statement to the auditor was false wasn't it?---What, what statement?

10 Your statement that Rachie Kakel was Adyan Rezag was false wasn't it?  
---Statement to who? I didn't say that.

Did you tell the auditor that you had no relationship with Charl Gamal?  
---No, of course not.

Did you tell the auditor that you had no relationship with Rachie Kakel?  
---Why the auditor would ask me about the relationship with any person?

20 Was Charl Gamal your son Charlie Sharobeem?---I said that to the  
Commission last time.

Was Rachie Kakel your son Richard Sharobeem?---I said that to the  
Commission but the auditor had no right to ask me if I have any relation  
with anyone.

You knew - - -?---That didn't take place.

You knew that they were both receiving payments for facilitator work didn't  
you?---How would I know? I organised the payment for them.

30 And you didn't tell the auditor who they really were because those  
payments were dishonest weren't they?---No, that's not true. The auditor  
didn't even ask me.

Why did you use the name Emy Adel to claim your facilitator fees then?---I  
explained that before.

Well, why did you do it?---I explained that before.

40 Explain it to me again.---I explained before to the Commission.

What's the explanation? What is the explanation for it?---Can I ask just to  
satisfy my limited ability, if I answer the question to the Commission why  
I'm asked again. What's that, to satisfy who and why except to keep  
abusing me and interrogating me and, and inhumanely to a great extent.  
Why?

THE COMMISSIONER: If it's a simple answer that you've given before  
just repeat the answer that you gave before.---This Commission is against

all forms of human rights, isn't it? This is just to abuse people (not transcribable), isn't it?

Just calm down.---Isn't it?

Just stay calm for a moment. Would you like a glass of water?---Isn't it?

MR CHHABRA: Commissioner, if I may.

10 THE COMMISSIONER: Mr Chhabra.

MR CHHABRA: Of course I'm in the Commission's hands but this may be an appropriate juncture to take even a short break. I do know it's early in the proceedings. I'm entirely in the Commission's hands.

THE COMMISSIONER: I'm always happy to have a cup of tea.

20 MR RAJALINGAM: I'm happy to - - -.---It's all right. I can continue. It's all right.

THE COMMISSIONER: Okay. All right. Thank you.---It's okay.

All right.---I will continue.

Now, the question I think was why did you pay yourself - - -

30 MR RAJALINGAM: Why did you use the name Emy Adel to claim facilitator fees?---As I said before, I used this name to avoid any complication with the staff because I was not as a facilitator paid from the Health Department. I was paid from the project money which I worked hard over the years to increase the income coming to Immigrant Women's Health Service and the revenues of the service and I was doing all these extra works without any payment. My account was clearly indicated for tax purpose and for the account purpose and it was clearly given to the bookkeeper.

THE COMMISSIONER: Okay. Thank you.

40 MR RAJALINGAM: Why did you use the name Emma Adly then as well to claim facilitator fees?---That wasn't a different name. That was my name.

Why did you have to use two different names, Ms Sharobeem, to claim facilitator fees?---I didn't. That was - - -

Two different names to claim fees for yourself. Why two?---I didn't. It was a mistake. Usually when we write anything in MYOB, the other names pops up. So definitely that was a mistake, not intentionally.

It wasn't intentional that you used two names, is that what you said?---No, it was intended.

It was intentional, wasn't it?---No, it was intended.

- 10 You did it intentionally to dishonestly claim facilitator fees, Ms Sharobeem. Isn't it obvious?---I already put a name to claim the work I did and delivered as a facilitator.

You used two aliases so you could claim double payments, didn't you? Didn't you?---No, I didn't.

The name Emy Adel was never on the IWHS computer database, was it?---I explained to the Commission before - - -

- 20 Do you agree that it wasn't on the computer database?---What database? What database?

The database at the Immigrant Women's Health Service, which held all the information related to staff, facilitators, participants of groups.---The database - - -

Emy Adel was not on the computer database, was it?---I don't know. I never - - -

- 30 Emma Adly wasn't on the computer database, was it?---The database is a trial, was a trial. The - - -

- 40 Was the name on the database? Yes or no? Emy Adel and Emma Adly. Use your own words to answer the question.---I can answer to you to explain, sir. But he doesn't want me to explain. The database was a trial of a service provided by the peak body, Women's Health NSW. Immigrant Women's Health Information Service was a very unique service, different than the rest of the women's health services in New South Wales. That's why we were trying every time. The database wasn't the only source we rely on. I did not put any data in the database. The staff were trying to put data in the database and we had a lot of trouble with it, hence our data wasn't only coming from the database. I don't know what was on the database. I always tried with the administrators to give them information and to talk to the peak body to come back and give them training. So I have no idea what was in the database.

THE COMMISSIONER: Do you know whether the other facilitators were in the database?---Not all of them, in my own understanding, no. No, not all

of them. And the database wasn't even built to have a facilitator. We didn't even have a place for groups and facilitators. We were trying to empower the database and request from the peak body the information we want to have in the database. They need ..... witness on that, and there are plenty of emails correspondence in that regard.

Okay. Thank you.

10 MR RAJALINGAM: Ms Sharobeem, I'm going to take you to volume 1, page 175. Did you tell anyone – just before that comes on. Did you tell anyone that you were claiming fees as a facilitator under the name of Emy Adel?---I believe I shared that with the bookkeeper when she asked me about this facilitator.

Did you tell anyone else about your work as Emy Adel?---The only one needed to know is the bookkeeper.

20 Did you tell anyone about your work under the name Emma Adly to claim for facilitator fees?---The only one needed to know is the bookkeeper.

Did you tell anyone about your son Richard Sharobeem working, apart from Audrey Lai?---There wasn't any occasion to say anything.

So you say that Ms Lai knew about Richard working?---I believe the bookkeeper is aware as well because she have all the details.

Was Ms Lai also aware that you were submitting forms on his behalf under the name Rachie Kakel?---I don't know. I can't remember that.

30 She wouldn't have known that, would she?---I wouldn't know. I don't know. They have all the information to check whenever they wanted.

Page 175, volume 1. That's an email from Mr Boyd, the auditor, to Ms Watton, Ms Lai, Ms Damcevaska and yourself, and it's about the IWHS audit in October 2015. Do you see that email?---Yes, I can.

40 Go to question 2, details of facilitators. What Mr Boyd's asking you is a clarification about these points and essentially a clarification as to who these facilitators are?---Yeah.

He's asked you about Victor Baseley, Charl Gamal, Emma Adly, Rachie Kakel. Provide details of their work, contact details for verification et cetera. If you go to page 176, do you recall providing this response to Mr Boyd?---I was injured and in treatment and I was trying to help the organisation writing back so I even can't remember what I wrote, but - - -

Do you agree that this document, we'll go to the next page - - -?---I'm trying to remember.

This page, the next page, do you see that, that was provided to the auditor, wasn't it?---I can't remember I sent it to him or I wrote something to respond and sent it to management, I can't remember.

But no one else would have known who Charl Gamal was apart from you. Correct?---I, I didn't read this.

10 Just answer the question. No one else apart from you would have known who Charl – turn that off. No one else apart from you would have known who Charl Gamal was. Correct?---I really don't, can't say yes or no.

No one else apart from you would have known who Rachie Kakel was. Correct?---I can't say. I already answered this.

Did anyone else know who Rachie Kakel was?---Yeah, the bookkeeper, as I believe.

20 Yeah, the bookkeeper's not included in this email, is she?---No, she's not.

What about Charl Gamal, did anyone else apart from the bookkeeper know about Charl Gamal?---No one in the organisation know the rest of the facilitators or their names, no one.

Okay. So no one else apart from the bookkeeper would have known about this person, Charl Gamal. Correct?---About any person, not only Charl.

30 Well, we'll turn page 176 back on. This is the response you provide the auditor about who Charl Gamal was. Will you read it aloud for the Commission?---Where should I read?

The second dot point under point 2. "Charl Gamal works for a company, ABN is," such and such. Can you read that aloud?---"Charl Gamal works for a company, ABN, two facilitators used to lead the group on Tuesday night, mixed groups for parents and guardians, many sessions two or three facilitators used to be engaged. We run this group also on Saturdays where I used to work with them as a facilitator and getting paid equally as my name as Emma Adly. Tax File Number is provided." Yes.

40 Do you agree that you don't identify in that passage that Charl Gamal is your son?---I didn't need to identify it. Every other information is very true.

Go down to the next point. See what your response in relation to Rachie Kakel is. Can you read that aloud?---"Rachie Kakel used this name to avoid informing her family that she works with us. I agreed to give her the opportunity and to support her as a victim of violence. I contacted her last week and she trusted giving me her ABN and her name avoiding implication of service which supported Adyan." Exactly. That's where I

now found out that's where the mistake, the name here should be [REDACTED]  
[REDACTED] not Rachie Kakel. [REDACTED] [REDACTED] That's the confusion, yes, that's the  
---

So here Rachie Kakel should read [REDACTED] [REDACTED] is what you're saying?---  
Yeah, that's where the confusion. [REDACTED] [REDACTED] should be the other one.

So are you saying [REDACTED] [REDACTED] is Adyan Rezag?---Yes. Yes, that's what –  
that's where I got confused in this. Yes, that's her daughter.

10

Ms Sharobeem, you told this Commission that Rachie Kakel was your son.  
---Yes.

Here you're saying Rachie Kakel is Adyan Rezag aren't you?---No, no, no.  
What I'm saying is this is a mistake.

This is another mistake isn't it?---Of course. For a person under treatment  
psychologically and in depression a simple mistake like that would happen  
and you can see, sir, that [REDACTED] name is underneath. That's where I got  
---

20

This is not a simple mistake, Ms Sharobeem. It's constructed by you isn't  
it?---The name of, let me read it again, Adyan Rezag is the ---

Firstly ---?--- --- daughter of [REDACTED]

Ms Sharobeem.---Yeah.

30

Instead of saying Rachie Kakel was your son do you agree that you say  
Rachie Kakel is someone who was the victim of violence. That's what you  
said in that passage didn't you?---That's ---

You described – do you agree that you ---?--- --- [REDACTED] [REDACTED]

--- described Rachie Kakel as a person of – as a victim of violence?---That  
was my mistake (not transcribable).

40

Yeah. And Rachie Kakel is simply put your son isn't it?---If you want to  
criminalise me for my mistake you can but this is a very simple mistake and  
it's obvious. [REDACTED] [REDACTED] is the victim of violence and I wrote her name by  
mistake one paragraph under the other. Why this is not clear and why do  
you ---

You didn't – no, you didn't write ---.--- --- want to pick on ---

--- [REDACTED] [REDACTED] name in that passage.---I need to breathe. I need to  
breathe. I need to breathe. I need to breathe.

THE COMMISSIONER: I think we might take the morning tea adjournment at this stage.---I need to breathe. I'm sorry. I'm so sorry.

We'll adjourn.---I'm so sorry.

20 minutes.---I'm so sorry.

**SHORT ADJOURNMENT**

**[11.01am]**

10

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: Thank you, Commissioner. If the witness could be shown volume 1, page 176 again. Ms Sharobeem, do you agree that the third dot point under point 2, do you see "Rachie Kakel" there? The words "Rachie Kakel"?---Yes.

20 You said in your evidence before the break that was a mistake and it should have been [REDACTED] [REDACTED]. Is that what you're saying?---Yes.

You agree that [REDACTED] [REDACTED] is referred to separately in the paragraph below?---Her name is mentioned.

Do you agree with that?---As I can see, I mean.

Do you agree that you provided that response in relation to [REDACTED] [REDACTED] ---Let me read it, please. That's also about [REDACTED]

30 You accept that in a document where you've been asked about two facilitators, Rachie Kakel, you've also provided details in relation to [REDACTED] [REDACTED]. And if you go back to page 175, it's the case that even the auditor is not even asking you about [REDACTED] [REDACTED] in that email.---That explains my confusion and being so ill and tired at that time. I had a nervous breakdown at the office with many witnesses.

40 If you go to page 176, and you've listed them separately, do you agree with that? Rachie Kakel and [REDACTED] [REDACTED]. Your point explains the deteriorated case I was in and there are doctors' reports about that as well.

And do you agree that you provided background information in relation to both of those people, Rachie Kakel and [REDACTED] [REDACTED]. Which I volunteered and I wasn't even asked about it.

And you've supplied an ABN number in relation to Adyan Rezag, haven't you?---It's written here.



THE COMMISSIONER: But you - - -?---And all this is documented.

Mmm. But you accept that what's here written to the auditor is wrong, this information?---It's – the only wrong about this, from all of this, that instead of writing [REDACTED] [REDACTED] name I wrote Rachie Kakel. That's the only thing wrong, but the rest of the information to my best interest is right.

10 And I think the auditor asked you about Rachie Kakel and you haven't actually told him who Rachie Kakel was?---And instead I wrote about [REDACTED] That's, that's what I'm referring to, sir, that I was in a very deteriorated status, that I wasn't even responding to the question appropriately and I was under a lot of threaten from him in particular.

All right.

MR RAJALINGAM: Ms Sharobeem, are you suggesting that Ms [REDACTED] [REDACTED] was receiving facilitator fees under the name Rachel Kakel?---No.

20 What are you saying then in your evidence to this Commission about the paragraph, the third dot point where it says Rachie Kakel, what are you saying about [REDACTED] [REDACTED] name should have been - - -?---That should be, instead of Richard, Rachie, it should be [REDACTED] [REDACTED]

But [REDACTED] [REDACTED] is referred to in the next paragraph, Ms Sharobeem? ---Yeah, that's where the confusion came.

30 So why would you be referring to [REDACTED] [REDACTED] twice when you're only, you're not even asked about her in the email?---You can ask my psychologist of my situation - - -

Well, I'm asking you - - -?--- - - - suffering from the mental breakdown.

Ms Sharobeem, I'm asking you why you would refer to [REDACTED] [REDACTED] twice in this response document when you weren't even asked about her? ---My response is it's a mistake because of my deteriorated mental status.

THE COMMISSIONER: Okay. I understand that.

40 MR RAJALINGAM: Ms Sharobeem, I'm going to show you a document, a hard copy version of a document, and it will be on screen as well, but you can have a copy. That's a copy for the Commission. Ms Sharobeem, do you recognise the document in front of you?---Yes.

Is that a note from your SBS notebook?---That's not my handwriting.

Ms Sharobeem, this note was found at your home when the Commission conducted a search warrant there?---That's not my handwriting.

I suggest to you that it is, it appears to be your handwriting, doesn't it?  
---No, it's not.

Do you agree that Rachie Kakel facilitator was being paid \$25 an hour?  
---That's not even my handwriting. I can read that but it's not my handwriting.

Well, would you agree that Rachie Kakel was being paid \$25 an hour?  
---Yes.

10

Would you agree that Charl Gamal was being paid \$25 an hour?---Yes.

And you as a facilitator, you were being paid \$35 an hour, weren't you?  
---Yes.

Why were your sons being paid more than the rest of the facilitators referred to in that page?---I can't respond to that.

20

Why not?---It's not even my handwriting.

Why, why – you are the CEO of the organisation, you are responsible, why are you paying your sons \$25 an hour when for example Jihan Hana was being paid \$20 an hour and she had three kids that she was looking after?  
---I don't think this information is right. Please refer to the right information of payment about these people towards the end. I really can't, I know for sure that \$35 because it's under the actual rate and I chose to be paid under, but the rest, it's not my handwriting.

30

Well, you know that your sons were being paid more than the rest of the facilitators, don't you, Ms Sharobeem?---They were not facilitator of such.

Well, they were being paid as facilitators, weren't they?---I explained to the court, to the Commission the - - -

THE COMMISSIONER: Yes, but you said that they were called facilitators?---Yeah.

40

So were they paid more than the others?---It depends on the work they did, maybe for that time of payment it was that, but I can't remember each time what they did and were paid on.

MR RAJALINGAM: Ms Sharobeem, I'm going to take you to volume 7, page 139. These are the facilitator forms that were submitted for Rachie Kakel and in fact what was actually paid was a little bit more. Page 139. I'll show you this very quickly, Ms Sharobeem. So Rachie Kakel was your son. You agree with that?---Yes.

The first form at page 139. Do you see that?---Yes.

That's your handwriting isn't it?---Yes.

He's being paid \$25 an hour isn't he?---Yes.

Page 141. That's your handwriting isn't it?---Yes.

He's being paid \$30 per hour isn't he?---Yes.

10 Page 143. That's your handwriting isn't it?---Yes.

That's him being paid \$30 an hour?---Yes.

Page 145. Again that's him being paid \$30 an hour isn't it?---Yes.

It's your handwriting. Correct?---Yes.

Page 147. He's being paid \$30 per hour.---Yes.

20 Do you agree with that?---Yes.

And that's your handwriting isn't it?---Yes.

And it's your handwriting because you completed these forms didn't you, Ms Sharobeem?---Yes.

30 You completed these forms so you must have known that they were being paid more than the other facilitators didn't you when you completed the form?---This is why when you presented this I said I can't respond to it because I can't really remember how much.

Well, you can't, you can't respond to the fact - - -?---And who wrote this. And who wrote this.

- - - that you were paying your sons more than the other facilitators. You can't, you say you can't respond to that?---I can't respond to this because I don't have all the facilitators fees, how much each one was paid.

40 You must have known that your children were being paid about \$10 more than the other facilitators.---I can't accept this claim. I can't.

Well, you wrote - - -.--- I don't have reference to say.

- - - the figure down on the form, Ms Sharobeem. You wrote it down there. ---Sir, you're showing me something - - -

When you wrote it down did you know - - -?--- - - - and I'm responding to it.

- - - that you were paying them \$10 more than the rest of the facilitators?  
---No, I can't accept that they are \$10 more than the facilitator. It depends.

Well, the other facilitators were being paid \$20 an hour approximately weren't they?---No. It depends on the time and what the job they did.

10 THE COMMISSIONER: Were any of the other facilitators ever paid \$30 an hour apart from your sons or yourself?---The, the bookkeeper was paid \$30 an hour from the beginning.

But she was paid as the bookkeeper not as a facilitator.---In the beginning it was also under facilitator. She was also filling the same form - - -

But talk about the - - -?--- - - - and then changed it.

20 Talk about the facilitators. Any of them get paid \$30 an hour?---Yes, for the multicultural parenting project and for the equal, STEPS to Employment, yes.

Was that the top rate \$30 an hour?---30 or 35.

Well, 35 was what you were paid. Was anybody else paid 35?---No, I can't remember that really but I believe some of them in that project time where we were doing the writing of the manual itself, yes, around that. I can't really recall all the information right now and I don't want to make a mistake on just claiming something of yes or no.

30 But it appears that your sons were paid at one of the top rates.---It depends on the job they did. If they did cleaning that's the cleaning rate at that time and also it depends on the time and if they were paying – paid more maybe that's a mistake I did but I can't really say yes or no at that time.

The documents indicate they were paid at the rate of \$30 an hour, those documents. Were other facilitators paid 20 or \$25 an hour?---And 30 as well from memory.

Yeah.---Yeah.

40 Okay. Thank you.

MR RAJALINGAM: Thank you, Commissioner. I'll take you to volume 7, page 124. These are for Charl Gamal. It's 124 first of volume 7, allegation brief and these references for facilitator forms have all been from the allegation brief. Page 124. That's your handwriting isn't it?---Yes, and that's why I'm saying I can't remember the – how much they were paid.

Yeah. It's \$20 per hour for Charlie isn't it?---Yeah.

And then page 126 he gets a wage increase and it goes to \$25 an hour. Is that right?---It's not wage increase. It depends - - -

Well, it's your handwriting on that form isn't it?---It depends on the job he provided.

Is \$25 more than 20 - - -?---It depends on the job.

10 \$25 more than \$20?---It depends on the job he provided at that time.

Page 128. Charl Gamal. Your handwriting isn't it?---It depends on the job he provided.

And is he being paid \$25 an hour?---That's what I'm saying, it depends on the job he provided.

Page 130. Is that your handwriting?---It depends on the job he provided.

20 Is that your handwriting?---I'm responding equally.

Is that your handwriting, Ms Sharobeem? I don't think - - -.---It does look like mine.

- - - you're responding to the question.---It does look like mine.

And he is being – and you've completed the form haven't you?---Yes, it's my handwriting.

30 You initially put down \$35 per hour because you were going to pay yourself, Emma Adly, weren't you?---I was doing a mistake in the writing, definitely.

But you've paid him \$30 an hour there, haven't you?---This document actually show how simple the accounting in the organisation, that I scribble things and I add things.

Page 132.---Yeah, it's just simple.

40 He's being paid \$36.6 an hour. And you completed that form, didn't you?---There's nothing called 36.6. There is a mistake.

Do you agree that written there is 36.6?---There's definitely a mistake in this form.

And you wrote the form, didn't you?---Which shows that things were - - -

Page 134. If you're finished with the response?---You're not giving me a chance to respond to anything anyway.

Okay. Go back to page 132.---I don't think this is right. There is a mistake in this.

How? Why is there a mistake?---There's no-one paid 36.6. It never happened.

10 Well, go to 1 August. That's the entry for the first date. 9.00 till 2.00. That's for five hours, isn't it?---Yes.

And you've claimed for Charl Gamal, haven't you, in this form?---Yes.

Where does the money go to, do you know?---To his account.

Okay. So it goes to your son's account for 30 hours and he gets paid 1,100. That's all your handwriting, isn't it?---It's - - -

20 That's your handwriting, isn't it?---That's my handwriting but there is something wrong about that 36.6.

And you say that you've made those mistakes on that piece of paper?---I made many mistakes, as you can see.

Page 134. Again that's a facilitator form for Charl Gamal. Do you agree with that?---Yes.

30 Well, why were they being paid more, Ms Sharobeem?---It depends on the work they provided.

I suggest to you that none of the other facilitators were ever paid \$30 per hour. What do you say about that?---If you are a facilitator running administration for the group, you would be paid around between 20 and 25. If you are paid as a facilitator and you are doing IT job, the fair share is 30 or 35 even.

40 Why was Jihan Hana, then, paid only \$18 per hour?---Jihan didn't have any qualification and you can check her record.

And what qualifications do you say your son had? That you're not aware of, are you?---My son delivered and did actually all the graphic work.

No, I'm asking about the qualifications.---Right.

What did he have?---He's an IT specialist.

Where did he get his IT specialist qualifications from?---I'm not talking about the qualification here. I'm talking about - - -

Well, I'm asking about qualifications. I don't need you to talk about anything else. What qualifications did your son Richard Sharobeem have to be working at the Immigrant Women's Health Service? Answer the question, please.---I give you an example of his qualification as a photographer and also his qualification as a community development worker and also he have another qualification but I can't recall now.

10

Do you know where he obtained those qualifications?---From TAFE, I believe. You, you have his qualification, the original.

Commissioner, I'm going to tender the document that I previously showed the witness, which was identified as an SBS notebook entry located at her residence upon the execution of a search warrant. I understand that it is in the brief? It's not in the brief.

THE COMMISSIONER: You've seen it, Mr Chhabra?

20

MR CHHABRA: A copy has been provided to me. I have no objection.

THE COMMISSIONER: So Exhibit 39.

**#EXHIBIT 39 - HAND WRITTEN NOTE TITLED "HOUR PAY BY TAX INVOICE"**

30 THE WITNESS: And this is not my handwriting, which actually an indication that whoever wrote it is aware of those names as facilitators.

MR RAJALINGAM: Ms Sharobeem, in your name and to your account, facilitator fees totalling \$99,685 were transferred between 2014 and 2015. What's your response to that allegation?---The facilitators' fees - - -

40

Sorry, I'll withdraw that. I'll be precise. Between May of 2014 and March of 2015, you had transferred to your account \$99,685 in relation to facilitator fees for Emy Adel, Eman West and Emma Adly. What do you say about that?---I did the work. I delivered the service. Women and family were served and received full service from me. I got paid. This is not the period I delivered the service only, but I did not claim any things before and that's why it was crammed in this year, as it was indicated before. The auditor indicated that he doesn't accept this, and during my illness he bullied me to pay back and I did pay it back.

Ms Sharobeem, moving on to your sons, between April 2011 and March of 2015, in relation to your son, Richard Sharobeem, \$34,050 was claimed for facilitator fees. What's your response to that?

---My son delivered the service, delivered the service to the organisation, he did what was intended from him to do and deliver what was requested from him, whatever the task that was requested, and he received the money.

Ms Sharobeem, from November of 2009 to February of 2015 your son, Charlie Sharobeem, was transferred \$7,750 in relation to facilitator fees.

10 What do you say about that?---My son delivered the service, the service was requested from him was fully obtained by the service, Immigrant Women's Health, and he received his fees.

What do you say about your son's evidence at the compulsory examination, that is, Charlie Sharobeem, he said that he never worked at the IWHS. Your son said that, you're saying that he did work?---He said he didn't work as a facilitator and I, as I explained before, the word facilitator is the term we use for bookkeeping purposes only. It doesn't mean that all our contractors would know that the word facilitator is used for our bookkeeping.

20

Ms Sharobeem, between January of 2008 and February of 2016, you claimed in reimbursements \$561,097.95. What do you say about that?

---The um, all the receipts was shown to me, if it was paid by mistake and it was shown to me I expressed my anger that there was a mistake by the bookkeeper made and I repaid the amounts, but otherwise, sir, you know what happened during the beginning of '14 and the end of '15, during that time, and we have enough evidence that this payment was done deliberately to my account without my intention or information.

30 Ms Sharobeem, you were receiving salary payments, weren't you, between January of 2008 at least and February 2016?---Salary payment as, as receiving my salary from the organisation?

Yes?---Yes, I was.

And in that period, Ms Sharobeem, you earnt 561 – sorry, I withdraw that. The amount of reimbursements claimed by you was \$493,278.86. That's the figure. What do you say about that, is your answer still the same?

40 ---You have your resources to develop such a figure, I can't respond to that, but I only can say that I left the organisation with more than 400,000 in the account, more than what we received from the Health Department or any other funding body. I worked day and night to obtain more funding to the organisation, I did a lot of public speaking and obtained donations to the organisation. We have a donation account because of my work. I never received any fees personally and I have evidence on that. I also did a lot of fundraising activities for the organisation and the accounts claimed, the evidence of that, I left the organisation in a very healthy state where it can

continue for another year or two with the staffing they had, but they choose not to.

Ms Sharobeem, your salary between 2008 and 2016, you earned \$561,097.95. Would you accept that that is an accurate figure, roughly accurate?--I can't really respond to that. You did the calculation. I am not at all in a frame of mind to calculate after you.

10 Between 2008 and 2016, the total of reimbursements, facilitator fees, including your son's facilitator fees for Richard and Charlie, and your salary, the amount you obtained from the IWHS has been totalled by the Commission. It comes to \$1,196,781.81. That's a lot of money, isn't it? --I can't accept this figure. And definitely when you put it like that, you yourself trying to frame me as a criminal. And, please, do not do that.

I have - - -?---It's not fair.

20 I've taken - - -?---Please stop trying to frame me. I know that you're doing your job but please do not put in the public figure, public mind those figures because it's not true. It's a lie. When you calculate how much we received, when we calculate how much I delivered to the organisation, it doesn't weigh back. I delivered way more than four, five, six million dollars to the organisation because of my work.

30 Well, you're right. I am slightly wrong about your salary figure, Ms Sharobeem. The amount is, to be precise, \$546,909.95. There are some other payments to your son that I haven't taken you to. So all up you've derived from the IWHS about a million dollars, including your salary. Would you accept that?---No, I don't.

You purported to have false qualifications when you got your job, didn't you?---No.

You purported to be a psychologist in about 2006 and you never were a psychologist, were you?---That was a mistake and I never claimed any benefit out of that.

40 Ms Sharobeem, not only did you receive money through reimbursements, a salary and a facilitator, you also purchased the IWHS property at 92 Smart Street in about 2011, was it?---I saved the organisation from being closed down and sold it to a private entity.

Did you - - -?---I saved the organisation. I declared that to the bank and to the chairperson. I saved the organisation from closing down.

When you first started working at the Immigrant Women's Health Service in about 2004, was the centre being leased through Marando Real Estate?

---When I started working there, the owner of the premises put the premises for sale. I had a discussion with him and I told him, "Please give me time until I see if we can find anyone else." He pulled the sale back and he had some peace with his sisters because it was an inheritance for the three of them. Later on some years he came to me and he said, "Myself and my sisters," and he's alive, you can ask him of every word I'm saying, he came and said that, "we have to sell, Eman. Just try to see somebody to buy." I went to the chairperson and I said, "Save us. There is no other place can take such an amount of people in any place around Fairfield." And you can  
10 check with all real estate agents. No-one was able to buy it and I checked with the chairperson, I'm sorry, I checked with Audrey Lai and she said she went to her husband and he said, no, we don't want to have any more investment at that stage. I went to my bank, to Westpac, and I discussed the matter with them and I said the service will be sold. I don't know what to do. They offered me to give me the loan to buy it and they give me a business loan, which was a burden for me. That's why when we looked at the account I said I'm not going to raise the rent, but the rent have to cover the fees because it's not my fault that I'm trying to save it. Audrey Lai is very aware of all that from the beginning. I did not, by the way, it is in the  
20 old, I didn't change anything about the contract. I didn't change any condition about the contract at all. I said it's only fair that we maintain the service for the community and I kept it as is, as it was during his time. Not only that but there was my right to raise the rent. 5 per cent, I believe, as by the contract. And I didn't raise it at all since I bought it. It remained from the beginning until I left it.

Ms Sharobeem, you realised that when you purchased the property at 92 Smart Street, Fairfield that you became the landlord, didn't you?---And to reduce - - -

30 Did you understand that when you purchased the property you became the landlord?---And to reduce any conflict, I left it with the agent from day one.

All right. Let's go back to 2005. I'll take you to volume 10, page 1. That's a letter dated 23 March, 2005, isn't it?---Yes.

Did you write that letter?---(No Audible Reply)

40 Does your name appear at the bottom of it, Ms Sharobeem?---All those administration letter it would have my name but it would be managed or facilitated by the administrators.

In the fourth paragraph do you suggest that it's the real estate's obligation to rectify problems?---Yeah. Well - - -

Well, in the letter it is suggested that - - -?---Yes.

- - - it is the real estate's responsibility isn't it?---Yes, yes, it is.

Including to fix a picket fence and a dripping tap?---Yes, that's what the owner directed me to do at that time or directed Marie to do that.

What's the reference on the top right-hand corner about, MRE/COR/9, what does that mean?---That's Marie's reference so obviously she wrote it.

10 All right. From time to time would you ask the staff of IWHS to contact the real estate agent for you to have things rectified at the centre?---No, not really. It's their job. I can't babysit them. They - - -

All right.---When they see something wrong they call the real estate agent or they fix it themselves. It depends on the size. Also because of the wear and tear it's a very old house and still there you can see it, sir, on Google so at the beginning with the owner I said what can you do and what we can do because it's a very deteriorated place and he said I cannot do much. You have a lot of traffic in the organisation. You deal with it. So if it's something we can negotiate with the agent we do, otherwise we do it ourself.

20

I'll take you to page 3 of volume 10. Do you agree that's an email that Ms Abboud is sending to IWHS, your email account, Eman Sharobeem, on 13 April, 2007?---We had the system of daily actions - - -

Is that an email dated 13 April, 2007 from Ms Abboud to you?---Every day they're supposed to send me emails of issues and actions.

Yeah. And you asked - - -?---So this is one of them.

30 - - - asked them to tell you what the issues in the service were and what the actions had been taken. Correct?---Not precisely but we had part-time staff and the only way the part-time staff can tell the other person what's happening in the front office is to write to each other. So not every day that I would check these emails. It's supposed to be for each other but they include me in the email to be aware if I want to.

All right. And this email in relation to the real estate or the property raises an issue the tap at the front has a bent pipe, is spitting water out and an action is referred to in the other box. Correct?---Yeah.

40

You agree with that?---Not that I read that at the time.

All right.---I usually don't read it.

But it was sent – the email was sent to you wasn't it?---If you can see, sir, what I mean is they always talk to the other person and I'm included in the email.

But you were aware that the real estate agent was being contacted for problems at the service weren't you?---The reason of this emails is for everybody in that little pocket - - -

I see.--- - - - of people to know. It's not necessary that it's directed to me. That's what I'm trying to say.

10 But weren't you aware that your staff were contacting the real estate agent? ---From time to time they do. I don't know and it's not my issue to focus on. I'm not sure of the question but I'm just responding.

Why aren't you sure of the question? The question is weren't you aware that your staff were contacting the real estate agent on your behalf?---And my reply is I'm aware that from time to time they do.

Yeah. I'll show you volume 10, page 4. That's another example isn't it of Ms El-Baf contacting the real estate agent in relation to an issue with the property?---The gas pipe.

20 Yeah.---She shouldn't really talk to them about the gas pipe.

Why not?---Because she should contact the gas company directly. It's gas. We shouldn't really write a letter and wait. It's gas. It's a matter of emergency.

You knew that when your staff were contacting the real estate agent to fix problems that it would be the landlord who would pay for it didn't you? ---No.

30 You didn't realise that?---No, no, no. I just said from the beginning that we had an agreement with the landlord of what he can do and he said basically he can't do much according to the contract with the organisation. Check with the agent if you want to but I am not going to carry responsibility unless it's in the foundation. And the place was very, very deteriorated so we carried on everything for the sake of OH&S. That's our obligation.

40 Ms Sharobeem, prior to you purchasing 92 Smart Street, Fairfield, the only repair which IWHS has been recorded to have paid for in relation to the centre was a plumbing issue. I'll show you volume 10, page 9. That invoice was paid prior to you purchasing the property, by the IWHS. Apart from that invoice, everything else was dealt with by the real estate agent?--- No, not really, no, I can't accept that at all, in particular this particular one you presented up. This plumber in particular hardly give us any receipts and he always ask for his money in cash and we always try to give him from the petty cash because he used to give us cheaper prices.

When you purchased 92 Smart Street, Fairfield, did you have any discussions with the board about doing that?---Yes, of course.

Prior to purchasing it, so you had a discussion with the board?---Prior even to go to the bank.

And who did you have that discussion with?---Audrey Lai.

Audrey Lai. What did you say to her?---I said the house is, the service is going to go for sale, we need - - -

10 Why was the service going for sale?---Because the owners are selling.

But why couldn't you take the service somewhere else, wasn't the service leasing from the property?---Maybe you didn't know the size of the service. We lease the property and then we increased it over the time so it was only a house over some rooms and we opened the place so the room can take up to 30 or 35 people and then we built by our own money, that's not during my time, before I started, we built another big room and another childcare room and another storage, so all that investment was done in the premises and it was the organisation money, asset. No other place in the area at all can  
20 accommodate all these groups and programs, and we were running around the clock, all the time. I explained before to the Commission that we had multiple occasions of service at any given time. Many people can witness that.

Ms Sharobeem, I'll show you volume 10, page 25 and 26. Do you agree that, while that's coming up, IWHS paid for Patrick Scarf to conduct repairs at the centre?---That's, that's electric, it's our responsibility and Patrick Scarf did the requested electric work. It's not any owner will do that, it's our work to look after the, the, the community.  
30

Why don't you pay, you were the owner of the property, why don't you pay for the repairs to the electricity?---There's not repairs for electricity.

Well, what's it for?---Every year we have by law to do the, the, the, what do you call it, investigation on the electric wires and electric appliances, this is part of OH&S, and Marie organised them and organise everything else about the electrical appliances in the organisation.

Go to page 26?---And no owner, by the way, even in private rental, will do the responsibility of electrical appliances, as far as I know.  
40

Isn't this Mr Scarf's quote?---(No Audible Reply)

It's for more than just electrical work, isn't it, it's for a whole host of repairs and renovations to the centre?---That's fine, yes. I don't know what - - -

Aren't you responsible as the owner of the property to pay for repairs and renovations, Ms Sharobeem?---When was that, I'm sorry?

Go to page 26?---In 2012, in May 2012. Can you please just remind me when I bought the place?

You bought it 2011, Ms Sharobeem?---I'm sorry I'm being simple as I am, I can't even remember, I'm sorry.

Well, go to page 27, volume 10. Next page. Sorry, go back to page 27.  
That's a transfer to John Bazi for \$4,000, isn't it, from the Immigrant  
10 Women's Health Service?---(No Audible Reply)

Correct?---Um - - -

It's a transfer to his account?---Yes, I can see that - - -

Yeah?--- - - - but I was just talking about something else, I'm sorry. You were asking me about something else or you want to - - -

We've moved onto John Bazi?---Oh, okay.  
20

Who's he?---I don't know. Maybe somebody did some work. I don't know.

Okay. Next page?---I, I'm not responsible about these people.

Why not? You're the CEO of the organisation, \$4,000 is going out?---No, I'm the managing – I'll just explain, sir - - -

All right?--- - - - that the word CEO was given to me so we can lift the  
30 standard of the organisation while all other organisation (not transcribable) funding.

THE COMMISSIONER: But you are the manager?---I was the manager but I wouldn't know the tradespeople coming to the organisation and do the work.

MR RAJALINGAM: Ms Sharobeem, that's an invoice with your – looks like in your handwriting on it?---No, it's not.

40 It's not? It's John Bazi's handwriting?---I don't know John Bazi even.

That's right, because you're paying him \$4,000 for roofing and guttering work?---I didn't - - -

Do you remember that?---No, no, not at all.

Okay. Well, a transfer has gone out to him for \$4,000?---That's fine, I mean - - -

Was roofing and guttering work done?---Definitely.

Why don't you pay for it?---Why should I pay for it?

You're the owner of the property, Ms Sharobeem?---Um - - -

10 You own it, it's yours. Why don't you fix it? Why are you making Immigrant Women's Health Service pay for it? Isn't the money meant for something else?---Ah - - -

Namely health services?---No, sir, the service was as a building very deteriorated and the contract indicated that whatever needed to be done for the service, the tenant, which is Immigrant Women's Health, should look after that.

20 THE COMMISSIONER: Which contract is this?---The contract from the beginning, which I didn't change its clause, the contract that the organisation had with the previous owner. I didn't change anything in it, it just carried forward.

Where was that contract?---It was with the previous landlord and then was moved to the landlord I, sorry, was with the previous agent and then moved to the new agent I dealt with.

So the agents had that contract?---The agent had it. And - - -

30 And you say it was a contract that required, because it was an old building, if any repairs had to be done they had to be paid for by the tenant, not by the owner?---Yes. And also included in that I recall that the second room didn't have exit or entrance on its own and again looking at OH&S I had communication with the previous owner before he started to sell the place  
- - -

Ah hmm?--- - - - and I asked him to put a door for us and this is the building and I tried to explain to him. He said to me, "I'm not obliged but because you are kind I'm going to pay some money but you have to pay for the steps, you have to pay for the rest of the installation."

40 I understand what you're saying?---And we did that. And that's why I'm referring back and saying no, the agent didn't do the work, we did the work before I bought it.

MR RAJALINGAM: Page 30 of volume 10. That's a \$700 invoice for John Bazi. Do you agree with that, in 2013, November 2013?---Ah, yes.

Page 32, a \$440 invoice for John Bazi, and they're all paid by Immigrant Women's Health Service, Ms Sharobeem?---Yes.

Do you agree with that?---Yes.

All right. Page 51, it's a transfer for \$4,700, isn't it, page 52?---Yes.

Page 52, that's an invoice for \$4,700?---Yes.

What does it say, bottom right-hand corner?---(No Audible Reply)

10 You say, you're suggesting to this Commission that you don't know about, much about these repairs that were going on. You clearly were approving everything that was going through the organisation, weren't you?---It's a big amount so for sure the staff said to me, even verbally, Eman, do you agree with this guy doing the painting during the school holiday, and I would say yes or no. So Eman approved means yes, and the, the Eman approved 1 to 10.00pm, it's because of after working hours that I need to be there and maintain the painting or open for him or something, but I approved the amount.

20 You approved payment of the invoice, didn't you?---Yes. Yes, of course.

All right. And you – all right.---Yes, of course. We needed to do the job. It's painting.

You knew that it was being paid by IWHS, didn't you?---Yes.

Well, why didn't you pay for the painting?---Why should I?

30 Because you own the property, Ms Sharobeem.---But painting is paid by the tenant. Please investigate the law.

We'll get there.---Sure.

Next. Page 57.---And the previous owner never paid for the painting.

57. An invoice for R & R Painting Services, 19 December, 2014 for \$3,000. And that was paid to IWHS. Page 59. Another invoice for painting for \$3,300. What is the note at the bottom right-hand corner?---Um - - -

40 Again, you're approving the payment, aren't you?---“Approved upon Eman's request.”

Yeah. All right.---I can't understand what's “Eman's request”.

Page 60. That's a transfer for 3,421, January 2014, isn't it?---Yes.

And page 62 - - -?---2015.

Yeah, 2015. Page 62. That's a transfer – sorry. That's an invoice for – pardon me, Commissioner. Go back to 61, sorry. And 60. So there are two payments for \$5,000. Do you agree with that?---Yes.

Go to page 62. That's an invoice first of all from Minda Australia, isn't it? 19 December, 2014?---Yes.

For \$8,400?---Yes.

10 For shutters.---Yeah.

Yeah. Why didn't you pay for that?---Why should I?

Because you're the owner, Ms Sharobeem.---No.

What does it say on the note.---“Shutter tax invoice. David asked to be paid by tomorrow, please. Watfa.”

20 Do you know who David is?---If it's relating to this, so it might be the guy who did the shutters.

Go to page 63. Is that your handwriting?---No.

What does it say?---“Please pay tomorrow. If not, please Minda Security Shutters” and something, “grille” maybe, “on David, St George Bank.”

30 All right. And is it the case that payments were made over two days because of the transfer limit? Go to the next page, 64. Sorry, no, that's it. Is that why two payments of \$5,000 were made? Because of the limit?---I don't know. It could be.

Okay.---I don't know.

Page 64. Is that a transfer to an electrician for \$600?---Yes.

Page 65. That's the invoice, agreed?---Yes.

For Rinata Electrical in 2015, January?---Yes. Yes.

40 And page 74. Sorry, just go back to page 64, 65. Those are your squiggle signatures on the bottom of those pages aren't they, page 65?---Yes.

Page 74. That's an invoice for \$1,010. Agreed?---Yes.

And it's – this invoice, and I think the last one was too, was care of Eman Sharobeem, service done for Immigrant Women's Health Service, Fairfield? ---Yes.

Electrical services?---Yes.

Page 66.---And you can see the description of services of course.

Who's Nenad Kelecevic?---Who's what?

Nenad Kelecevic, K-e-l-e-c-e-v-i-c. Do you know who that person is?---No.

10 Sorry?---No. It could be one of the handy people or, yeah. I didn't order or deal with handy people. At the beginning we talk about what the service need and I tell the staff deal with it or I gave them my go ahead as we say. So I would be running from a place to another or they would call me and say Eman, whatever is not right, deal with it.

I'll just, I'll show you the invoices then. We'll proceed that way. Page 67. ---Sure.

So \$450 to Nenad Kelecevic in January, 2015. Correct?---Yes.

20 Yeah. Page 69. Again that's \$190 invoice from Kelecevic for February, 2015?---It's blank so - - -

Sorry, there's \$190 at the bottom isn't there?---The description is not there. That's what I'm saying.

There's no description, understood.---Yeah.

30 But that's an invoice for \$190 due isn't it?---Yeah, but there's no description.

Page 76. So in April of 2015 \$4,976 was transferred to Mr Kelecevic from the Immigrant Women's Health Service. Agreed?---Yes, I can see that.

Your squiggle on the transfer?---Yeah.

Page 76. Next page, and that's the invoice isn't it?---Yes.

40 For April, 2015?---Yes. Yes, this is part of the, the special grant I got to update the kitchen and the rail.

The what?---The elderly railing outside.

So it says work done on kitchen and bathroom, Ms Sharobeem.---I'm just replying and saying that - - -

That's not right is it, there wasn't a rail installed, there was work done on a kitchen and bathroom isn't there?---No, sir. You don't know. Let me explain please kindly.

No, no, not – I'm reading from the invoice.---I responded and said this is part of the grant I applied for to update the kitchen and the railing.

Page 80. In May of 2015 there's another invoice for \$780.---Yes.

Fly-screens were changed.---Yes.

Posts replacement. What's that?---Sorry, where are you reading?

10

The first entry. Ms Sharobeem, this looks awfully like your handwriting doesn't it?---No, it's not.

It's not?---No.

There's touch-up paint isn't there?---Touch-up paint. Posts replacement. I remember that we used to have a problem with the front yard, people parking in the front yard so this guy put a couple of posts with a chain just to stop cars from driving in. So we, we put the chain off when women start to come at 8.30.

20

All right. Page 71. Who is Robert Salloum?---One of the trades people, electrician I believe.

1,100 was paid to him in March, 2015, agreed?---Yes, I can see that.

Go to the next page. I understand that's the invoice.---Yes.

And he's also testing electrical - - -?---That's the annual testing, that's right.

30

Annual testing?---Yeah.

In 2015? Is that the case?---Whatever the date. The date is here, 2015.

All right. I'll show you a number of other invoices for your own benefit. Page 23 is an invoice from Design A Robe Pty Ltd for 26 July, 2011. So it seems as though after you purchased the property you installed a wardrobe at the service, correct?---We installed more than one to cater for the storage we accumulated over the years.

40

For all the gifts that you were accumulating?---No, we actually started to take donations, especially when the Syria war started and we started to give blankets. And also for refugees of Iraq I started to get donations from different places to give people at that time. And also women of domestic violence.

So page 23 of volume 10.---And we also had a huge storage of child care, children area, playgrounds.

Is that the invoice for the wardrobe, Ms Sharobeem?---It's, I can't remember. This is like a cabinet.

It's for December – it's – pardon me, Commissioner. Page 12, volume 10. 12. Is that an invoice from Design A Robe Pty Ltd?---I don't know.

Is it for \$3,100?---I can read that but I don't know.

10 And it says it's an invoice from Design A Robe Pty Ltd, doesn't it?---Yeah, that's what I read.

Page 13?---10 years workman guarantee.

That's an email where you essentially authorise payment of that invoice with your IWHS credit card, don't you?---Ah, the company Visa.

Yeah?---Yeah.

20 All right. Next page. Is that a receipt for \$860 to Wally Sid?---Ah - - -

For fixing the fence?---Yes.

Whose handwriting is that there at the bottom of the page, "Linda, this payment was done in cash as an emergency OH&S?" It's your writing, isn't it?---Yes.

So an IWHS cheque was used?---In cash, done in cash, so it could be a cheque. Oh, yeah, the – can't remember.

30 Cash cheque, cash cheque from the service?---Cash cheque.

Correct?---Um - - -

All right. Next page?---If there is a copy of the cheque associated with it, then it was made.

There is?---Yeah, yeah.

40 Yeah. 13,000, no, that's not the cheque?---That's the concrete.

That's different. In any event, there was a payment of, payment made to Wally Sid, wasn't there?---Yes.

All right. The next page, that's a cheque to W Concrete for \$13,500? ---Yes.

What was that for?---The service in the front had holes and it was an OH&S matter for women, young or old, and we used to have a high population in traffic coming through the service, so we decided to concrete the area just to keep it clean and also to allow cars to park because of the problem with parking.

That's your signature on the cheque, isn't it?---Myself and Audrey.

10 And Ms Lai. And at the time that this cheque was written out, did Ms Lai know that you were the owner of 92 Smart Street, Fairfield?---No, I wasn't the owner 2011.

You purchased in June of 2011. This is August 2011?---Sorry, I was asking when I purchased, I purchased in 2011?

Do you recall after you purchased the property a significant work in relation to concreting at the front was done?---I didn't actually think of before or after the property.

20 Well, after the purchase was the, the concreting work was done, wasn't it? ---The matter for us is not to think of who's the owner but what to do with the service concreting, it's part of OH&S.

Yes. So in terms of what to do with the service - - -?---But we will put it as - - -

- - - was it the case that after - - -?--- - - - myself as the owner or the landlord and also - - -

30 - - - you purchased you did the concrete work?--- - - - the person who benefitted. No, I didn't. All what we looked at at that time is the purpose of doing the work, not who is doing the work, and by the way, the owner wouldn't agree whoever the owner with concreting the area.

THE COMMISSIONER: What you're being asked about is simply this. That you purchased the property in June 2011 and it appears this work was done in August 2011, so a couple of months after you bought it?---Right. That's not even timely. We were thinking of doing that, maybe the implementation of the work was done at that time but we had been thinking  
40 and the complain about this has been happening since I started working there.

Okay?---And there are some pictures on Google having all these pots and holes.

Yes.

MR RAJALINGAM: Next page. That's the invoice for 3,500 from W Concrete, isn't it?---Yes.

Next page, \$13,200 invoice from W Concrete but the balance due is \$10,000. Agreed?---Yes.

Next page. This is a cheque to Aus-Group Property Services for \$1,166, signed by you. Correct?---Myself and Audrey, yes.

10 And Audrey Lai, on 16 March, 2012, right?---Yes.

Next page. Is that the invoice that was paid?---Yes, I remember doing that to cover the OH&S problem with the cats living under the premises and we had to put the chicken wire to close it and close the bad smell we had, or end that health problem.

Next page. Is that a cheque to Patriot Electrical Services?---Yes.

20 In April 2012?---Yes.

And Patriot Electrical Services is Patrick Scarf, isn't it?---Could be. Can't remember now.

There's a cheque for \$7,256.70.---All right.

In relation to work done at the property, at 92 Smart Street, Fairfield. ---When it comes to electric, the staff have to call the electrician directly. So obviously they called and did the work.

30 And do you agree that the cheque was at least written out in April 2012? ---Yes.

In 2014, Ms Sharobeem, did you make an application for funding to an organisation called Community Building Partnership?---Yes. I was invited by our local member to put the application in because he saw the service very deteriorated and needed some work.

40 I'll take you to page 33. You know that the Community Building Partnership, it's an organisation which provides grants and money to enhance community facilities, is that fair?---That's right.

All right. Page 33. Is that the application form?---It looks like it.

Next page. Did you complete this form?---I believe majority of it. When you will go through it, I'll remember.

It says there the legal status is incorporated. Agreed?---Yes.

Next page. I'll take you to the important parts, Ms Sharobeem, but if you need a moment to look at the document, let me know.---That's all right. As you wish.

Next page. There it says the registered name is the IWHS, agreed?---Yes.

It's located at 92 Smart Street, Fairfield, correct?---Registered name is Health Information Service trading as Immigrant Women's Health.

10 Yes, you're right. Absolutely. You are the contact person, aren't you?  
---Yes. And the public speaker.

And are you referred to as Dr Eman Sharobeem?---Yes, that's my title.

And you put that title in, didn't you?---What, sorry?

You wrote that title in, didn't you? Dr Eman Sharobeem?---Yes. That's my title.

20 Next page. Number 22. You are described as the contact person again, correct?---Yes, I am.

And your name contains the title "Dr", correct?---Yes.

Next page. Project description. Sorry, "project title, update community facilities and install safety rails". Do you see that?---That's right.

30 Do you agree that previously I showed you an invoice and you said that you had already done that work, one of John Bazi's invoices which read "kitchen and bathroom repairs". You said that there was a safety rail installed at that point in time.---No, I didn't say that.

"Project description, the head office facility in Fairfield in great need of an update."---Yes.

"Especially the kitchen, bathroom and installing of a safety rail at the front ramp."---Yes.

40 That's what you're saying, are you, in this application form?---And the work was done, yes.

At that point, when you were completing this application form, was the service in a state of disrepair?---Yes.

And it needed repairing and renovation? Is that what your evidence is?  
---That's right.

And you identify in paragraph 29 - - -?---And this was reviewed by our local member, by the way, who actually physically saw the service.

You've identified in paragraph 29 that the amenities block needed upgrading, correct?---Amenities what?

Block.---This, the project activities, they provide you with this and you just put a tick next to it.

10 Yes, and you've ticked next to amenities block, haven't you?---Yeah, I tick where it's the closest. Because sometimes you can't get the exact, so you tick to the closest. So amenities upgrade.

You've ticked next to bathroom upgrade as well, haven't you?---Yes.

You've ticked next to electrical upgrade, haven't you?---Yes.

You've ticked next to drainage works, haven't you?---Drainage? There is a tick, yeah.

20

Yeah. You've ticked next to fencing work, haven't you?---Yes.

You've ticked next to kitchen work, haven't you?---Yes.

You've ticked next to painting, haven't you?---Yes.

You've ticked next to wall repair or relocation, haven't you?---Yes.

Next page.---Yes.

30

You refer to the proposed start date of the project in 2014.---Yes.

Is that correct?---Yeah, that's their words. Must be date and no earlier than so we look at the date and we try to see if we going to call for quotations, how long we start, so we propose a date.

And this application was in – was made by you in 2014 wasn't it?---I believe yes.

40 You were asking – you're applying for \$60,000 from Community Building Partnership aren't you in this application form?---Yeah, that's the amount we were entitled to.

You say that the IWHS effectively at paragraph 33 was going to contribute \$10,000. Is that right?---Yeah, that's right.

The next page, 40. The next page. Paragraph 43(a). The question is, "Have you secured the property owner's approval to implement the project?" Is

your answer there, you clip, you've clicked or you clicked on that box to fill it in, "No, not required. Property owned by applicant organisation".---What other option do I have here?

You have four options for question 43(a).---Maybe I, maybe I ticked it because I couldn't find any other option to tick.

Ms Sharobeem, you were the owner of the property at that point weren't you?---Yes.

10

Well, you could have just as easily said I agree to this application being made. Isn't that right?---Yes, but maybe because I didn't find here a section to say I agree so I said no.

Well, you only needed to tick on the yes section and provide an explanation didn't you?---Or maybe, or maybe I'm just again going into maybe why I tick this. Maybe I understood there the property owned by applicant organisation as I am owning it. That's what I understood. That's - - -

20

You didn't want to tell anyone that you were the owner of the property isn't that right?---But the chairperson of the organisation and the local bank is not only aware - - -

The local bank has got nothing - - -?--- - - - and the local agent.

- - - to do with the Immigrant Women's Health Service, Ms Sharobeem. Of course they knew you were the owner.---They actually supported my, my application for loan to aid the service because of the work I've been doing in the area.

30

That's just not responsive to my question, Ms Sharobeem.---Now you're saying they don't know - - -

Did you disclose - - -?--- - - - anything about the service and I'm responding to that.

You said you've disclosed it to Ms Lai. Is that right?---That's right.

40

Anyone else?---The real estate agent, the local real estate agent and the - - -

And you say the bank also knew because - - -?---And the bank.

- - - you applied for a loan and they would have known - - -?---And the bank.

- - -that you were the owner of 92 Smart Street. Correct?---Yeah, yeah.

I understand that but anyone else at IWHS did they know about you owning the property?---I don't know really. I don't know. Maybe the bookkeeper. I don't know.

So your evidence is the only board member who knew you were the property was Audrey Lai?---The chairperson.

10 The chairperson. So it's clear from your evidence that you never had a discussion amongst board members about you purchasing the property. Correct?---I don't know why not - - -

Well, if you had had a discussion - - -?--- - - - Audrey didn't tell them.

20 - - - about you purchasing the property other board members would know wouldn't they?---The exact reply to your question is the problem was discussed with the chairperson and definitely it would be put in the next meeting agenda. If it took place or not I can't remember but at least I discussed it thoroughly with the chairperson over a period of time before – when I was looking for a solution until I went to the bank and she has been processing everything with me so definitely it was discussed among the organisation.

The next page.---And by the way, sir - - -

30 Well, next page.--- - - - we didn't get the 60,000. The condition of this particular grant is Immigrant Women's Health Service do the service and then we get funding. So we only received 30,000 and they were very precise that everything we do we submit all the invoices so all the invoices is submitted to government as the work is done.

Ms Sharobeem, can you have a look at what's contained next to essentially question 64, section 64. Your answer on the right-hand side, I'm going to take you to that. You say that the property is very old. Let's just accept that for the moment?---Yes.

The main toilet area, you say in that answer, is in need of serious renovations as plumbing and flooring are so backdated and repair does not help its condition?---That's right.

40 Isn't it the case that Patrick Scarf had already renovated the bathroom in 2012, some two years ago?---He tried.

He tried?---Yeah.

What, how did he fail?---Because it's a very old building, basically it's more than like 70 or 80 years, it's very deteriorated building, so he tried to fix whatever he can but the flooring itself could not be fixed, so he covered it as much as he can, but it was always leaking and it caused a lot of water

damage so every time we cleaned this area and we fix it we have another problem because the foundation itself wasn't right.

Go to page 23 of volume 10?---All these tradespeople can be contacted to confirm what I'm saying.

Here in an email in May 2012 you're agreeing to Patrick Scarf conducting all sorts of work at the centre. Do you agree with that? Have a look at the email, it's in May 2012?---Yes, I can see that.

10

Go to page 25. That was a list of work that was going to be conducted at the centre, wasn't it?---As far as I remember when he gave me this quotation, and again it's not, as far as I remember, but I do recall that he asked if we're going to do this and this and that, how much it would cost us, but because we didn't want to spend all that we didn't do the tiling or the paint or we did a bit of plumbing, we didn't do electrical.

So you didn't do tiling, you didn't do painting, you didn't do electrical.

What else didn't you do?---We, we were concerned about the plumbing.

20

When I had him I remember – I can't even remember him but I remember the discussion I had with Marie and a tradesman and we were talking about that.

Okay, I'm not talking about Marie or any other tradesman. Go back to page 23?---Sorry, I'm trying to help.

No, you're not, Ms Sharobeem. Page 23?---I am trying to help.

30

Have a look at page 23. Here Patrick Scarf is telling you what this quote is all about and it relates to paint, plumbing, electrical, tiling - - -?---Yeah.

- - - supply and install light and light switch, supply and install new toilet  
- - -?---Yeah.

- - - supply and install tiles, remove old washtub, tub, it should be and cap off tapes - - -?---Yeah.

40

- - - remove and replace off existing shelves for painter to paint in storage area, remove timberwork on walls?---Yeah.

It was an extensive job, wasn't it, and it was conducted at the service, Ms Sharobeem?---No, it wasn't. No, it wasn't. You can check with Marie.

Go back to - - -?---And you can go actually and if the house it still in its condition you can go and see it. No, it wasn't done.

Was it ever done?---No.

Was it ever done?---No, no, this work wasn't ever done.

All right. So you, so you took some money from community building program and you didn't spend it on the renovations. Is that your evidence?  
---This particular work about the old tub and about the tiling of this area, we couldn't do it because it wasn't even for the renovation.

So the bathroom was never renovated?---We had three bathrooms.

10 Three bathrooms?---This bathroom's – I'm sorry, sir, but I need to address you with the truth. We had at the service three bathrooms.

THE COMMISSIONER: Ah hmm?---This bathroom addressed in this quotation, it was the oldest but because the new ones in the new area were renovated at the end. So this particular one, all this quotation was for it and we couldn't do it because it was very expensive.

Can I - - -?---The condition referred to - - -

20 Can I just – I understand what you're saying, but the \$30,000 you got for this grant, they didn't just give you \$30,000, they required you to have the work done and then they paid for the work that was done?---Yeah.

Yes, thank you?---And the work was done and inspected and the information was given to the department.

Yes, thank you.

30 MR RAJALINGAM: I'll take you to page 50 of volume 10. Do you agree that there you've signed off on the application?---Yes. My name is there.

And you're essentially declaring that all the information provided in the application is true and correct, aren't you?---Yes.

And that you're submitting the application on behalf of the organisation, correct?---Yes.

40 Would you agree that you've misled the Community Building Partnership in that you hadn't told them that you were the owner of the property?---No, I remember very well that there wasn't a question about who is the owner. I do remember that.

Well, there was and I took you to that question, didn't I?---And I replied to, in that particular part, to my best interest that the organisation own it, considering that I own it.

And I'm suggesting to you, Ms Sharobeem, that you falsely stated in the application that the office needed repair when you'd already conducted

repairs on it.---No, that's not true. The office is huge, sir. You didn't see it yourself.

So from 2011 to 2015, do you agree that you were the owner of 92 Smart Street, Fairfield?---Yes.

Is it your evidence that you did not complete a management agency agreement - - -?---No, I didn't.

10 - - - with IWHS?---No, I didn't.

Go to page 91, volume 10.---Are you referring to a new contract when you say management agreement? Or I said - - -

I asked you if you recall filling out a management agency agreement.---Is that a new contract?

20 THE COMMISSIONER: I think he's talking about between you and the Immigrant Women's Health Service.---We just followed the previous contract conditions as is.

Did you - - -?---New one?

I think you're being asked did you do a new one.---No. We just followed the previous one.

MR RAJALINGAM: So did you fill out any agreement with real estate, with the real estate?---To manage my property?

30 Yes.---Yes.

You did, didn't you?---With the real estate agent?

Yes.---Yeah, to manage my property.

Okay.---But that's not relating to 92 Smart Street. That's the agreement with them.

40 Page 91. Is that your handwriting on the management agency agreement?  
---No.

It's not?---No, it's not my handwriting.

It's got your name on it, doesn't it?---It's not my handwriting.

Has it got your name, Eman Sharobeem, on it?---Yeah, my name is there.

Has it got the address, 92 Smart Street, Fairfield, on it as premises 2?

---That's right.

Go to page 92. Do you recognise that document?---No.

All right. Well, this is the lease between IWHS and the old tenants, the old landlord, Ms Sharobeem.---Yeah, yeah. I can see that.

All right? You know that, don't you?---I can see that now. I can read it.

10 You can see that. How do you know it's the old landlord?---Because it's always the guy and his sisters because of the problem they had.

What problem did they have?---A problem between the siblings.

So you knew the old, the previous owners?---Knew them as I met them? Not all of them. The man only.

You only knew the man?---Mmm.

20 Who else did you know that owned the property prior to you purchasing it? ---What do you mean, sorry?

Which of the owners did you know prior to purchasing 92 Smart Street, Fairfield?---The guy only. I can't even remember his name.

And what did you know about him?---I met him when I requested that door for the second meeting room, and he came and did a bit of work himself.

30 For how long had you known him?---Like, before I started with the organisation? No, I didn't know him.

You didn't know him before you started but for how long had you known him prior to purchasing the property?---I met him once, when he came and installed the door. That's all.

And on that occasion he told you about the problems with his siblings?---He was referring to it. That's the reason for sale.

40 All right. In any event, Ms Sharobeem, if you go to page 93, did you know that it was your obligation as the landlord, when you purchased the property, that you were meant to ensure that it was kept in reasonably fit condition?---No-one, no, not really, no.

Did you know that as the landlord that you needed to make sure that the doors and the windows essentially worked?---I didn't read and I don't have the habit of reading the fine print.

Are you suggesting that the tenant in a lease agreement should pay for repairs and renovations?---(No Audible Reply)

That's absurd, isn't it?---I even can't understand the question.

Are you suggesting to this Commission that the tenant, the person leasing the property, should be paying for repairs and renovations?---Repairs if they cause damage, renovation if it's needed by the agent, by the tenant and ah  
- - -

10

So the tenant should pay for a renovation, should they?---It depends when you say renovation what it actually means.

If you were going to renovate the bathroom would you expect the landlord to pay for it or the tenant to pay for it?---If it's wear and tear by the tenant or have been - - -

No, I'm asking you about a complete overhaul of the bathroom?---I don't know the law.

20

You don't know the law?---No.

I'm pretty sure you knew very well, Ms Sharobeem, that it was the landlord's obligation to pay for renovations of bathrooms, kitchens, painting and fixing fences?---No. I know because I have my investment property that if the tenant cause any damage the real estate agent tell me that the tenant caused it and they have to pay for it, but if it's changing something which is going to add to the value of the property, the landlord pay for it. That's what I know.

30

THE COMMISSIONER: But you did know that, that if you were changing it so as to add value to the property it was the landlord's responsibility to pay for it?---In the private rent, yes, but in our condition because we were not a normal tenant, we were organisation, not four or five people living in it, more than 100 every day visit this place, so it wasn't fair at all to ask the landlord before to do any work for the organisation, especially that we had also the disabled bathroom. I cannot ask a landlord to go and install disabled bathroom or toilet.

40

MR RAJALINGAM: How much rent were you receiving from IWHS?  
---I can't remember that, the number exactly.

Did you ever tell the board that you were collecting rent from IWHS?  
---Yes, of course.

Who did you tell on the board?---Audrey Lai, the chairperson.

Did you tell anyone else?---I'm not sure if she told anyone or not. That wasn't something to discuss every time we meet.

Do you agree that the other members of the board would not have been aware that you were collecting rent?---No, I don't agree because I don't know.

10 Do you agree that there was no discussion about you collecting rent from IWHS in any board meeting?---I do not recall discussing this but I am sure that somehow as a duty of the chairperson she would share that with all of us in any of the meetings and because it's many years ago I believe it was shared maybe.

So you expected Ms Lai to tell other board members that you had purchased the property. Is that your evidence?---It wasn't a secret, it's something owned for the organisation.

20 But you never actually ventilated or discussed that in a meeting with all board members present, did you?---I can't recall.

There was never any decision made about you being allowed to collect a certain amount of rent, correct?---No, actually there was, when I got the loan and it was settled I discussed the rent with Audrey and she said, don't carry any burden on yourself, because it's a business loan, it is only fair that the organisation pay for the proper rent or the market rent, and it was exactly as the market rent. I discussed that.

30 THE COMMISSIONER: So when you say exactly as the market rent, were you, was the organisation paying the same rent as it was paying before you bought the property?---It was increased a bit due to the loan, but nothing more and it didn't increase during any other time.

And do you know how much it was increased by?---Not much as far as I know. I can't really remember much, but all the figures here anyway.

MR RAJALINGAM: Go back to page 91. Sorry, page 98. Pardon my back, Commissioner. Page 98. Is that letter from Richardson & Wrench dated 30 July, 2011 to IWHS?---Yes.

40 And it essentially is an instruction by you the landlord isn't it to increase rent by five per cent to 2,243.60 per month?---Yes.

And that's the rental increase you're talking about?---Maybe that's when the purchase happened.

Yeah.---That's the beginning of it, yeah.

Can I take you to another document, page 99. Is that your instruction in January, 2012 to increase the rent to \$750 per week?---2000, that was the market rent as well.

That was essentially \$3,000 a month if you times 750 by 4 and you'd previously been collecting 2,243 a month. It's a significant increase isn't it?---No, I don't know. 750 is the market rent as far as I know.

10 Ms Sharobeem, the Commission has evidence that you collected in rent \$184,767.30.---That's the market rent. It's not that I collected.

Would you accept that that's the case?---It's the market rent. You can check what's the market rent in Fairfield and you will know that it's even under the market rent for such, for such accommodation.

Do you agree that over the time you collected rent from the Immigrant Women's Health Service that there was never any decision by the board to allow you to first, purchase it?---No, I disagree.

20 And do you agree that there was no decision by the board to allow you to be – to rent it to the Immigrant Women's Health Service?---I disagree.

Would you agree that there was no discussion at all about you purchasing 92 Smart Street, Fairfield - - -?---The opposite. I disagree.

- - - in a board meeting?---I disagree.

Commissioner, is that a suitable time for a break?

30 THE COMMISSIONER: Yes. We'll adjourn for lunch.

**LUNCHEON ADJOURNMENT**

**[1.03pm]**