

TARLOPUB00941  
14/06/2017

TARLO  
pp 00941-00981

PUBLIC  
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

PUBLIC HEARING

OPERATION TARLO

Reference: Operation E15/1982

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 14 JUNE, 2017

AT 2.00PM

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

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

THE COMMISSIONER: Yes, Mr Rajalingam.

<EMAN SHAROBEEEM, on former affirmation

[2.05pm]

MR RAJALINGAM: Thank you, Commissioner.

10 Ms Sharobeem, prior to lunch you gave some evidence in relation to the property at 92 Smart Street, Fairfield. Do you remember?---Yes.

Do you agree that prior to purchasing the property in July 2011, you had instructed your staff to contact the real estate agent to conduct repairs?  
---I can't remember.

20 Do you know if prior to purchasing the property in July 2011 you asked your staff to contact the real estate agent for any issues relating to the property?---All the administration is left with the front office. I don't interfere unless the repair required big amount. They ask for my permission.

And prior to - - -?---If we have the money or not.

30 Prior to purchasing the property it would always be the landlord who paid for the repairs and maintenance. Correct?---No, really, when the house was put for sale in the beginning of my term around in '04 in particular, the owner came to me and he said that he cannot carry on and continue and I said we will try to be very quiet, we're not going to bother him, but keep maintaining the place because if you're going to sell it, because it has licence to build high rise, so he said to me it's going to be sold and will bring good money for us. So I had an agreement with him that we will not cost him anything but just leave us to be at the service to maintain the service for the women in the area and he agreed and he stayed all these years until he came again in 2011 and he said that he can't continue anymore. So based on that we were trying to do the maintenance as much as we could.

40 Ms Sharobeem, but after July 2011 wasn't it the case that you used IWHS funds to conduct repairs at the service?---After and before.

And wasn't it the case that after July 2011 you used IWHS funds to renovate 92 Smart Street, Fairfield?---No, it's our obligation to keep a good level of OH&S based on the agreement with the Health Department, so whatever would cause women or children any harm we would attend to it immediately, but renovation was really done when the opportunity of the funding from the government was made, the word renovation.

Did you say before lunch that you had renovated the property so as to have three bathrooms?---No, no, that was before my time, before I joined the organisation.

Before you joined the organisation it had three bathrooms?---Yes.

Are you sure about that?---Yes.

Positive?---Yes.

10

There's no mistake in your mind that when you were there, there were three bathrooms. Is that your evidence?---Your question is?

When you were at the service between 2004 - - -?---Yeah.

- - - and 2016 when you resigned, are you saying that there were three bathrooms?---Yes.

20

In September of 2016 did you sell the property?---Yes.

When you sold the property were there still three bathrooms?---I don't know, I resigned from the service earlier than that.

When you resigned from the service was there three bathrooms?---Yes.

Are you sure about that?---Yes.

When you sold the property it was still yours, wasn't it?---Yes.

30

You still owned it, didn't you?---Yes.

So in September 2016 you were the landlord, weren't you?---Yes.

And you could have entered it by going through the real estate agent and asking for access, couldn't you?---Do you want me to go into the trauma site again?

No, I'm not asking about that?---I didn't.

40

I am asking you about whether or not in September of 2016 you could have asked the real estate agent to access your property?---Yes, of course, and I believe my son or my husband went there after the organisation left, yes.

And in your mind - - -?---Yeah.

In your mind were there still three bathrooms in the property?---I don't know.

Are you serious about that evidence, that you don't know how many bathrooms was in the property that you sold in September of 2016?---It's so easy to ask anyone because definitely the real estate agent took pictures, so if I say I don't know, I really don't know.

Were you aware after you resigned whether or not bathrooms were removed from the service?---No one told me such a thing.

10 So you're not aware of any bathrooms being removed from the service after they were installed, were you?---No one told me anything, no.

Okay. All right. Well, Ms Sharobeem, the first document I'll show you, I'm going to show you a document, which I've got a copy for the Commission, this is, Ms Sharobeem, a document obtained from Realproperty.com?---Yes, yes.

And it relates to 92 Smart Street, Fairfield. Do you agree?---Yes, yes.

20 It has the details of the sale, namely, there was an auction, it was sold on 19 September, 6.30pm.---Yes.

By auction.---Yes.

There were four bedrooms when it was sold wasn't there?---Let me read. Yes.

30 And there was only one bathroom when it was sold in September, 2016. Isn't that right?---Because the other two bathrooms in the extension were not mentioned here. That's all.

You wouldn't mention bathrooms to the real estate agent?---I wouldn't. That's the - - -

I withdraw that, withdraw that.---Right.

Do you agree that in this advice it says that there's one bathroom?---Yeah, the advertisement saying that.

40 And this is from realproeprty.com. It's about your property. So you're saying there's a mistake in this document are you?---Yeah. The advertisement didn't include the extension, yes.

Where was the extension done?---Where. At the back.

So not on the left or the right-hand side of the property as you're looking towards it from the front?---No, when you, when you look at it - - -

Yeah.--- - - - this is actually a driveway. It takes you to big land and this is the front house which is the old fibro and then there is extension done before I joined with a big room, two toilets and a childcare room and a storage area where - - -

Turn the page.--- - - - we used to take the information.

Turn the page. Turn the page, Ms Sharobeem.---Yes.

10 Do you see the extensions you're referring to in the photographs?---Yes. Actually it's here.

Where is it? I'm going to give you a red pen. Can you - - -?---If you look - - -

Yeah. I'll give you a red pen.---Oh, okay.

You just mark it and we'll tender that.---Sure. These two pictures will identify it.

20

Can I have – have you marked the extensions is red?---Yes, in two pictures.

Okay. I'll give that back to you. You have essentially pointed at a roller shutter window.---No.

What are you suggesting about that window?---What do you mean?

30 Your arrow, what you've marked on that photograph, on one of the photographs, all of those photographs, the two arrows on that document, you've put on that document are pointing towards a roller shutter window. What do you mean by that?---No, sir. I'm actually pointing at the building which is brown and that's where is the arrow.

And what do you say that is, Ms Sharobeem?---That's the extension.

And what does it include?---Include a room and two toilets and storage area and childcare area.

40 So a room with one window, is that what you're suggesting?---Right. No. See I thought you were asking about where the bathrooms in particular.

No. I'm asking you where the extensions are depicted on those photographs - - -?---The door I was - - -

- - - of your property sold in September, 2016?---Right. The door I was referring to which I asked the landlord, previous landlord to put for us is that door.

No, no, I'm not asking about a door. I'm asking about the extension - - -?  
---And the extension - - -

Ms Sharobeem, listen to the question. Listen to the question. You talked about an extension - - -?---Why don't you come and slap me on the face.

You talked about - - -?---Really.

10 - - - extension in your evidence. Where is it? Why are you laughing? It's not funny. It's not funny.---You're abusing me.

No, I'm not. I'm asking you a pretty simple question.---You are, you are not only abusing me you are trying to lead people or mislead people about me and I'm trying to explain to you but you're trying to damage my witness so give me a chance to talk.

THE COMMISSIONER: Can you just point out to me?---Can I please point to you?

20 Yes. Which ones are they?---So that's the old house. This is the old house and from here this is the new extension added here. This is the second meeting room. That starts from that door the second meeting room which is the extension of the service and then also this is the childcare room, two bathrooms and the storage area. So all that is the extension of the service.

Okay. And there, further up the driveway, is the back of the old house, the original house, is that right?---That's right. And towards the end, the end of that particular picture is the shed which you will use to put extra tools in it.

30 Okay.---There's also another picture to identify that. It's the third picture on the top here, where you can see that division, which is the extension.

Is it the same thing in the fourth picture of the top?---And the fourth picture. But the brown area is not shown.

That shows the extension at the back of the original house?---Yes.

Okay.---Yes.

40 Thank you. I can follow that.

MR RAJALINGAM: Ms Sharobeem, in relation to that extension, where do you say the bathroom is?---That brown area is the child care room, which there is behind it another door leading to the child care area, and the other door leads to the bathroom, and also the bathroom is accessed from that glass door (not transcribable).

And, Ms Sharobeem, turn the page. That picture on the third page of that document - - -?---Yes.

- - - is a picture that was used in the sale of the property.---Yes.

And the information is from the sale of the property. Do you understand that?---Yes, yes.

10 It describes only one bathroom in that advertisement when you sold it, and that's what appears after it's sold. That's the advice on realproperty.com. ---The value of this place is the land, actually. The land was sold more than all this.

I'm talking about the reference to there being only one bathroom. Isn't it the case that there was only one bathroom, and your evidence about there being three is a lie?---There is at least 3,000 people can witness that there is three bathrooms. Not only one person you have in front of you, at least 3,000.

20 I'll show you a picture - - -?---Let alone members of the Health Department who visit the place, let alone all the people, let alone the people who is living in the place right now, which you can go and take pictures of.

Ms Sharobeem, if you were selling the property in September 2016, why would you only advertise it with one bathroom?---I didn't even look at the advertisement to - - -

That's absurd to suggest that it's some mistake.---This is the truth.

30 Are you saying that it's a mistake again, that it's only referring to one bathroom?---No, it's not a mistake. It's not even my mistake. You can call right now the – thank you. You can call right now the real estate agent and ask them why they made the mistake.

Ms Sharobeem, those are pictures taken at the property in relation to the sale of it.---Okay.

40 Can you show me where the two other bathrooms are?---Yes, in picture number 9. This is the second meeting room, and on your left that is bathroom one and then bathroom two next to it.

Where?---Page 9.

Yeah.---This is the meeting, second meeting room, and on your left you will find the sink of the second bathroom and next to it the third bathroom. It's one door take you to the two bathrooms, or toilets if you can say, but each toilet has a sink. And then the other small area is the door to the child care room.

All right. I wonder if that could be returned.

THE COMMISSIONER: It was connected to the old house, was it?---Yeah, they are all connected.

Connected.

MR RAJALINGAM: So is it the case, Ms Sharobeem, that the extension had nothing to do with the bathrooms?---Um - - -

10

THE COMMISSIONER: I'm sure that what she's saying is that the extension did have two bathrooms in it. It's hard to know why it wasn't mentioned in the advertisement but it was rezoned for high-rise.---Yes.

And the value of the property was really the land value.---Yes.

Is the building still there?---I really don't know. But I, I heard from my husband that he passed in the street a couple of weeks ago and it was there, so - - -

20

Still there. Okay.---I hope it's still there. That's - - -

MR RAJALINGAM: Ms Sharobeem, I'm going to show you an advertisement for the property. I'm going to show you a document which you've just obtained. I'm going to ask you to confirm that it's a document that relates to your property and I'm going to take you to the second page? ---Okay.

It's an advertisement for 92 Smart Street?---Yes.

30

That's as of today, Ms Sharobeem?---Okay.

So far as the website can determine. And what it's being advertised for is a property with one bathroom. Do you see that noted on the second page? ---The real estate agent put it like that, yeah.

Can I – I wonder if I can tender that document.

THE COMMISSIONER: Yes. That can be Exhibit 40.

40

MR RAJALINGAM: Commissioner, perhaps I have to tender the other documents as well, I'll just have all of them returned?---And the pen.

Can I tender the 2016 advertisement as one exhibit?

THE WITNESS: The pen.

MR RAJALINGAM: And perhaps the photos and the current data. If I can also have access to the marked copy, that could be tendered as well.

THE COMMISSIONER: Do you want them all part of the one exhibit or separate?

MR RAJALINGAM: I'm in the Commissioner's hands. They all relate to the same topic, can be part of the same exhibit.

10 THE COMMISSIONER: Yes. So Exhibit 40 for the lot.

**#EXHIBIT 40 - RP DATA RECORDS REGARDING SALE OF 92  
SMART STREET FAIRFIELD**

MR RAJALINGAM: So there's an unmarked copy of the 2016 information, there's a marked copy of the 2016 information, there's photographs of the property and also a current advice from  
20 realproperty.com.

THE WITNESS: Sir, I would like to add that one of those two bathrooms at the end is a specially disabled bathroom for the elder group because they used to occupy the room.

THE COMMISSIONER: Well, I imagine with the number of people you had in the building that you would have required more than one bathroom?  
---That's right, and especially one for - - -

30 So why the advertisement says just one would remain a mystery, but I'm sure it will be easily sorted out. If somebody doubts your word they could go and look at it?---Absolutely, sir.

Okay. Thank you.

MR RAJALINGAM: Ms Sharobeem, how much did you sell the property for?---Ah, 1,300,000 roughly. I wasn't there but I know that that number was around that.

40 It was \$1.3 million exactly, wasn't it?---That's to my recollection or more or under, I can't really remember.

Did you purchase it for \$660,000?---That's right.

So the capital gain on that property is significant, isn't it?---Yes, due to be paid.

You have renovated the property using IWHS funds, haven't you?---No, I didn't renovate it, I kept it for the community and I sold it because the community didn't need it anymore, neither I.

For how long had the IWHS been conducting the multicultural parenting program?---Since we, since we got the funding.

When did you get the funding?---Can't remember exactly.

10 On the last occasion I took you to agreements for funding with the Smith Family from July 2012 onwards. Would you – do you recall that?---Yeah.

Transcript page 543. And also, and that related to \$120,000 worth of funding for the MPP program.---Yeah.

Would that be correct?---To my recollection.

20 And then from October 2014, for one year, IWHS was funded for \$60,000, correct?---Yes, the funding was reduced greatly, yeah.

You prepared all the quarterly reports to the Smith Family in relation to the MPP, didn't you?---Yes.

You prepared all the six-monthly reports for the MPP program, didn't you? ---Yeah, as much as I could.

And the STEPS to Employment program, you completed the quarterly reports for that program as well, didn't you?---Yes.

30 And the six-monthly program as well for STEPS to Employment?---Yes.

I'll take you to a document. Volume 11, page 220. If you go to section 2.1. Do you accept that you are reporting there that 180 adults participated in the project?---Yes.

40 Do you see just under participant information – can you read that? Total participant numbers for the project. Did you understand that you were only meant to include each participant once?---Sorry, I can't understand what you're referring to.

The figure of 188, what is that comprised of?---Total number of people attended.

Is that a number of people registered for the multicultural parenting program? Or people who attended the program over those three months? ---As I explained before to the Commission that the program is only three to four sessions and it's repeated, so the number of people rotating. And

sometimes people attend once in the first time we run it, and they stop and then they come and compensate a time in another time. Yes.

THE COMMISSIONER: The 180, does it relate to 180 individual persons or 180 times people came?---A repeated service? I believe repeated service, to my recollection. I can't remember. When was that submitted even? Four years ago?

Ah hmm.---So that's my recollection of it.

10

MR RAJALINGAM: When you say repeated service, are you - - -?  
---Service provided.

Yes.---Mmm.

So then you would, in effect, be counting people twice potentially, correct?  
---No, I can't remember that I did that.

20

Well, if one person came to the program on one week and then came again on the second week, you'd count that as two, wouldn't you?---Yes. Because they attended two programs.

Yes. And that's how you worked out the figures for these reports, didn't you?---I believe so, if I can remember.

And you worked that out for – you used that method to work out participants for adults, correct?---I believe so, because it's all the costs associated with the individuals attended.

30

And did you also use that method to calculate the number of participants that were children?---To my best recollection.

It's pretty clear from the report that you're not meant to count each participant twice or any more than once, isn't it?---Then I followed the guideline of the report. That's why I'm saying I can't remember exactly.

Well, Ms Sharobeem, it says clearly "Please count each participant only once," doesn't it?---If it's written here, then I followed the order.

40

Well, it's clear that you did not, because you've just given evidence that you were counting people potentially twice.---No, I gave the evidence that I can't remember exactly, but that's to my best recollection about the groups.

But you gave evidence that the way in which you came to these figures was by adding up the number of times people came to the groups over a certain period.---No, sir. If the information here clearly indicated, and I can't even read all while I'm talking to you, but if the information is given to us clearly

not to count twice, then I wouldn't count twice. That's why the number is not great. It's only the people who attended if you look at each program.

Do the figures report occasions of service as you've just said in your evidence and how you're trying to come back on that, on your evidence.---  
No, I'm trying to correct the record based on the question you - - -

10 You're correcting your evidence aren't you?---Correcting my evidence.  
You're trapping me. I'm trying to catch up with your traps. Don't you see that I am trying to be very precise in everything I say. I am, I am very careful and trying to be very honest in everything. I am saying that in relation to the programs we follow the guideline and the number of people attended its counted. If the, the provider of funding is saying do not count twice then we didn't count twice. What's the purpose of counting twice.

But you – do you accept that you gave evidence that you potentially did count people twice just - - -?---No, I didn't. You're just - - -

20 - - - about two minutes ago?--- - - - trying to trap me in different ways.

All right.---And it's obvious now.

I'll take you to page 251 of volume 11. This is a quarterly report for January to March, 2014 and I just took you to the July to September, 2013 quarterly report for the MPP.---By the way, sir, we were not requested to submit reports with big numbers of people. As long as we provide the service that's why we are funded for. I had no intention to add the numbers or stimulate the numbers or the figures more than the truth.

30 Page 251. If you go to section 2.1. Do you see there that you're reporting 195 adults?---Yes, I can see that.

And do you also agree that you reported 85 children if you add up 59, 16 and 10?---What? Sorry, when?

The children there were 59 you say, 16 and 10, 89 – 85 children that attended the MPP over three months.---Programs.

40 Three months.---Over three months.

Three months you had 85 children.---85? 16 and 10.

Is 26 plus 59.---26.

What's that?---The babies usually - - -

How many babies were at the service?---Yeah. Oh, those programs are not always at the service. They are also done outside the service.

Is this, is this incorrect?---No, it's correct.

How is it correct, how did 85 people, 85 children attend the multicultural parenting program in July to September, 2013?---Um - - -

10 That's three, that's a three month period. How did you come up with that figure?---I understand that I need to give more explanation. If you look at the number of programs provided, if you look at the number of adults, if you look at the population and this particular community, many of them would be parents of many children and if the figures here in this report indicating that this is the number of children attended then this is the number of children attended.

Do you know how you came to these figures, how you came up with these figures?---From just the program running and calculating the number of people - - -

20 How did you calculate?--- - - - based on the reports we receive.

What reports did you receive?---The reports the facilitators submit after - - -

Who were the facilitators for the multicultural parenting program that were submitting numbers that you were using to calculate to put into these reports to the Smith Family?---Many people run this program.

By name do you know them?---One of them for example Georgette Hilmi, Ashraf Soriel and - - -

30 Ashraf who?---Soriel.

Soriel?---Ashraf, sorry, Sedrak.

So you're saying that Ashraf Sedrak was involved in the multicultural parenting program?---When it was called the Arabic Assyrian parenting project he was, yeah.

And when was that?---During the time – I can't remember the time.

40 The Assyrian, Arabic and Assyrian parenting program was before the multicultural parenting program wasn't it?---The beginning of the funding with the Smith Family started with the Arabic and Assyrian and then we renamed it or recall it because other people started to get involved in it.

We'll come back to that, Ms Sharobeem. If you go to page 4 of the report, (not transcribable) see at the bottom there you've included the names of people working on the program?---Yes.

One of them is Suham Talal?---Yes.

One of them is Berri Al Gailani?---Yes.

Is that how you spell Berri's name?---It should be with G, not K.

She's provided a statement to the Commission - - -?---Okay.

- - - and that's not how you spell her name?---That's fine.

10

All right. And you've also nominated Jihan Hana - - -?---Yes.

- - - as someone who took part in the multicultural parenting program?

---Yes.

Is that all true?---Yes, they worked with different tasks of the program.

So Jihan Hana was involved, Suham Talal and Berri - - -?---Al Gailani, G, yes.

20

- - - Al Gailani. There's only one Berri, isn't there?---That's right.

There's no other Berri that was working for, as a facilitator, was there?

---There was another Berri but I can't remember the surname.

Does it rhyme with Al Gailani?---No.

Okay?---No.

30

Well, go to page 299 and I'm going to show you a six-month report for January to June 2014. Just go to section 2.1, the next page. You see there you've reported figures for adults over that six-month period, 210 adults. Accepted?---Yes, it's for the year.

And you're saying 102 adults, children, rather?---Yeah.

If you add up those figures, 25, 32, 45 - - -?---Mmm.

40

- - - would you agree that that comes to 102?---Sorry, where are you looking?

Well, the children, 25, 32, 45, they are the numbers that you've included?

---The different age group, yes.

Yes, but they're all children, aren't they?---Um - - -

They're all under 18, aren't they, Ms Sharobeem?---That's right.

And when I say children, I'm including this, the column of youth?---Yeah.

And that takes us up to the age of 18?---Yeah.

So 102 kids - - -?---Yeah.

- - - in the six months in 2014, beginning of 2014. Accepted?---Ah, yes.

10 Section 3.2, for January to June 2014, next page, you suggest that the program had been conducted at the centre. Agreed?---Yes.

At 52 Stanbrook Street?---Yes.

What was that?---I already gave witness to the Commission before that if we run anything out of the service area or the service, the areas, the service supposed to be delivered at, we put any other address within the area.

Was that a house or an organisation, what was it?---Um, I can't remember.

20 Stanbrook Street, you can't remember what it was?---No. I just mentioned that um - - -

How often did you use the Stanbrook Street premises to conduct the multicultural parenting program?---I just mentioned that if a service or the programs were conducted outside the areas of 2165 or the other area Smith Family were asking us to provide the service at, we put any other address within the service, so I cannot remember that we provided the service in there, but maybe in Bankstown but I put this address there.

30 So it's possible that - - -?---And I already disclosed that to the manager at that time.

I'll take you to page 118. That's a six-month report for July to December 2014 and that covers all of 2014 report that we've talked about, so I'll ask you to have a look at that. That's at page 118 of volume 12, allegation brief. If you go to section 2.1 at the end of it – see the section 2.1 starts on page 118, if you turn the page you are reporting there that 410 adults attended in that six-month period, aren't you?---Yes, definitely. We had the big events, that's why the number increased.

40

And the number of people under 18 you reported as 114 if you add 35, 37 and 42, agreed?---That's definitely because of the events we had, and the Smith Family were involved in that events as well.

I'll take you to section 3.2. Do you say at the end of 2014, for the last six months, that the project was being conducted at the centre, at the Stanbrook address, and again at Guildford. Is that the NESH premises?---That's NESH premises, yes, and we used to provide the service from there as well.

And what did you do at NESH in relation to the multicultural parenting program?---We run different programs there.

What programs were being conducted there?---The multicultural parenting program is a program where it's supposed to serve individual families and also serve groups and large groups. So we could have either provided service one-to-one or provided service to groups or provided service in big events.

10

Who were the facilitators at NESH?---The word facilitator, as I said, doesn't apply to particular program, but it could be me doing parenting advice, we call it, or parenting counselling, and that's why the number of children even from 13 to 18 involved. NESH facilitators were not involved. It's IWHS facilitators involved in that.

Who were they?---It would be me at that time. Also I had Reda on support, providing some - - -

20 Reda Shehata?---And support, Shehata providing some, yeah.

So, sorry? What were you going to say?---Providing some of the activities for MPP at the nights.

Were they working as facilitators?---Yes.

Were they being paid as facilitators?---Yes, as far as I remember. Running the groups.

30 Page 246. That's a six-monthly report for January to June 2015, agreed? ---Yes.

I'll take you to section 2.1. Next page. Do you agree that you have reported 502 adults attending out of those six months?---Yeah, sure. There is big events also.

40 What were the big events in the beginning of 2015 that these people were attending in relation to the multicultural parenting program?---I believe big events for the South Sudanese, as it's mentioned here. The repeated programs for the Turkish groups as well. All our clients, all my clients were the bilingual and bicultural, and if you look here, sir, please, at the first one, parenting therapy sessions. This is what I was referring to as one-to-one, and I already informed the funding body of what we do.

Who was the Sudanese facilitator?---I was providing that to the South Sudanese but I also - - -

Do you know – is it Sudanese, the language they speak?---Arabic. And I'm familiar with at least five to six different dialects in the Arabic community.

And were you also doing the Turkish group?---No, with the Turkish I was working – with the Turkish group they had the facilitator and I was working with her.

What was her name?---I can't remember but she's mentioned as one of our facilitator for the Turkish group. The name is not coming.

10

Do you agree that the number of – sorry?---The name is not coming to my mind now.

Do you agree that the number of children that have been reported or number of people under 18 that are reported in this document is 135 if you add 39, 48 and 48?---The total number is, yeah, there.

135 about, would you agree?---Yes.

20

Section 3.2. Are you saying here, 3.2, that the Arabic-speaking group was meeting at Fairfield?---Yeah, down there.

Tell me, Ms Sharobeem, what does Arabic-speaking group have to do with multicultural parenting program?---Can you explain your question a bit more, should I discriminate against them or what?

30

What does the Arabic – no, no, no. No, no, what does the Arabic-speaking group have to do with multicultural parenting? I'm not talking about race or culture, I'm talking about the Arabic-speaking group was a group about, conducted by Ms Abboud, wasn't it?---Oh, no, no, I'm not referring here to the same group of Marie's.

What are you referring to, they're speaking Arabic, aren't they?---Yeah, but they are not the only Arabic group we have. We had at least seven of them running.

What was this one?---Marie was running one only on Tuesday morning.

40

And what was this one about?---This is another Arabic-speaking group.

When was it being conducted at the centre?---We usually, I usually run them in - - -

So you would know when it was being conducted, wouldn't you?---Yes, at that time Wednesday afternoon, sometimes Saturday morning, it depends on the group. As I said, the program itself would run three times only, sometimes also I wouldn't run it in Smart Street but in Barbara Street Community Hall or at the, at any other service where it's required we go

and do the service at the school next door, so it depends. The school, glad I remember the school next door, many Arabic-speaking programs or multicultural programs were run there as well, but the address is not there.

I am talking about multicultural parenting programs, Ms Sharobeem?

---That's what I'm referring to, that's what I'm referring to.

10 Why have you included the Turkish-speaking group as well in this multicultural parenting program report, what were they doing that was related to parenting?---I understand now. The confusion you have, sir, is between the names. This is not, these ones are not the Arabic or the Turkish programs for women provided at the service, this is relating to the multicultural parenting program. The name of the program here relating to the community served not to the program Immigrant Women's Health run.

The next page, is that finished?---If, if you're satisfied with the answer.

On the next page you have reported again the 52 Stanbrook Street address?

20 ---I just gave explanation on that.

And you say that you don't know what that address was?---I didn't say that at all.

Well, was it a residential premises or a, what was it?---My reply wasn't like that and ah - - -

30 Well, what was it? You tell me, was it - - -?---My reply, it's actually in the record, I just said in many occasion if we provide the service outside the service area allocated by funding body we actually put another address, random, in the service area so we wouldn't relate to an outside area of service, and I already told the manager that.

40 I frankly didn't understand what you're saying, so can you try and explain that again?---Sure. The funding body allocated only certain areas, government areas for us to provide the service and because of the number of people, specially that this program was very unique and I put it in a way that it is addressed and tailored to different people and different culture, that we were requested, I was requested to deliver this service in other area. I negotiated this with the funding body and I told them that it is sometimes delivered outside the service area and they said to me, as long as in the reporting you put addresses in the service area or within the service area, but we know that you provide outside the area.

THE COMMISSIONER: So the address at 52 Stanbrook Street was just an address picked at random?---Just an address picked at random.

MR RAJALINGAM: So where was the program being conducted in 2015?

---Many times I would provide it in Guildford at the church, many other times outside the area. We were getting restricted, if you look at the beginning of the report you will know the area, in Bankstown, I provided many in Punchbowl um, um, in St George area, St George Hospital, Westmead Hospital, many, many different locations, and also in people's homes, in many occasions I would be called um, um, in conflict between parents and teenagers and that's where were interfere and do the therapy sessions in the multicultural way.

10 So what is 52 Stanbrook Street, nothing?---I just actually responded to that.

THE COMMISSIONER: Yes, I think you have.

MR RAJALINGAM: So you're - - -

THE COMMISSIONER: And the Smith Family understood that you were doing this?---I actually explained to one of the managers from the beginning in one of the meetings and actually I recall that it was an open meeting with all the partners when I say clearly that this is what we do because the service  
20 we provide is tailored and it's very - - -

And who was it, who was it that the Smith Family said well, just choose an address in the area?---Her name is Joanne Meraki. She was the manager at that time of the Smith Family partners, Joanne.

At, whereabouts?---They are located with us in Fairfield. Their office was in Fairfield, yeah.

In Fairfield. So the Smith Family at Fairfield and the woman's name was?--  
30 -Joanne.

Joanne?---If the spelling is wrong, Meraki or - - -

Meraki.---Meraki, something like that.

Something like Meraki?---They would have that on record as well.

Okay. Thank you.

40 MR RAJALINGAM: Who were the facilitators you used in your multicultural parenting program, Ms Sharobeem?---Many of them and they are registered somehow in the organisation. I can't remember any names now.

You have suggested to this Commission that a Ms Georgette Hilmi was a facilitator haven't you?---Yes, and also I remember now - - -

No, just talking about Ms Hilmi.---Okay.

I've asked you to answer the question if you knew any facilitators and you said you couldn't recall didn't you?---I tried to remember but you stopped me so I'm not going to say anything.

That's all right. Now I'm asking you about Georgette Hilmi.---Yeah.

10 And you've already told the Commission that Georgette Hilmi was involved in the multicultural parenting program. Do you agree with that?---From its beginning, yeah.

The Commission has a statement from Ms Hilmi dated 20 February, 2017, Ms Sharobeem. She says that she worked at IWHS from about 2008 to the end of 2013. When do you say that Ms Hilmi was engaged in the multicultural parenting program?---During her employment time she was actually one of the facilitators for the Sudanese group doing the, the parenting program and she also was facilitator for the senior group.

20 She didn't say any of that in her statement. Do you understand that?---She is over 70.

All right. She said that she volunteered with the Sudanese group on Monday for two hours. Is that correct?---Volunteered, no. She's actually in the payroll.

30 She said that between 2008 and 2010 she was involved with the child personality program on seven occasions. That's between 2008 and 2010. Is that true?---You can, you can clarify that from the payroll and I also have enough reports, in particular for Georgette I have it as evidence. I can bring it to the Commission.

She said that she was a facilitator for the Middle Eastern seniors group on Friday between 10.00am and 2.00pm. Is that correct?---Yes, she was one of the facilitators, yes.

And that's how she was involved in the IWHS wasn't she?---She didn't even write the names of the programs right.

40 Well, she said she was never involved with the STEPS to Employment program, that's the first one, all right.---STEPS to Employment. I didn't say ---

She's not involved with that.---I didn't say.

Well, that's – I'm letting you know what her evidence is.---Okay.

And she also said she wasn't sure if the child personality program was related to the multicultural parenting program but she had never heard of the

multicultural parenting program. That's contained at statement 3, page, volume statements 3, point 72 and 73. So she's denied any knowledge of the multicultural parenting program. You're suggesting that she was involved in it. Is what you're saying about her involvement, what you've said about her involvement a lie to this Commission?---The payroll

---

No, no, no.---You are holding - - -

10 Is it a lie?---No, it's not.

Is it a lie?---No, it's not.

What's your explanation for it?---The payroll you have in your hand would declare to you that Georgette was involved under this, paid from the program, and it's actually her name in our annual report as a facilitator. The annual report is a public document and she definitely saw it and her picture's in it with a group as well.

20 What group?---With the parenting group she conducted. So - - -

Which parenting group?---That you're referring to.

So she wasn't engaged in the multicultural parenting group?---You're twisting my words, isn't it?

You said just now that she was involved in a child parenting group, didn't you? What did you say? Ms Sharobeem, where did she work? I can withdraw the question.---Sir, can I ask the question to be addressed to me appropriately, because I don't know which question he's asking.

30

I'm withdrawing it. I'm withdrawing the question. How was Ms Hilmi involved with the Immigrant Women's Health Service?---She was employed under different capacity. One of them was for the Sudanese group as a facilitator, and then she ran the parenting programs and she also was a facilitator for the senior groups.

THE COMMISSIONER: For the?---Senior groups.

40 MR RAJALINGAM: You said she was a facilitator for the parenting program just now.---Yes.

Is that correct?---That's correct.

Which parenting program was she involved in?---The one, we are talking about it right now.

Which one are we talking about?---In our books we don't separate between them. The Arabic and Assyrian, the name just changed to accommodate more people like the Turkish and Somali, so it's called the parenting programs (not transcribable).

Well, Ms Sharobeem, Ms Hilmi does not refer in her statement to taking part in a parenting program. She said between 2008 and 2010 she was involved with a child personality program.---We never had a program by that name.

10

So is - - -?---Ms Hilmi is a bit confused.

So you're saying that Ms Hilmi is confused about volunteering with the Sudanese group, correct?---Ms Hilmi was a facilitator for the Sudanese group.

Okay. She doesn't talk about getting paid as a facilitator for the Sudanese group, Ms Sharobeem.---You have the payroll for the service all along and you can identify that.

20

The Commission – you've told the Commission also that Ms Bann Khoshaba was involved in the multicultural parenting program. Do you recall that?---With the parenting program, that's right.

Was she involved with the multicultural parenting program which the Smith Family were funding?---I am aware that the facilitators would call it parenting program instead of multicultural or else.

30

I'm not asking you about what the facilitators called the multicultural parenting program. I'm asking you firstly now if your evidence was that Ms Bann Khoshaba was involved in the multicultural parenting program, which was funded by the Smith Family, which I've been asking you questions about for the past hour.---Ms Bann Khoshaba was employed by the organisation to run the parenting programs and she did a great job.

Was she involved in the multicultural parenting program? Yes or no?---I can't remember if her entitlement or the facilitator note was under multicultural or not, but she was a facilitator for the parenting program. And we only had one parenting program anyway.

40

This is what she said, Ms Sharobeem. She said she was involved with the IWHS between November 2009 and March 2013. Does that sound right? ---I can't remember.

So you can't remember anything about her involvement with the IWHS, can you?---I just mentioned to the Commission that she was employed and she was receiving payment as a facilitator for the parenting program.

She said she completed required hours for her interpreting diploma at IWHS on a voluntary basis. Does that sound correct?---Sorry, come again.

She said that she'd completed required hours for her interpreting diploma at the Immigrant Women's Health Service on a voluntary basis.---Later on she was actually doing a course, interpreting course, and she asked to do her student placement hours, and I allowed her to do that at the organisation. It's not voluntary, it's student placement.

10 THE COMMISSIONER: Was she paid?---No, student placement is never paid. It's the obligation for the organisations sometimes to take on students.

MR RAJALINGAM: She actually said that she continued on as a volunteer with IWHS in the multicultural parenting program?---Sir, you have full access to the payroll and you can find if Ban was paid or not.

Ms Sharobeem, she said that she wasn't paid as a facilitator for the multicultural parenting program?---She was paid as a facilitator.

20 Did she attend the Fairfield office on Friday mornings to assist with the Arabic group?---I can't remember that.

Was she at the Fairfield office between 10.00 and 1.00pm, 10.00am and 1.00pm on Friday mornings?---I can't remember that.

She was there to interpret, wasn't she?---I can't remember that.

30 In 2010 she said she was part of the multicultural parenting program being conducted at the Nissibin Assyrian School in 2010?---This is what I'm referring to - - -

No?--- - - - that she was a facilitator and getting paid.

On 25 March, 2013, she said she commenced a full-time position with the Commonwealth Rehabilitation Services at Fairfield. Do you recall her leaving the IWHS?---Yes, I recall her when I called her to run another program and she said she can't because she had another baby, but nothing about her employment.

40 Well, Ms Sharobeem, she said that after she got a full-time position with the Commonwealth Rehabilitation Services, which I daresay was a paid job, she wasn't involved with the IWHS. What's your response to that? You're saying that she came back, it's completely at odds with what she's saying, isn't it?---I didn't say that she came back.

Would you accept that Ms Khoshaba was never involved with the multicultural parenting program as a facilitator after March 2013?

---I can't remember the dates but I remember Ban Khoshaba as a facilitator of the program, providing the service in different schools and doing another work with us and being on the payroll as a facilitator.

You referred in your evidence on the last occasion to a person known as Manel Awrahm?---Yes.

And you spelt that name this way, M-a-n-e-l A-w-r-a-h-m. Do you recall - - -?---Can't remember the spelling.

10

Can't remember that person?---Yes, I do.

Is there such a person by the name Manel Awrahm?---Yes.

How do you know him, is it a him or her?---Her, her.

How do you know her?---She was a childcare worker at the organisation.

Still in touch?---No.

20

What happened?---What do you mean what happened?

Well, why don't you still keep in touch with Manel?---Why should I?

Well, do you? I'm asking you?---Why should I?

Well, do you stay in touch with her?---I'm not in touch with anyone, thanks to you.

30

When was the last time you spoke to Manel Awrahm?---Years back.

Okay. When did she arrive in Australia, do you know?---No.

The investigators couldn't find a reference to her in the White Pages. So do you understand that?---No, I don't.

Do you understand that the RTA has no record of her name?---Oh boy.

Do you understand that?---No, I don't.

40

You don't?---Why should I understand something you're telling me which doesn't make sense?

I'll suggest to you - - -?---We have pictures of the women with the children in the room and it's at the service, you can ask the service right now and they will give you pictures of Manel. You can ask Marie, you can ask Watfa, you can ask the bookkeeper, she's on the payroll, look at the payroll and you will find her name. Why are you talking to me about White Pages?

Pardon me, Commissioner.

We're going to check for Manel Awrahm's name on the payroll. My understanding is that it's not there and it's not referred to in any of the ledgers of Immigrant Women's Health Service. In any event, page 148 of volume 11, I'm going to take you to the STEPS to Employment program now, page 148. Do you recall applying for funding in relation to the STEPS to Employment program?---Yes, we discussed the funding for one-off activity with the organisation.

Does that look like the application, the first page of the application, the information pack?---It could be.

Page 14. Sorry, page 14 of that document. Do you see that that's the application form, page 15?---(No Audible Reply)

Does your name appear as Dr Eman Sharobeem?---Yes.

20 Do you agree that you completed this form, the application for funding?--- Maybe some of it. I can't remember.

Your email address is there isn't it?---Both emails, yes.

And did you complete the remainder of that application form? We've just taken you through the form.---Not every application. Sometimes I give it to other people to put their input as well as long as they sign off.

30 I'll take you to page 18 of the application. At point 5 it refers to a women's jewellery enterprise.---Yes.

Firstly, can I ask you how long had that jewellery enterprise been running prior to you applying for funding from the Smith Family, so before this application how long had the jewellery course been going on for?---This is, sorry, but we applied to establish it so how it can run before it?

40 Do you accept that in paragraph 5 you're referring to the IWHS having conducted a jewellery enterprise prior to the application?---I'm just trying to ---

Essentially.---Yes. Oh, yes.

And the next sentence you refer to a joint project with the Wetherill Park TAFE. Is that correct?---Yes.

And you talk about focus being on the trade of jewellery making. Is that fair?---That's right.

Was the program – did the program ever commence, the women’s jewellery enterprise?---Yes.

And did it commence using the Smith Family funding?---Yes.

The Commission has a statement from a teacher from TAFE by the name of Mark Geerin. Do you understand that?---Yes.

10 I’ll take you to volume 2, page 183 to his statement itself. Volume 2 of the statement brief, page 183. That’s the statement that Mr Geerin from TAFE has provided the Commission. Do you see that, Ms Sharobeem?---Yes.

Paragraphs 8 to 11 if you can go there. I’ll ask you to read paragraph 8 to yourself.---Yes, I read it.

And next page.---Yes.

20 Ms Sharobeem, do you agree that in his statement Mr Geerin refers to a jewellery-making course that was run by TAFE to assist IWHS?---That's right.

And the course was run by a teacher by the name of Zina. Correct?---Yes.

There was a high number of participants. Correct?---Yes.

It ran for 20 weeks in 2013. Agreed?---Yes.

30 The materials used were supplied by Zina weren’t they?---At the beginning of the course and then we started to buy the material.

Mr Geerin doesn't refer to IWHS purchasing material, does he, in his statement?---He doesn't know. Why should he?

There was no extra cost to IWHS, was there, in relation to that program that TAFE was involved in?---We didn't ask them for anything. We run after that the program ourself.

40 The participants tried to sell what they made at local markets, would you agree with that?---I organised the market for them.

And they would use the profits from the sale of things that they made themselves to purchase further resources, wouldn't they?---No.

Would you accept that - - -?---We always buy the resources for them.

Would you accept that Mr Geerin had at one stage to ask you if IWHS could provide material for the jewellery-making program, but that you said to him

words to the effect that the service did not have the budget to cover the expense?---No, that's not true.

And you agree that this TAFE course that was being conducted was around in 2013?---It's, if it's mentioned here, that's the beginning of it, yeah.

And you agree that by 2012 you were receiving funds for the multicultural parenting program and the STEPS to Employment program?---Yes.

10 Sorry, was the STEPS to Employment agreement signed in August 2013?  
---If you – you have the application anyway. I can't remember the date.

Do you recall giving Mr Geerin the impression that IWHS did not have the budget to cover expenses for the jewellery-making course?---No, because we cover the expenses for the jewellery-making course after that.

I'm going to show you volume 11 - - ?---Marie used to take the groups in bus trips to the shops and buy material and every woman bought her own beads and material and everything.

20

I'll take you to page 174 of volume 11 allegation brief. Do you agree that that's the flyer in relation to the TAFE course that we've been discussing in evidence so far?---That's one of the flyers about the program, yes.

Do you agree the flyer does not refer to the STEPS to Employment program?---Yeah, it doesn't.

It doesn't refer to the Smith Family either, does it?---There is another flyer. This is not about it.

30

Yeah, but just look – I'm talking about this one.---Mmm.

It doesn't refer to the Smith Family, does it, the flyer?---That was the beginning of it, yeah.

Sorry?---That was the beginning of testing the (not transcribable) of jewellery program in the area as an income generation or microfinance project for women.

40 It refers, this flyer, doesn't it, to the IWHS partnership with Wetherill Park TAFE?---It's an obligation to see which partner will deliver, so we put the name because of the publication anyway in one of our flyers to acknowledge them.

Ms Sharobeem, the first sentence, first line of the body of the flyer reads "Immigrant Women's Health Service and Wetherill Park TAFE", doesn't it?  
---Yeah. And - - -

The second line, what does it say? "Outreach jointly provided this new initiative course" - - -?---Yeah.

- - - "in vocational and community engagement."---Yes. If you - - -

So it's a partnership between IWHS and Wetherill Park, isn't it?---That's right.

10 And - - -?---But if you see this you will know clearly that this is just to acknowledge the funding body of this particular project.

This does not acknowledge at all the Smith Family, does it?---Well, I'm sorry about that. I missed out to acknowledge them in this.

And it does acknowledge the funding body, namely TAFE, doesn't it?---Yes. It's a mistake. It's an error I did but I then fixed it in another flyer and I already included in another flyer. I remember that, when I realised.

20 And you knew that this course, the flyer, well, does the flyer relate to the course Mr Geerin was talking about in his statement?---Yeah, just one second. This is just, sir, this is what I have been saying, that everything in the organisation was left on my shoulder, including preparing a flyer of any service. And I'm still the manager and I'm still doing everything. So from applying for funding, to writing reports, to running the service, to advertise the service, to contact partners and seek partnership, to do the outside talk, I'm even tired talking about what I was doing and this is just an example.

THE COMMISSIONER: Thank you.---Thanks.

30 MR RAJALINGAM: Ms Sharobeem, on 26 August, 2013, did you sign an agreement in relation to funding from the Smith Family for the STEPS to Employment program? I'll show you page 175 at volume 11. 26 August, 2013. I'll take you to firstly page 175. Sorry, that was the first page. And that's the, do you agree, an agreement between the Smith Family and IWHS in relation to STEPS to Employment project in front of you?---Yes.

40 Now, I'll ask the investigator to just turn through the pages slowly so you can see the agreement, and you recognise that as the agreement, don't you, that's page 176, page 177, page 178, next page, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197 and 198. That's the entire agreement that I've shown to you. Do you agree?---Yeah.

And is that your signature - - -?---Yeah.

- - - on the document?---Yeah.

And is there Ms Audrey Lai's signature on the document as well?---Yeah.

Did you both sign on 26 August, 2013?---I signed, yeah.

Do you recall I showed you an agreement for the multicultural parenting program on the last occasion in May?---(No Audible Reply)

Would you accept that both of these agreements, the STEPS to Employment agreement and the multicultural parenting program are in similar terms?  
---I never read the agreement.

10

I'll take you to page, next page, 24. Do you agree that you're identified as the agreement manager?---Yes.

And there's a project description on page 24, isn't there?---Yes.

All right. A number of things come out of the project description, Ms Sharobeem. Would you agree that the STEPS to Employment project was envisaged to deal with barriers to employment?---That's right.

20

Increase the affordability of childcare?---Yes. Increase access to affordable childcare.

Yes?---So it's not about giving money, it's about talking to parents and with parents about different methods and different ways we can deal with children or raising children.

Was it about providing childminding services?---Not necessarily, but if we run the program we provide the childcare.

30

Childcare services was not a part of the STEPS to Employment program, was it?---It was to educate parents and again to my recollection one of the things we were doing in this project is to teach parents how to organise the – I can't remember the term – like how to care for children at home and get the appropriate licence for it from council, from local council. So we talk about visibility studies, we talk about establishing small and microfinance business in different areas.

Thirdly the program related to supporting vulnerable parents - - -?---Yes.

40

- - - entering the workforce?---Yes.

And when you say vulnerable parents, you're talking about parents affected by payment eligibility such as Centrelink principally, are you?---No, here the vulnerability under the flag of immigrant health information service is being migrant or refugee.

And also to liaise with other services essentially, Jobs Australia, Centrelink, childcare providers and family services is what this program is about, isn't it?---We had many partners to count, yes.

Does this document, this page say essentially that the agreement was to commence on 1 August, 2013 to 30 June, 2014?---If it's -- yeah, it is here.

Page 29, schedule 2. Does the agreement relate to \$120,000 worth of funds from the Smith Family?---In instalments, yes.

10

Okay. I'll take you to page 49 of volume 12, allegation brief. You've signed a further agreement on behalf of IWHS in relation to the STEPS to Employment program didn't you?---If you will show me I will tell you.

I think one year later on 30 August, 2014 you've signed a similar agreement. This should be the first page. Do you identify that as an agreement in relation to STEPS to Employment, correct?---Yes, if that's the agreement.

20

Yeah. All right. I'll take you to page 20 of the actual agreement and you see -- just if you could go through that slowly. Go back to the first page. This is the -- a similar STEPS to Employment agreement. Would you agree with that?---The agreement is like a formula.

Yeah. It's the same thing you sign don't you?---It's a -- I never read it anyway.

30

So you go to page 20 and that's the agreement. So that's page 20. I've shown you pages 49 to 69 of volume 12. Is that your name that appears on page 20, Dr Eman Sharobeem?---Yes.

Is that your handwriting?---No. At that time we discover a software where we can put the name so it's the software. It's a computer.

Is that your signature at the top though?---Yes.

And it's your handwritten signature isn't it?---It does look like it.

40

Schedule 1, just go to the next page, refers to you as the agreement and implementation manager doesn't it?---Yes.

Schedule 2, just keep going through the page. Sorry, go back to, go back, go back one more. The agreement was to commence on 1 July, 2014. Agreed?---Yes.

And the next page, to conclude on, next page, 30 June, 2015. Correct? ---Yes.

All right. The agreement is not going to lie is it?---I don't - - -

Anyway, schedule 1. Sorry, schedule 2. The total funds would you agree that was going to be provided over the 2014-2015 financial year was \$120,000. Accepted?---Yes.

So for STEPS to Employment you receive on behalf of – the IWHS has received over two years \$240,000. Accepted?---Yes.

- 10 All right. Volume 11, page 226. This is a quarterly report for the STEPS to Employment program for the period July to September, 2013. Do you understand that?---(No Audible Reply)

July to September, 2013 quarterly report. Is that your name, Eman Sharobeem, at the top of that document?---Yes.

You didn't put your doctor title down. Any reason for that?---(No Audible Reply)

- 20 Any reason?---(No Audible Reply)

You're shaking your head to say no. Is that correct?---I'm not sure what to answer this question.

That's all right. I'll withdraw the question. Section 2.---If it's, if it's really just to humiliate me or a question to benefit this inquiry.

THE COMMISSIONER: Just, just I'll – yes.

- 30 MR RAJALINGAM: Section 2.1 would you agree refers to 110 adults that attended the program – sorry, my screen – that attended the program between July and September, 2013?---I can see that.

You can see that?---Mmm.

And do you agree that in relation to this report also it is said just below 2, participant information, that you're not meant to count each participant twice, essentially?---That's - - -

- 40 I'll put it differently. You're only meant to count each participant once, isn't that right?---That's what happened, then.

The section 2.1 also represents that 58 children had attended STEPS to Employment programs effectively, or under 18, agreed?---When you mention the word attended, what it meant here is those parents, when they made first initial contact with the organisation, they indicated that this is the number of children they have. So when we look at the plan for them, we look at the children included as a family unit.

So the number does not necessarily relate to the number of children that came to the service?---Or attended the program, that's right.

So you're saying that that figure could have included children who had not attended the IWHS but were the children of parents who had?---That's right. The service is provided for the family and this is the family, the making of the number of families anyway.

- 10 I'll take you to page 5. All right. You sign off as Dr Eman Sharobeem, correct? Correct?---Yes. I can see that.

And who have you nominated as working in the program for this period?  
---Whoever provided service for the program.

For July to September 2013, are you suggesting that Ms Marie Abboud was working in the STEPS to Employment program?---Of course at that particular time she did some work with the program.

- 20 Who is Bugul Mustafa?---That's the Turkish facilitator. Now I remember her name.

The Turkish facilitator of what group?---Turkish.

What Turkish group?---She delivered multicultural parenting.

For Turkish people?---She delivered parenting program for Turkish or did translation.

- 30 What about Thi Le Biukh?---Thi also provided for the Vietnamese translation or service at that time.

Pardon me, Commissioner. You know, Ms Sharobeem, that I took you to a report about the STEPS to Employment program?---Yes, you did.

And in this part of the report you have written the project name as multicultural project, parenting project instead of STEPS to Employment. If we go back to page 1.---Sorry, what?

- 40 So I'm just taking you back through the report. This is a report that relates to STEPS to Employment. Do you see that under project name?---Um - - -

The first box.---Yeah, STEPS to Employment.

And that's the first page. The second page. Third page. And I took you through those figures, didn't I?---Yes.

And they are figures that you reported in relation to the STEPS to Employment program, weren't they?---Yeah.

Next page. Again information in relation to the STEPS to Employment program, isn't it?---It depends on the, the report.

Well, I've shown you a report for the STEPS to Employment program.---All right. So I'm not sure - - -

10 And then the next page, 5. I asked you who Bugul Mustafa was and you said that he was a facilitator for the Turkish group. I asked you which group and you said the multicultural parenting program, didn't you?---I looked at her name and I looked at the top and I just made sense of what I'm seeing just based on the organisation information provided.

20 You don't have any – is it the case, Ms Sharobeem, is it the case that you have no recollection whatsoever of Bugul Mustafa engaging in facilitator work for the STEPS to Employment program?---No, actually I recall Bugul and she did a lot of translation with us. But this is the multicultural parenting project and the other page is for STEPS to Employment, so I'm not sure the question refers to which program.

Volume 11, page 235. This is a STEPS to Employment six-monthly report, agreed, from July 2013 to December 2013?---Yes.

And on the first page your name appears as Eman Sharobeem, doesn't it? ---Yes.

30 Section 2.1, you report there on the next page, you report there don't you that 255 adults attended the program?---Ah, yes.

And again in relation to these six-monthly reports, do you agree that you're only means to report each participant once?---Yes.

That's clearly stated underneath participant client numbers, isn't it?---Yes.

And it doesn't relate to, section 2.1 doesn't say occasions of service or anything, it says client numbers, doesn't it?---Yeah, yeah.

40 It's fairly clear?---And we were careful with that.

Did you have 255 clients attending the STEPS to Employment program in 2013, the middle of 2013?---Its programs, and again it's delivered in different way and different capacity as well.

What programs came under STEPS to Employment?---The same thing as we said, with the STEPS to Employment you have individuals coming to the service for advice on their career, individuals coming to be in liaison with

Centrelink and trying to get some support with their payment. Individuals have been referred to attend certain courses at TAFE, organising projects with TAFE for the visibility studies, organising visibility studies for some projects for individuals or groups, attending to certain community representatives, and I had at least seven of those just come into my mind right now, so various things under the same flag, and apart from that also running the English for work programs and English for further study programs as well and it's all advertised.

10 English for work, and what was the other one, English for?---Further study.

What were the names of the groups that were being conducted under the STEPS to Employment program?---I just mentioned some of them to my best recollection.

Which ones did you mention, what were the names of them? I didn't hear any group names, Ms Sharobeem?---Oh.

20 You said individuals first in administration, then you said individuals and something about Centrelink, then you said individuals and you said something about TAFE courses, booking them into TAFE courses, then you said something about visibility studies. What's that, what's a visibility study?---When you do a new program, microfinance program, and this is my previous experience from overseas - - -

MR CHHABRA: I object, Commissioner.

THE COMMISSIONER: Yes.

30 MR CHHABRA: I apologise for the interruption, especially during when an answer is given. I simply raise a query that the line of questioning is concerned with funding provided by the Smith Family. How that falls within the jurisdiction of this inquiry as such moneys would not be public funds. Noting sections 8 and 9 of the relevant legislation.

MR RAJALINGAM: Commissioner, I didn't prepare to respond to such a jurisdictional point today.

40 THE COMMISSIONER: Well, perhaps you should - - -

MR RAJALINGAM: There are many ways in which the Commission has jurisdiction over this matter.

THE COMMISSIONER: Do you want to leave the line of questioning and come back to it tomorrow?

MR RAJALINGAM: This was the remaining part of the examination for the day and I'm nearly done with it. Could I just have a moment to consider what my friend's said?

THE COMMISSIONER: Mmm.

MR RAJALINGAM: I hadn't written it all down.

10 I may come back to it tomorrow, Commissioner. It would appear that it might come under the blanket reference to public official capacity and public official function, but I need to focus my mind on that.

THE COMMISSIONER: All right.

MR RAJALINGAM: Just see if I can move on to another topic. I really can't move past programs. That was going to be the end for the day. I wonder if I could have a short five minute adjournment to consider - - -

20 THE COMMISSIONER: Where are we at at the moment so far as - - -

MR RAJALINGAM: We're nearly finished with programs. That was the other substantive portion of the examination. Sorry, falsification of statistics rather. There is the NESH allegation that remains and also the appointments which shouldn't take long.

THE COMMISSIONER: And Ms Sharobeem is no doubt completely fed up with being here giving evidence.

30 MR RAJALINGAM: Yes.

THE COMMISSIONER: When is she likely to get some relief from that?

MR RAJALINGAM: Hopefully tomorrow.

THE COMMISSIONER: Tomorrow.

40 MR RAJALINGAM: It would be my application at the end of her evidence that she not be excused from giving evidence further. That she – that we hear the evidence of others and if other issues arise I would seek to re-examine her on a very limited basis.

THE COMMISSIONER: All right. Well, it may be that she's - - -

MR RAJALINGAM: That's just in terms of - - -

THE COMMISSIONER: Just in her own interest it may be that she needs to be here in any event to instruct Mr Chhabra. In any event I'll – now

Ms Sharobeem knows that it will all come to an end and I'll take a five minute adjournment.

MR RAJALINGAM: Please.

**SHORT ADJOURNMENT**

**[3.37pm]**

10 THE COMMISSIONER: Are you going in, Mr - - -

MR RAJALINGAM: No, Commissioner, I'm not. Essentially in my submission, the Smith Family, if I take you to the agreement, the first agreement that was signed, volume 11, page 176, the Smith Family obtained all of its funds in relation to the multicultural parenting program and the STEPS to Employment program from the Commonwealth.

THE COMMISSIONER: Oh.

20 MR RAJALINGAM: It's clearly stated in the recital that the funds come from the Commonwealth.

THE COMMISSIONER: Okay, okay.

MR RAJALINGAM: And therefore it falls under first of all 8(1) in terms of breach of public trust.

THE COMMISSIONER: Yes, I must say I thought it was all private money, in which case - - -

30

MR RAJALINGAM: That's why I skipped a beat as well.

THE COMMISSIONER: - - - which would have been entirely outside jurisdiction.

MR RAJALINGAM: Yes.

THE COMMISSIONER: However.

40 MR RAJALINGAM: It has been looked at and is Commonwealth funding, that's how it falls under the Commission's jurisdiction.

THE COMMISSIONER: Do you give in, Mr Chhabra.

MR CHHABRA: I must say I respectfully do not agree with that construction. Turning to 8(1) that Counsel Assisting has taken the Commissioner to, the Smith Family in this capacity is a funding partner, whilst it to some extent is a repository of public funds, it chooses and can

distribute such funds in its own private capacity. Turning to subsection 1 of section 8, the reference is to public official or any group or body of public officials or any public authority, at least in paragraph (a). The Smith Family does not meet any of those classifications, and indeed dealing with public funds, even if the Commissioner were to take the view, which of course I'd disagree with, but if it were to take the view that such funds are public, then my respectful submission, public funds should be read down to funds provided by a New South Wales body public. I say that for the following reasons. Turning to section 3, being the definitions section, the  
10 Commissioner would see that public authority and indeed – I withdraw that. Yes, public authority numerates a number of constituent bodies that satisfy that definition. The adjectives of local government and New South Wales before some of the numerated authorities demonstrate the focus must be on New South Wales government bodies, ergo public funds must be those provided by such bodies, namely New South Wales or local government bodies of New South Wales. The agreements Counsel Assisting has taken the Commissioner to speak solely of Commonwealth funds. So accordingly my submissions are in two parts. One, the Smith Family and the application  
20 of its moneys do not fall within this jurisdiction, two, and that is because they're not public funds or a relevant public body. Two, in the alternative the funds the subject of that agreement fall outside funds of a New South Wales body and therefore are not public funds for the purposes of the Act. May it please.

THE COMMISSIONER: Mr Rajalingam, on the first point it appears to me that although the Smith Family may have discretion to use private funds as well as public funds, the fact is that in the terms of this agreement it was clearly public funds that were being used. What do you say about the  
30 second argument however, that it's state public funds that give jurisdiction and not Commonwealth public funds?

MR RAJALINGAM: In my submission, if the Commission looks at subsection 2(a) it refers to public confidence in public administration generally, and it also generally refers to any person, irrespective whether or not they are a public official or not. It would seem to me that subsection 2 is much broader than the narrower subsection 1. 2A rather, 2A, 2A(c) does not refer at all to public official, well, it does, but it says whether or not a public official and refers generically to public confidence in public  
40 administration. Now, the Smith Family is renowned for its work everywhere. There's no reason, and it's public work that the Smith Family is engaged in, it provides services to the public, it is utilising public funds purely for the purposes of providing a public good, and that would go, purposes of providing a public good in my submission goes to public administration and if people, if the allegation is someone has taken or misappropriated funds provided to a private authority or repository and then misspent, and in my submission that would be caught under subsection 2A(c), because (c) relates to the payment or application of public funds, and this is a case where the agreement talks only about public funds and there's

nothing in subsection 2A limiting it to the New South Wales, to a New South Wales authority, a New South Wales organisation, nothing of that sort at all.

10 THE COMMISSIONER: Mmm. Yes, thank you. Mr Chhabra, there's a difference between the definition of public authority, which is clearly talking about New South Wales public authorities subject to the New South Wales Auditor, et cetera. So when you look at the definition section in 3 of public authority, what you're saying is clearly correct. But if you then go to 8(2A) it talks about public funds. And what I'm wondering, is it drawing  
too long a bow to say that public funds is limited to New South Wales public funds when the Act is clearly dealing with public confidence in public administration? That's the question.

20 MR CHHABRA: Indeed. But in effect it is public confidence in the public administration in the context of New South Wales bodies and dealing with New South Wales legislation. And that is why I respectfully submit public funds should be read down to be those funds provided by New South Wales public bodies, because the legislation is not directed towards public confidence in Commonwealth bodies. And that is my concern with the line of questioning. The Smith Family, accepting in part, is the recipient of Commonwealth funds. Clearly they are public funds. Those funds are then disseminated by the Smith Family in their discretion. And indeed some of those funds were provided, pursuant to that agreement, to the IWHS. However, the question becomes are such funds public funds within the ambit of the ICAC Act. To determine that question, the object of the legislation has to be considered, and the focus of it being New South Wales bodies, dealing with public confidence in the public administration of New South Wales bodies, not the Commonwealth. So whilst the Commissioner  
30 has used the expression "to long a bow to draw" I would say it applies the other way around. This is an exceptional jurisdiction where limitations should be considered and legislation should be read down. And that is how, in my respectful submission, it should be so read. May it please.

40 THE COMMISSIONER: Well, an objection is taken to questioning in relation to Smith Family funds that are provided to the Immigrant Women's Service. And it is clear in this case that the funds, the line of questioning relates to the Smith Family. The agreement between the Smith Family and the Immigrant Women's Health Service clearly states that the funds that are being given by the Smith Family to the service are funds obtained from the Commonwealth Government and are therefore Commonwealth funds and not state funds. The first argument advanced by Mr Chhabra in support of his objection is that the Smith Family also has private funds and could use private funds as well. And most certainly if private funds were used by the Smith Family to provide to the Immigrant Women's Health Service there would be no jurisdiction in this Commission to hear any of the evidence. However the agreement itself here specifies that they are Commonwealth funds that are being used by the Smith Family, and accordingly in my view

that argument that's advanced against this line of questioning fails. However, the second argument advanced by Mr Chhabra is that they being Commonwealth funds and not state funds, they still fall outside the jurisdiction of this Commission. And he points to the definition of public authority in section 3 of the Independent Commission Against Corruption Act, and clearly when the definition of public authority is considered, what is envisaged in the definition section relates to public authorities within the State of New South Wales and, in particular, organisations subject to the Public Finance and Audit Act. However, section 8(2A) of the Independent Commission Against Corruption Act states that corrupt conduct is also any conduct of any person, whether or not a public official, impairs or could impair public confidence in public administration and which could involve any of the following and it then goes on to enumerate a number of matters that fall within the ambit of that subsection. The argument advanced by Mr Chhabra is that because the Act, the Independent Commission Against Corruption Act creates a Commission with limited powers and with a specific focus, the legislation should be read as not referring to Commonwealth public administration or in particular in respect of section 8(2A)(c) where reference is made to the application of "public funds for private advantage". The argument advanced by Mr Chhabra is that that should be read down to refer to State public funds and State public administration and not to Commonwealth funding. That can raise a fairly significant philosophical question because many State funds come in many ways from the Commonwealth through the Commonwealth grants programs but nonetheless they do become State funds and the point that Mr Chhabra takes is open to be taken and the question then simply comes down to one of whether section 8(2A) should be read down and limited rather than given what could be argued to be and what I think are the natural meaning of the words. The Act is clearly directed at the impairment of "public confidence in public administration and it focuses on payment or application or public funds for private advantage or the disposition of public assets for private advantage". Bearing in mind that that is the primary object of the Act, in my view it should not be read down to exclude a situation where Commonwealth funds are provided as the evidence would indicate is here and accordingly I reject the application.

MR CHHABRA: If it please the Commission. May it please.

THE COMMISSIONER: Yes, Mr Rajalingam.

MR RAJALINGAM: It is 4 o'clock but I'm being asked to tender a CD in relation to the corruption prevention brief at this stage and that will be in addition to what is the statement brief, allegations brief and bank statement brief. This is the corruption prevention brief.

THE COMMISSIONER: Okay.

MR RAJALINGAM: In electronic fraud.

THE COMMISSIONER: All right.

MR RAJALINGAM: Is there another copy? Not yet but we'll endeavour to make some copies tomorrow morning.

THE COMMISSIONER: Yes. All right.

MR CHHABRA: No objection.

10

MR RAJALINGAM: It's on the restricted website.

THE COMMISSIONER: Okay. Exhibit 41 I think.

**#EXHIBIT 41 - PUBLIC INQUIRY CORRUPTION PREVENTION BRIEF**

20 THE COMMISSIONER: Yes. Now, have you finished with the topic with Ms Sharobeem?

MR RAJALINGAM: No, I have not.

THE COMMISSIONER: Can you do it quickly?

MR RAJALINGAM: No, because I have to go to matters that I took Ms Abboud to and Ms El-Baf in relation to the alterations and that's not going to take half an hour.

30 THE COMMISSIONER: Okay. Can we start at 9.30 in the morning?

MR RAJALINGAM: Absolutely.

THE COMMISSIONER: Mr Chhabra?

MR CHHABRA: Most certainly.

40 THE COMMISSIONER: Then if we start at 9.30 we can fairly well guarantee to Ms Sharobeem that she will be finished tomorrow.

MR RAJALINGAM: Will get a break.

THE COMMISSIONER: All right. Thank you. On that basis I'll adjourn.

**THE WITNESS STOOD DOWN**

**[4.05pm]**

**AT 4.05PM THE MATTER WAS ADJOURNED ACCORDINGLY  
[4.05PM]**