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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE REGINALD BLANCH AM QC

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

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AT 12.00PM

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THE COMMISSIONER: Yes, Ms Sharobeem, you're still on the same affirmation to tell the truth that you took last week.---Yes.

Thank you. Yes, Mr Rajalingam.

10 MR RAJALINGAM: I wonder if Ms Sharobeem could be provided with Exhibit 37 and Exhibit 36. Just give the witness some stationery. Ms Sharobeem, I'm going to show you another transfer. Volume 9, page 243. Do you recognise that as a transfer to your account but in the name of Emma Adly in the amount of \$4,130 on 9 May, 2014?---Yes.

Turn to then next page 244. Have you there claimed for facilitator fees over Friday, Saturdays and Sundays in the month of April, 2014?---Yes.

Have you?---Yes, it's written here. It's my handwriting.

20 Now, if you could do what I asked you to do before, if you could highlight the 2014 calendar with a yellow highlight on the days you have claimed in this form so it should be 4, 5, 6, 11, 12, 13, 18 and 19 and 20.---Yes.

Page 245. Is that a transfer to your account on 13 May, 2014? That is a transfer made in the name of Emma Adly in the amount of \$3,390. Do you agree with that?---Yes, and this handwriting is not mine.

30 Page 246. Have you there claimed for Monday, Tuesday, Wednesday, Thursday and Friday over consecutive days in the month of April?---Yes, that's my handwriting.

You will note that you've already claimed for 18 and 19 April so would you put a red circle around that and a yellow highlight on the other days. Have you done that?---Yellow.

So there should be a yellow circles around 18 and 19. 14, 15, 16 and 17 should be yellow highlights. Would you agree?---I think 14 is not yellow yet.

40 Well, you've claimed on 15 April haven't you?---Ah - - -

On page 246 you're claiming for the 15th?---So I should use this one?

Yellow, yes.---Yeah. I got what you mean. Yes.

All right. If we turn the page. This is your diary entry for 19 April, 2014. It says travel – your diary entry on this day refers to an address in Fingal Bay but it's been redacted. Did you travel to Fingal Bay around about that time, 19 April, 2014?---I can't remember honestly.

50 I'll take you to page 250. That's another transfer to your account in the name of Emma Adly isn't it?---That's right.

Turn the page. Those are some further days you've claimed in the month of April aren't they in the name of Emma Adly?---That's right.

Okay. 5 should already be yellow. If you could put a red around 5 April. 6 should be yellow. Put a red around 6 April. Do you see that?---Yeah, I did that.

12, 13 should be yellow so you're going to put a red circle around those aren't you?---Yeah.

10 And 19 is already red so use your – do you see the hours claimed on the facilitator form for 21, 22, 23, 24 and 25 of April?---Ah hmm.

Will you be putting a red circle around those dates. Is that right?---Yes.

21 April next page is your diary entry. It's the Easter Monday. What were you doing facilitating on Easter Monday?---Sorry, is that a question?

Do you know what you were doing - - -?---Oh.

20 - - - in support of those hours you've claimed?---The hours I worked as a facilitator were actually exaggerated than the hours, sorry, it just goes the other way around, the hours I worked as a facilitator were not actually as much as claimed, so many hours I did as a facilitator which is, which I was entitled to but I was not entitled to write the wrong name, that was wrong, and the hours itself were exaggerated when I was claiming because I didn't have any record, the hours definitely was exaggerated and was not responding to the actual hours.

THE COMMISSIONER: Thank you.

30

MR RAJALINGAM: Ms Sharobeem, who is Emy Adel?---That's the same account and same signature.

Is it an alias for you?---No, that's the false name I used.

Yes. And also Emma Adly, isn't it?---Yeah, that's the name I used also. I ah, the accounts are mine and the signature is mine. I didn't change my signature.

40 I'll take you to a transfer on page 262. Is that a transfer on 20 June, 2014, 20 June that I've showed you – is that a transfer on 20 June, 2014 to Emy Adel for the amount of \$1,225?---Yes, it is.

Next page, it does – anyway, you've already claimed on these particular days, these facilitator forms, this facilitator form is different to the one I just showed you, Ms Sharobeem, would you agree that you would be using a pink highlighter from 21 to 25 April on the calendar?---(No Audible Reply)

Is that right?---Yes.

50

Yes. I'll show you page 264, the diary entry, in fairness to you. Have you seen that? There's nothing in that entry, you agree with that?---I didn't really write everything happens in my life always so - - -

I'm going to show you some receipts over that month - - -?--- - - - it's just, it's all right.

- - - period just to remind you of where you might have been. Page 267. The Commission has traced that receipt back to Pacific Water Colours Nelson Bay. Would you agree that you were there?---Yes, and I was on holiday, not work.

I'll take you to page 269. Again that's a receipt for a purchase at Nelson Bay, isn't it, on 22 April, 2014?---Ah, as I said, I truly don't know if this receipt was paid to me because it's personal receipt. I truly don't know if it was paid to me. If this is Nelson Bay, I went there for a holiday. Oh, sorry, just one question, can I retrieve that. Yes, yes, in 2014, yeah, I went to Nelson Bay to give talks but that was in 2015, not 2014, but this one, if it's 2014 then it is, it was a holiday.

A personal holiday, was it?---And I, I cannot, I did not submit to be reimbursed for my personal holiday. I can't, I can't do that.

I'll show you page 275, sorry, page 274. Ms Sharobeem, that's the transfer - - -?---Yeah.

- - - on 2 May, 2014 for 4,140 to Emma Adly, but to your account. Do you agree with that?---Yes.

And the next page. Now, 2 and 3 you haven't claimed before, so is that a yellow highlight?---Yellow.

9 and 10 you haven't claimed before. That's a yellow highlight, isn't it? --- (No Audible Reply)

But 16 and 17 are second claims, aren't they?--- (No Audible Reply)

Isn't that right?---Um - - -

16 and 17 are double claims?---There's, the, the double I put red next to it.

Yes. And the - - -?---24th and - - -

- - - 23rd and 24th, you've already claimed three times on those days, haven't you?---Um - - -

So this is the fourth time, would you agree?---Yeah.

On the 23rd of April and the 24th of April. I don't need you to mark that. Perhaps just put an asterisk next to the numbers.---Okay. 23rd - - -

THE COMMISSIONER: Ms Sharobeem, the signature on that particular page, is that your signature?---Yes, it is.

And the squiggle where it says "manager's comments" and the signature, is that yours?---I'm not really sure.

10 If another facilitator put in a form, was the procedure that they would sign it and you would countersign it?---No.

No?---No.

They would just fill in the form?---They, they submit it directly to the, okay.

Okay. Thank you.

MR RAJALINGAM: Thank you, Commissioner. Ms Sharobeem, you
20 agree that you filled out forms in the name of Emma Adly?---Yes.

And also Emma Adel? Do you agree with that?---Yeah.

You also filled out forms in the name of Emma Adel?---Yes, I used, I used the names just to be not identified by the staff.

What about Charl Gamal? Did you fill out facilitator forms using that name?---Yes.

30 And that was your son Charlie, wasn't it?---That's right.

What about Rachie Kakel? Did you use that name in preparing facilitator forms?---Yes.

And who did that relate to?---My son Richard.

What about Rachel Kamol? Who did that relate to?---That's the name, yes.

40 Same? Does that also relate to your son Richard?---Yes, yes.

Why did you use different names for them?---Richard and Charlie delivered different tasks and different work around the organisation. I just didn't want the staff to know that my kids were employed at that time or doing any paid work for the organisation, but the work was delivered. They did do the work. Hours might be exaggerated as well because I didn't keep track, but the work itself was delivered and the service was delivered, and there are many witness.

THE COMMISSIONER: Well, you say that the hours were exaggerated.
---Yes.

What do you mean they were exaggerated?---Because - - -

You exaggerated them?---Because at this stage my situation is very clear that I didn't keep a record at that time. So, and because the hours were multiple put in those forms. So this is the term I'm using, that the hours were exaggerated. So I know that they did the work, I know that I did the
10 work. I might have worked 20 hours but then claimed 40 hours or 30 hours. That's why I'm using the term exaggerated to my best interest.

When you use the term exaggerated, do you mean that you deliberately falsified the hours?---No, not deliberately but because I didn't keep track, I was trying to the best interest to see how many hours. And of course when there is no track of evidence, mistakes could happen. So I am taking the responsibility of myself of saying definitely there was mistakes happening.

MR RAJALINGAM: Thank you, Commissioner. Ms Sharobeem, quite
20 apart from there being mistakes, on some of these occasions in April you've claimed four times on the same day. Don't you agree with that?---That shows how clumsy I was.

Well, on some of these - - -?---If I am - I'm sorry.

- - - occasions, Ms Sharobeem, you were claiming for these payments not long after you said that work was done. Do you agree with that?---No, not really. The truth - - -

30 How do you not know that you'd already claimed four times on one given day, Ms Sharobeem?---I already admit wrongdoing and I'm just explaining -
- -

But when you say wrongdoing, you're saying it was a mistake. Isn't it the case that you intentionally wrote these figures down to get some money from IWHS?---But if I have that strong intention to commit anything that wrong, I would at least spread the days and don't do such a silly mistake of repeating the same invoice on the same dates. And this is why, just to be able with my conscience to be clear and free, I'm saying, yes, it was wrong.
40 Yes, I didn't keep a record. Yes, I made a major mistake of doing that. But if I want to do that, I would hide. I would spread the days. I would claim on other month. I would claim the year before. The matter of the fact is I used to work and work and work, and whenever I get a chance I would just go and put it. And that is wrong itself.

THE COMMISSIONER: Are you telling me that you innocently and accidentally made the mistake and not deliberately?---I didn't deliberately want to take something I didn't do, but because I didn't keep a record I

definitely made mistakes, I definitely made mistakes and the mistakes are clear, I'm claiming for the same day more than once. I'm – any stupid person would see that, any bookkeeper would see that and say who is this facilitator claiming the same hours twice and three times. If I, if in my own conscious [sic] I would do that, I would at least choose different days or different times or different hours or at night, but the truth of the matter is, I did something wrong, I didn't keep record, I worked, but because I didn't keep record I'm claiming extra hours or claiming wrong hours or claiming wrong days. It's my fault, it's my mistake.

10

MR RAJALINGAM: Ms Sharobeem, you're suggesting to the Commission that this was a mistake, are you?---I actually said all the truth. I don't want to suggest anything, sir.

Ms Sharobeem - - -?---I am not capable mentally of suggesting anything.

I have taken you through claims over a four-month period?---Yes.

Do you agree with that?---Yes.

20

And I have taken you to the detail of claims over a two-month period in March and April of 2014. Do you understand that?---Yes.

Do you also understand that the Commission has evidence that you collected facilitator fees under the name of Emma Adly - - -?---Yes.

- - - over 2 May, 2014 - - -?---Yes.

30 - - - to 19 March, 2015, to the amount of \$61,135?---Yes, sir, I admit it's the wrong name and I admit all that.

Do you also know that the Commission has evidence that between 12 June, 2014 and 10 March, 2015, you collected facilitator payments in the name of Emy Adel to the amount of \$38,550?---Yes, sir you showed me.

That's a lot of money, isn't it, that's about 100,000, Ms Sharobeem?
---Yes, sir.

40 Are you seriously suggesting to this Commission that this was a mistake?
---Um - - -

MR CHHABRA: Objection, Commissioner.

THE COMMISSIONER: Yes, Mr Chhabra?

MR CHHABRA: The use of the term mistake has been somewhat imprecise, if I may say. The witness has not claimed a mistake regarding the claiming of facilitation fee or the use of the name, she has admitted that

that was deliberate, rather the mistake if any is in two parts, one, the lack of record-keeping, and two, a product thereof, the number of hours claimed. Perhaps Counsel Assisting's question could be a bit more targeted as to what is the mistake. May it please.

MR RAJALINGAM: Commissioner, I think it's a fair question, it's \$100,000 and the witness it saying it's a mistake.

THE COMMISSIONER: Yes.

10

MR RAJALINGAM: It's just - - -

THE COMMISSIONER: Yes. I think we might get a more precise answer.

THE WITNESS: Yes.

THE COMMISSIONER: It's a lot of money?---Yes.

20

\$100,000 over what's the period, it's - - -

MR RAJALINGAM: From, it's about a year, 12 June, 2014 to 10 March, 2015, and the other period is March 2014 to May 2015?---Because the work was done over a number of years and when I realised that I can claim it, it only happened in those two years, but I agree with you it's a big amount of money. I did deliver the work. I didn't keep the record straight, it's my fault. That's, that's the actual truth.

Ms Sharobeem - - -?---Yes.

30

- - - you didn't deliver the work, you just gave evidence to this Commission that if you did about 20 hours' work you'd claim 40 hours. Isn't that what you said?---I said 40 or 30 exactly.

But when you were claiming those additional 10 or 20 hours, didn't you know that what you were doing was wrong?---Ah, yes, of course it was wrong.

40

So you knew when you were making or submitting these forms that what you were doing was wrong didn't you?---I can't really say more than what I said. I don't want to say wrong or right at that particular time when I was writing this. I wasn't really keeping a record, and to the extent that I was claiming the hours of the days again wouldn't it be easier for me if I deliberately want to do something wrong to go to another month, to go to another year. It would be easier for me to do that if I intentionally want to do that.

Ms Sharobeem, my suggestion to you is that you have claimed every month over the period between May, 2014 to March, 2015.---Yes.

10 So how is it a mistake if you're doing it every month?---I just say to the Commissioner that I was doing as a facilitator work for many years exactly since we started the multicultural parenting project and after the failing of the Arabic and Assyrian project when I went to Smith Family and had a meeting with them and I told them that sorry about the previous workers and the work they did wasn't right and I started to carry on. So, yes, it was
10 wrong and, and claiming the hours double and triple time was absolutely wrong and it's my mistake and I take full responsibility on that but I delivered work - - -

THE COMMISSIONER: When you say it was a mistake - - -?---Yeah.

- - - that's the part that I'm not understanding.---Sorry.

Were you just ignoring the reality, did you deliberately write it down?
---Ignoring the reality that I?

20

Of the amount of hours you'd worked.---Um - - -

Did you deliberately falsify the amount of hours you'd worked?---With my conscious, with my full conscious and attention, no, no.

30 What do you mean with your full conscious and attention?---For a person to go and do something wrong definitely their mind is set to do the wrong thing and my mind wasn't at all set to do the wrong thing. I was actually fund raising for the organisation so I wouldn't take from the organisation.
30 But for many years I have been doing the facilitator's work and I have been running around and never claimed. I can't remember what advice I got exactly at that time but I know that I started to claim facilitator work only in the last couple of years but I have been working for quite some time and I – it's easier for me now while I, I reach this stage of deteriorated body and mind to say yes, I'm wrong and get me out of here but I'm just saying exactly what happened, exactly. I did not by my mind or conscious deliberately want to do that. My mistake strongly is that I didn't keep
40 record that all the years I didn't claim in every year instead of claiming only in the last two years and my mistake that I used the wrong names for myself and my kids. It's my mistake. It's my fault. It's, it's deliberately my fault. That's what I deliberately can say.

MR RAJALINGAM: Commissioner, I wonder if the witness can be shown this one last document in relation to this topic and I will move on.

Ms Sharobeem, you've seen that bundle of documents before last year. Do you agree that it's your handwriting on each page?---That's the top is my handwriting and the, the hours calculation it's not mine.

And the remaining pages they relate to your sons don't they?---No. The second one is mine.

Sorry, yeah.---And the third one is my son.

Third. And the page after that?---That's actually his name. The one after is my son and the one after is my son.

10 So Rachie Kakel and Rachel Kamol relate to your son, Richard Sharobeem, don't they?---Yes. As I said, yes.

And Charl Gamal relates to your son, Charlie Sharobeem?---That's right.

I wonder if that can be tendered.

THE COMMISSIONER: Yes. Exhibit 38 I think.

20 **#EXHIBIT 38 - FACILITATOR INVOICES FOR EMMA ADLY,
EMY ADEL, CHARLIE GAMAL, RACHIE KAKEL & RACHEL
KAMOL**

MR RAJALINGAM: Bundle of facilitator forms.

THE COMMISSIONER: Yes. Mr Chhabra, have you seen that?

MR CHHABRA: We can photocopy. There's no objection.

30 THE COMMISSIONER: Thank you.

MR RAJALINGAM: Ms Sharobeem, just in relation to your wage and your facilitator fees, did you ever have approval from the board to be paid as a facilitator?---The board did not approve and the board did not review my salary for 12 years.

40 Did the board know about you having submitted – withdraw that. Did the board know about you being paid for facilitator work to your knowledge?---No, it's not my recollection, no.

I'm going to go back in time a bit. I'll take you to volume 2, page 52. Volume 2, page 52. 53. Sorry, 45. 44. Ms Sharobeem, do you see that as a transfer to your account in the name of Eman West?---Yes.

In the amount of \$1,199?---Yes.

On 2 December, 2012?---Yes.

I'll ask you to turn the page. Ms Sharobeem, this invoice was submitted in support of that reimbursement as far back as 2 December, 2012. What's it for?---This is a Miele.

It's an invoice for your home dishwasher, isn't it?---Yes.

I'll show you volume 25, page 45.---And why it's paid to me?

10 Well, it was submitted - - -?---And the address is not there.

Yes, but it's a dishwasher, isn't it?---We never had a dishwasher at work. This is my own.

Yes. And - - -?---I only have one item.

You know, yes, you know what the document relates to. It's a dishwasher, and the dishwasher is installed at [REDACTED] isn't it?---It is my dishwasher.

20 If we go – I showed you a transfer for the exact same amount on 2 December, 2012 to your account for that amount of money.---Sorry, I didn't follow. But when you showed me the Miele, yeah, it's mine.

Yeah. And that's the picture of the dishwasher at your place, isn't it?---This is mine, yes.

30 Okay. And you submitted that invoice for reimbursement, didn't you? Ms Sharobeem, it's unlikely that anyone else submitted the invoice, isn't it? The payments, all of these payments, Ms Sharobeem, are going to your account. You submitted this for reimbursement, didn't you?---I'm just trying to think of the words to say it right, because I know that in other events, shock like that got me so upset and I did say the wrong thing, and I need to correct the record today. But I just want to say this straight. If the organisation never had a dishwasher, how can I submit an invoice for a dishwasher? And the organisation is very small and everybody is talking to each body, each person. And the organisation is very, it's few people. For me to submit an invoice of a dishwasher, the (not transcribable) is the bookkeeper. Not even the auditor will come and say, "Eman, where is the dishwasher?" We never had a dishwasher at work, neither in Cabramatta nor in Fairfield. I didn't submit this. And the address is not shown there at all, but I know it's mine.

40 Yes.---We didn't buy anything for Immigrant Women's Health from Miele. We did not. And I didn't. It's an expensive item.

How did you think you paid for the dishwasher back then in December 2012?---I didn't pay for it. That's – oh, how did I pay for it? I paid by my credit card.

And did you then take the credit card receipt and the invoice and submit it for reimbursement?---So if I submit that invoice how it's paid to me? It's my personal invoice and the address is not there.

Ms Sharobeem - - -?---Yes.

- - - it's paid to you because you are the boss of Immigrant Women's Health Service?---Yeah.

- 10 You provide directions to the bookkeeper and the bookkeepers, all of them have said, if you gave them receipts they paid them to you. If they asked questions you would get upset. That's what Neth said. And Ms Chen also said if she got a bundle of receipts she would simply reimburse them. No one has given evidence to this inquiry that they were ever asked by you to sort out what was personal and work-related. Do you understand that?
---I understand what you're saying and I can't - - -

And that's the truth, isn't it?---No, it's not.

- 20 You gave reimbursements to be, you gave receipts to be reimbursed to you and it started much much long ago, didn't it?---I want you really to think with me, how can I present an invoice of a dishwasher to a bookkeeper - - -

Let's leave the dishwasher?--- - - - and tell her do it and do pay it, and she wouldn't go to the, to the auditor or even to resign and save herself from this crazy stuff? Any bookkeeper stayed with me for as much as they could and did not leave me. Neth - - -

- 30 Okay, no, no, okay, that's enough?---Sorry, I'm sorry.

I'm going to take you to volume 2, page 55?---I'm just trying to be as honest as I can.

Yes?---And this is just ridiculous. I'm sorry, this is ridiculous.

- 40 THE COMMISSIONER: You did get repaid this money?---Yes, I can see that now from the evidence and by the way, sir, I never ever looked at any financial document after the scribble or the squiggle I put, never ever saw what goes to the auditor, never ever reviewed that, never ever looked at it, never ever even asked for it, and for the bookkeeper to say that I ordered her, it's even not my style to order people. I heard hear say Eman said, Dr Eman Sharobeem said so and so. No, I didn't, and this is obvious, this is just very obvious thing, it's easy for her to go two steps exactly to the kitchen to see if we have a dishwasher or not.

Well, it's obviously obvious on the documents that we have, but what was submitted to the bookkeeper, was it a cut receipt?---A cut receipt with the invoice, sir. It, it's a cut receipt with the invoice. The invoice there, so how

can I receive money for a dishwasher? I, I, honestly I will say as soon as I see it, yes, I did that. For example, I just wanted to correct the record now about the beige, the beige lounge from yesterday. Yes, the beige lounge came to my house and the beige lounge was used as a new item to my house and I'm correcting the record here, the blue lounge went to my house and then I got it re-shipped to Cabramatta, and that's exactly what happened.

Thank you?---So if I am, if I did something wrong and I even did not say it right I'm here to re-correct it, but this one is just absolute crazy, sir.

10

Yes.

MR RAJALINGAM? Page 55 of volume 2, and this also relates to December 2012. You purchased for \$199 which is the bottom middle - - -? ---Where should I look?

20

The bottom middle receipt relates to Harvey Norman, and I'll take you to the original invoice, volume 5, page 359, and that credit card receipt you've just looked at was submitted for reimbursement, back in 2012?---I used to take half of the information out there, yes, and some of the times it's my fault that I did that to get reimbursed of things belong to me.

So you accept that some of the times you would cut receipts?---Before 2014, yes, when, before the beginning of 2014 I think or end of 2013 when the auditor told me to stop.

And you cut those receipts because you didn't want people to know what you were purchasing. Correct?---Not all the time, but - - -

30

But some of the times, yes?---Yes, some of the times, yes.

You didn't want the bookkeeper to know?---Some of the times, yes.

And what's a screen butterfly?---Butterfly? Ah - - -

How does this relate to work?---Where are we, sorry, where should I look, can you just move the cursor?

40

Well, this is, yes, this is the real invoice, screen butterfly. Is that a screen protector?---Um, yes. Screen protector as a computer screen protector or home?

All right. I'll take you to - you see - - -?---Screen protector definitely it's work. Why, why it's mine, why would I get a screen protector to home?

Yeah. I'll take you to page 143 of volume 2. 143. That's a cut receipt isn't it from Harvey Norman, would you agree?---Yes, it is.

But it's – you can't tell what it relates to. Would you agree with that?---No, I can't.

And indeed I can't even tell you, Ms Sharobeem, because we haven't been able to figure it out. I'll take you to - - ----Maybe with the year I can tell you.

10 What is it? It's for \$1,902.---24 June, most likely this the crazy time where all organisation including the small IWHS is trying to finish the excess amount - - -

Just what was it, just what was it?---I'm just thinking.

Well, what was it? No, no, can you tell me now what it was or ?---Most likely - - -

We'll move on.--- - - - it's equipment for the office. It's Harvey Norman.

20 You can't, you can't say for sure can you?---The date is the time - - -

Yeah.--- - - - where we run crazy to finish all excess money before the end of - - -

How are you sure about this particular receipt?---Because that's the crazy time where we run.

Yeah. You haven't been as sure about the other receipts have you?---It's the time only.

30 All right.---It's the time. Anything around that month, June, in any organisation it's the crazy time we try to finish the money.

I'll take you to page 146 of that same volume. This is a receipt for \$1,200. Do you know what this one relates to?---24 June, '13 it's the same thing.

Yeah. The same crazy time?---It's the, it's - - -

40 What must it have been?---It's either computer equipment or either paper in a lump sum or either a carpet or a table or two chairs. Things like that we get just to renew the items.

Did you ever buy paper in a lump sum from Harvey Norman?---Yes, if it's on sale.

How many times did you buy paper in a lump sum for about \$1,200 from Harvey Norman?---No, not only paper. I'm saying paper among other stuff but not only that.

Well, Ms Sharobeem, I'll take you to 4.131, volume 4, page 131.---I'm just giving you examples to answer your question but this is based on the time.

Well, this was a dresser that you purchased for \$1,200.---A dresser? Can I
- - -

A dresser.---Can I see it? Oh, sorry. Can I see that and I'll tell you - - -

I'll show you.--- - - - if it's personal or not.

10

Well, how is a dresser personal or work related, it's personal it's it?---It depends.

Why would it depend?---Because the item – why? Because we're a women's organisation. We used to do even dressmaking so I'm not sure if this is the one we bought for this room or not.

All right. Well, this - - -?---So just I - - -

20

Have a look at that.---I'm looking at it now. No, this is personal.

Yeah, it's personal. All right.---Yeah.

I'll take you to volume 2, page 270. You see that's a receipt for 1,259. Do you agree with that?---1,259, yes.

Yeah. What's the purchase for do you know?---It's written here office furniture.

30

No, no. But how do you – can you tell off the receipt what it's for?---I'm trying to look at the address. No, I – maybe with a bit more information I can. It's in 2014.

We'll go to the next page. Sorry. The page before that. Sorry, page 269. The reimbursement for that receipt I just showed you from Harvey Norman for \$1,200 was on 17 April, some four days later. Do you understand that? ---The reimbursement was four days later? Yeah.

40

Yes. We'll go back to page 270. Why do you need to cut the receipt four days later to submit it for reimbursement if it's office furniture, Ms Sharobeem?---But this is '14, and I remember I stopped actually this since Nathan told me. So I'm not sure. I, I can't really give more information about this. And if it's office furniture we bought, where is the rest of the information?

I'll take you to page 318 of that volume. Do you see a receipt for \$430.95? ---Ah - - -

The Harvey Norman receipt. Top right.---For 430.

Yes. Do you know what that's for?---No.

You can't tell, can you?---No, no, no.

Because it's a cut receipt, isn't it?---And this is in '14, and in '14 I, I can't remember. I actually said that.

10 I'll take you to volume 5, page 353.---But if it's Liverpool, it's close to office, so not sure.

That's the Harvey Norman invoice. Having looked at it, what's it for, Ms Sharobeem?---Just give me one second to read. The item's storage bag. And the - - -

What's Revitive?---It's all items for the kitchen and the groups. The Sunbeam Café, it's for the kitchen. The - I believe this is items for the cooking classes, for the kitchen.

20

Page 334 of volume 2. Can you show 334, 345 and 346? Do you see a receipt for 300?---Ah - - -

334. Page 334, receipt for 300? And it's on 8 February, 2014. Do you see that?---Yes, I do.

Go to page 345. 345. Do you see a cut receipt there for \$300 also on 8 February, 2014?---Yes. The cursor there.

30 At 3.06pm.---Yeah.

And at 3.46. The next page there's another credit card receipt for 8 February, 2014 at 3.08pm. Go back to page 334. You'll see that that receipt is for 3.09pm.---Mmm. Yeah, I can see that.

You made those transactions, didn't you, on your MasterCard?---If it's my card was used, yeah.

40 Yeah. Why are you doing three \$300 transactions, Ms Sharobeem?---I truly don't know what this reference to.

Yeah. Why are you cutting the receipts, Ms Sharobeem?---I used to do that until Nathan told me and I think at that time ah - - -

Isn't it obvious that you're cutting the receipts to hide from the bookkeeper what you've actually purchased?---Sometimes.

It's it obvious?---Sometimes.

It's obvious, isn't it?---I just said sometimes.

Most of the time, Ms Sharobeem, over - - -?---No, sometimes I did.

- - - a number of years you would cut receipts, wouldn't you?---At the beginning we though, I thought that - - -

Who is we? Because it's unclear?---I just corrected myself.

10

Sometimes it's we, the bookkeeper from 2009, then the bookkeeper from 2011 and '12. Who are you talking about, we, who was cutting receipts with you, was there anyone else responsible for cutting receipts apart from you?---Because of the way - - -

Was there anyone else responsible for cutting receipts - - -

MR CHHABRA: Objection, Commissioner.

20 MR RAJALINGAM? - - - apart from you?

MR CHHABRA: At some point Counsel Assisting will actually have to allow the witness to answer.

THE COMMISSIONER: Could you answer that question, yes, or no? ---I don't know which one. He's just bombarding me with questions and accusations at the same time.

30 No, he's asked the same question, is it only you who cut the receipts? ---Up to the time when Nathan told me, Eman, don't do that, and we set up a system, I was cutting receipts in even the presence of the bookkeeper because it was bulky and that was absolutely wrong, and some other times I've benefited from that.

40 So when you say cutting the receipts, do you mean cutting across with scissors?---Sometimes scissors was used, sometimes taking the staple out was used, sometimes tearing the two pieces was used, sometimes even she helped me doing that to reduce the bulk, sometimes to hide the information about the purchase because it was for clients. It was done, yes, at that time, yes, but since Nathan told me and we set up a system I didn't do that. I, I remember even fading away when he called me again and he said, "Eman, still cutting?" And I said, "No, no, no, Nathan, that's good you told me."

So when did Nathan tell you that?---It would be either end of '13 or beginning of '14 when he - it could be - - -

But you've seen that since then there have still been many many many cut receipts?---The time where the Assistant Commissioner showed me this, I

actually not only freaked out but I nearly had another shock like I had before because I didn't expect that receipts would be cut in our financial system, based on the agreement I had with him, we had an agreement that I will give everything to the bookkeeper and it will be handed, and another evidence sir that if I am cutting the receipts myself, when Nathan, sorry, Neth was overwhelmed with the work between NESH and IWHS in certain stage, Nathan told me, I will send you somebody else from the office to help, and this person came and reviewed Neth work and I paid for her as well, so if I am cutting and continuing that attitude when Nathan told me to stop I will try to hide it and I will try to do, no, no, I will do it myself and give her the final work.

You're still not, you're not answering the question?---Sorry.

The question should be answered with a simple yes or no?---Sure.

Did you cut receipts after Nathan told you that?---No. Not to my - - -

Thank you?---Not to my recollection.

Thank you?---I'm sorry, I'm giving explanation.

Thank you.

MR RAJALINGAM: I'll take you to page 339 of volume 2. Do you see a cut receipt there for \$1,269?---Yes, I can see that.

Do you see that? That's from Harvey Norman. Do you know what that relates to?---1,269, no, but that, that would be me, it's the beginning of 2014 so I'm not sure.

I'll take you to page 340. Do you see a cut receipt for 1,799?---That's again beginning of 2013, 2014, so it could be my – not, not that I would cut it (not transcribable), but it could be that time.

Go back a page before. Go back, forward a page. And I want to be clear about this. There's two transactions here over two minutes.---Yeah.

Right, Ms Sharobeem? They're about 1,500 a pop. And you are submitting them for reimbursements cut, aren't you?---Um - - -

Go back a page.---I'm just saying, at that time, the early 2014, I might have been the one still cutting, as I just said (not transcribable).

I'll take you to page 164 of volume 3. How many fridges have you bought for the service?---Over the 12 years, between three to four.

Three to four fridges for the Immigrant Women's Health Service? Is that your serious evidence?---To my recollection. To my recollection.

Did any of those fridges have some time at your home in [REDACTED]
---Yes, when they were recycled.

When they were new?---When they were new?

10 When they were new, were they delivered to [REDACTED] No, I bought myself a fridge delivered to [REDACTED] That's my own buy. The one I have at home is mine.

How big was - - -?---It wasn't purchased for - - -

How big was the fridge at IWHS?---Varied. We had – couple of them were big and the last one, because we got the cooking classes growing and we used the kitchen as a class, so we reduced the size.

20 How soon would you – how long would it take for you to change the fridge?---The one we bought before this one, we had it in the actual group room, which is a kitchen, actually. And it was big so the staff told me to get a smaller one, so we did.

I'll – what's this one for, here you see on the screen, the Hisense 243-litre fridge? You purchased that on 8 April. Sorry, 8 April, 2015.---This is my own fridge and it shouldn't be here.

Okay.---And this writing on the top is not mine.

30 I'll take you to volume 2, page 160.---I didn't submit this to be reimbursed. It's my own fridge.

Well, it ended up being reimbursed to you, Ms Sharobeem, on 8 April, 2015.---With my, with my details. With my, that's obviously you took off or blacked out my details. It's my own fridge and it's delivered to my own home. Why it's reimbursed to me?

40 THE COMMISSIONER: That's the question we're asking you.---It's exactly, sir, the question itself address my point about taking everything here from my desk and pay me. And if my address is mentioned there, why the bookkeeper reimburse me? Why? That's my, that's what I'm saying.

And if the bookkeeper reimbursed you, why didn't you realise that all this money was going into your account?---I can't even say. It's my stupidity again. But it's a nature. I didn't have time to check my account. And, sir, you have all the power to check how many times I looked in my account, to my account during this time.

But, Ms Sharobeem, there are - - -?---Honestly, I didn't know.

- - - tens and tens of thousands of dollars' worth of reimbursements going into your account that shouldn't have gone there.---And - - -

10 Couldn't you – you were not aware of it?---The honest truth, and maybe it would sound really stupid but that's the truth, to the extent that when the auditors showed me this, straightaway I repaid them in full. And even in his own claim, it is double reimbursement. So they were double-troubling me, in some sense, to the extent that my own personal fridge. And this is a shock. When the investigators came to my house and checked my appliances in the kitchen, I was just wondering why they are doing that, because it's my lawful fridge.

I understand what you're saying.---Sir, this is actually an evidence that that's a set-up. It's just a clear evidence that I didn't submit this at all. Would I submit it like that?

20 Do you suspect a particular person of setting you up?---As I said to you, sir, before, my suspicion only goes around the time where [REDACTED] came to our organisation, and everything was tumbled - - -

When did that person come to your organisation?---She started coming by the end of 2013.

And when did she finish?---Well, she actually didn't finish. I trained her and I was equipping her and she actually moved to NESH and I am the one finished so I don't know when she finished.

30 Okay. Thank you. I suppress the name that was mentioned in relation to that.

SUPPRESSION ORDER: THE NAME OF THE PERSON EMAN SHAROBEEEM ACCUSES OF FRAMING HER TO BE SUPPRESSED

40 MR RAJALINGAM: Ms Sharobeem, I'll take you to page 167 of volume 2. It's a receipt for 335 from Bing Lee. Do you know what it's for?---It's in 2013, August. No, I can't.

I'll show you volume 29, page 5.---It's – sorry, it's Ware Street, Fairfield so most, most likely it's work related.

5, page 29. It's a receipt for an urn and an iron. Can you explain how they are work related?---We have the, the urn, we have actually bought over the years more than 10 or 12 urns.

What about the iron?---And the iron we bought it, we bought more than four irons for the dressmaking groups and this one in particular wasn't working well and I remember that I took it home after actually a year or so or maybe less. I can't remember the time but I recall seeing it at home.

Was it – were these items purchased on your MasterCard, your personal MasterCard? You see the receipt at the bottom.---Yeah, 85 is the last two digits.

10

Yeah. And you – in fairness I'll show you the customer. It shows IWHS, 92 Smart Street, Fairfield at the top. Do you see that?---Yeah.

Okay. I'll take you to – I'll show you another receipt. Page 277 of volume 2. 277 of volume 2. It's a receipt for – you can't see it but it should read 799. Do you agree that the receipt is hardly legible?---I, I can't see even what's this about.

It's a cut receipt isn't it?---It is.

20

I'll show you page 28, volume 5. That's a microwave oven. Again it's got the IWHS details at the top. What was it for?---We always have a couple of microwaves, one in Fairfield and one in Cabramatta but the picture here, this is actually mine. The picture here, this wasn't purchased for Immigrant Women's Health. This is my personal one.

All right. I'll show you page 57, volume 3. Do you see the three receipts at the bottom?---Yes.

30

The first two are declined on 8 June, 2014 at 4.31 and 4.32pm. Would you agree with that?---Which one, the – can you please point the cursor to it please.

Left.---This one?

That one's declined isn't it on the left bottom?---I can't see the word. Oh, yes, yes, I did. It's declined.

40

Do you know if that was using your personal or IWHS credit card?---This is the problem I mentioned before. That's why I was using smaller amounts not to be embarrassed at the cashiers and - - -

It's a Visa. It's the IWHS isn't it?---The number would find – yeah, 62 is IWHS.

All right.---Now, because I only had 85.

If you see the next receipt is also declined but for \$1,000. Do you see that?

---Yes, it is here written declined.

And the next, the next receipt about two minutes later - - -?---It's approved.

It's approved but it's on your personal MasterCard?---That's right. That's when I was using mine.

You submitted all three of those credit card receipts for reimbursement - - - .---Oh, boy.

10

- - - Ms Sharobeem. Is that a surprise to you?---Sir, even, even if it's left on my desk the bookkeeper doesn't have any sense of understanding of the things she's paying. She is reimbursing a declined receipt. This is what I've been saying again and again and again. This is just unbelievable. This is – if it's not a set-up what, what this would be?

20

It shows doesn't it that you are submitting receipts which haven't even been processed for reimbursement.---This is my evidence that I was using my personal credit card because the organisation card was not working and this is another evidence that the bookkeeper either was setting me up with somebody else or she wasn't capable or confident or have the ability to do proper bookkeeper. To reimburse any human being yet alone the manager of a declined receipt, sir, would that be reasonable?

Did you cut those - - -?---This is just what I'm trying to say. Cut. They are not cut even. They are as is.

Go back to, go back to - - -.---Please show them again. They are as is.

30

We'll just check that. Page 57. You might be right about that. Page 57. ---This is what I'm saying. They are not cut, sir.

Yes. Okay. I withdraw that question. I'll take you to page - - -.---This is, sir, what I'm trying to say. This is the evidence here what I'm trying to say and repeat.

40

Page 74, volume 3. I took you to an earlier – sorry. Volume 3, page 74. I took you to an earlier receipt for a fridge that you purchased on 8 April, 2015. That was a I think a 23-litre fridge. This is a 63-litre fridge. It's the invoice for \$4,000, receipt for \$4,000. Do you know what that's for just looking at the credit card receipt, Ms Sharobeem, can you tell?---You're saying it's a fridge?

I'll take you to volume 5, pages 35 and 36. Start with 35, volume 5. ---Sorry, what was the date for that again?

8 June, 2014.---Right. Sorry.

Sorry, 35. 35. You see page 35, Ms Sharobeem.---This fridge is mine.

That's our fridge?---It's never been to Immigrant Women's Health.

It was delivered to your house wasn't it?---Yes, it's mine.

To your [REDACTED] address?---It's mine. It's delivered to my home.

10 And the dryer as well? I understand it's yours. What about the dryer?---It's mine.

Okay. The dryer was purchased for \$569 wasn't it? I think the - - -?---I can't remember.

Well, all right. Pardon me.---It's my purchase.

20 What about the optometrist, did you submit cut receipts in relation to attending the optometrist for your glasses and your multifocal lenses?---(No Audible Reply)

Did you or did you not?---(No Audible Reply)

It's pretty simple isn't it, Ms Sharobeem. You either submitted them for reimbursement or you didn't.---No, I didn't.

You didn't? Well, I'd suggest to you that you'd been doing it for some time.---How many times a person can change their glasses?

30 Can I – I'll take you to page 213 of volume 1. What – I understood, Commissioner, you might have been breaking later. But I - - -

THE COMMISSIONER: No, we'll stay on till half past 1.00.

MR RAJALINGAM: Okay. Volume 1, page 213. Do you see that's a receipt for \$516?---When was that?

Well, it's for 1 December, 2011. I'll take you to volume 5, page 290 to show you what this is for, Ms Sharobeem.---Sure.

40 On 1 December, 2011, you made a payment to Eye Concepts of \$516, didn't you?---That's right.

Okay, so - - -?---Based on this, that's the place I do my eyes and my glasses.

And you've submitted your credit card receipt for reimbursement and you were reimbursed on 16 December, 2011. What do you have to say about that?---An absolute mistake and the money should be reimbursed.

Well, six months later you made the same similar mistake. I'll take you to page 13 of volume 2.---Six month? Why would I change my glasses in six month.

Page 13, volume 2. This is only a receipt for \$50, Ms Sharobeem, so you might not have changed your glasses. Do you see that? It says NIB Health.---Yes.

10 And do you see the terminal ID is S-S-4-6-1-A?---Definitely, it's a big mistake and my apology for that.

Do you agree that that's for Eye Concepts? Do you want me to show you the original invoice or are you happy?---I am happy with what you're saying but definitely it's not my entitlement.

19 June, 2013. Volume 2, page 135. You were reimbursed again for Eye Concepts but for \$200.---2005?

20 Do you see that \$200?---Sorry, when was that?

19 June, 2013. I'll take you to page 292 of volume 5. To 135 of volume 2. Sorry, 292 of volume 5. Do you see a payment that you make on 19 June, 2013 there for \$200?---Yes, and this is personal. It shouldn't be reimbursed to me.

You submitted cut receipts in relation to these payments, didn't you, Ms Sharobeem?---At that time, yes, I was separating the information. Yes, that's right.

30 And you were doing that because you were hiding the details, weren't you? ---As I said, for different reasons in some of the times. But I never felt that my eye glasses are my entitlement, so it's absolute mistake, I have to say that.

But you cut - - -

THE COMMISSIONER: Sorry, you were saying that you were cutting receipts at that time?---Yeah.

40 This is November 2016.---'13, I - - -

I'm just looking at the date on the – oh, I see. '13.---Sorry, yeah.

Sorry, yes, you're right. 2013.

MR RAJALINGAM: Take you to volume 2, page 274.

THE COMMISSIONER: If you were cutting the receipts at that time, up till when? 2014?---The beginning of it to my recollection.

It would be impossible for the bookkeeper to know what the receipts were for.---She usually ask me if I don't give her explanation. And sometimes I didn't write the explanation because I didn't want her to know that, for example, this is grocery where I got personal and work items together. So if it's grocery it would just go in - - -

10 Sorry, are you saying that you deliberately did it so that you could get reimbursed for personal items?---Not for everything.

No, but did you do it deliberately on some occasions?---In some occasions, yes.

To get reimbursed for personal items?---For, yeah, before the time he told me don't cut.

MR RAJALINGAM: 274. There's a receipt there for \$400, do you see
20 that, top middle, and it has the same terminal ID, S-S-4-6-1-A. Would you agree that that's another cut receipt for Eye Concept?---No, at that time I wasn't cutting receipts, no, I'm sure.

Well, it's a cut receipt, isn't it?---It is a cut receipt, but no, well, the thing I did wrong, I actually said I did but I didn't cut this ones. That time, no, I stopped.

Well, I'll take you to page 305 of volume 2, and here's another one for
30 another receipt that was reimbursed on 14 May, 2014, page 305. The receipt for \$400 on the right-hand side is from Eye Concept, isn't it?
---(No Audible Reply)

And it's been submitted for reimbursement, hasn't it, Ms Sharobeem?
---Um, can you just put the mouse around it?

The one that says, "gap payment, \$400" to the right, to the right-hand side?
---Can you please just point out the date of that.

Well, it's been cut off?---Oh, definitely it would refer to the financial year.

40 Did you cut these receipts as well, Ms Sharobeem - - -?---It's the financial year '14.

- - - in 2014?---No.

They look much the same as the receipts that were being cut from years before, don't they?---Obviously they follow the pattern it was or something, I don't know, but no, I don't even know.

Volume 3?---I can't even recall.

Page 141 of volume - - -?---But the 400, I remember paying it.

Do you see those receipts at the bottom, \$200, \$100 and \$100?---Yes.

They occur over 23, 24 and 26 February, 2015, don't they?---February 2015, the date, yes.

10

And they all are cut receipts, aren't they?---Yes.

I'll take you to volume 5, page 293. Do you see those dates there, Ms Sharobeem, and the payments you have made?---Yes.

23, 24, 26 February, 2015?---Yes.

All of those receipts related to your personal optometry, didn't they?
---Yes, and as you can see, I'm paying it bit by bit.

20

Yes?---So that's my personal attitude, to pay bit by bit.

Just moving now very briefly to the Lily Room Cosmetics. Do you agree that all transactions conducted at Lily Room Cosmetics were for a personal nature?---Absolutely.

Reimbursements for your receipts from Lily Room Cosmetics commenced on 10 August, 2012 till 12 May, 2015 and totalled \$11,025.79. Can you explain how that is the case?---Sorry, give me a clear - - -

30

From 2012 to 2015, you were reimbursed approximately \$11,000 for your expenses, for your transactions on your MasterCard at Lily Room Cosmetics. Can you explain that?---Between the year '11 and - - -

August 2012 to May 2015.---As I said, Lily Room is a place where I was getting treatment and it's a personal purchase. It shouldn't be paid by the organisation.

40

Ms Sharobeem, you would attend Lily Room every three months, wouldn't you?---No, I don't think so.

The Commission has evidence that you were reimbursed in August 2012 for about \$2,000. The Commission has evidence that you were reimbursed in November 2012 for about \$1,250. Then in March 2013 you spent \$400 and you were reimbursed. Middle of 2013, you spent \$951 and another \$1,000. November 2013, you spent \$740. Then in March of 2014 you spent \$1,625. Middle of 2014 you spent 975. November 2014 you spent 975, and April 2015 you spent 780. Are you saying it is a coincidence that all of these

receipts were accidentally reimbursed to you?---In a matter of fact, Lily Room, as soon as you mentioned it, sir, last week I said to you this got nothing to do with Immigrant Women's Health. It might have been the case at the beginning that I deliberately put one invoice in, and maybe that's where the bookkeeper was misled and then paid them again for me. But I don't think I deliberately at all put those invoices in, because no purchase was done for the organisation or service received from them. And as soon as I was told about Lily Room, I was really surprised that it's actually part of it. The auditor as well, over these years, did not point out to me at all about this. And it's my mistake maybe at the beginning that I wasn't clear about it enough, but I was really shocked when I saw that it was reimbursed to me towards the end as well.

Ms Sharobeem, did you say that the IWHS credit card was what colour?---I think it's still red. It's - - -

What about your personal MasterCard, what was that?---Towards the last year it was black.

20 Well, I'll take you to volume 2, page 43. Some of these transactions occurred on your IWHS credit card, Ms Sharobeem, so it's surprising to hear you say that you think that the bookkeeper has accidentally reimbursed this to you. You used your IWHS credit card at Lily Room Cosmetics didn't you?---And, and definitely that's an absolute wrong thing, sir, and definitely it's not deliberate.

But you have done that. No one else has done that have they?---Absolutely and it's not deliberate.

30 And you did that intentionally didn't you?---No, no.

You did that because - - -?---No.

- - - you were being dishonest?---No. No, no.

Well, I'll take you to - - ----That's a big, that's a very big word, sir.

40 - - - page 43, volume 2.---For a person – when I started this organisation it was that much. I made the organisation by myself so I cannot be dishonest to myself.

This is not about you making the organisation.---I made it.

This is about you taking money from the organisation.---I made it and I was making money for it.

Have a look at the receipt. Have a look at the receipt on the bottom right.

---I, I know but I, I hear you. Definitely it was a mistake and another mistake was done also with the electric gate and I, I have to say it clear that at the electric gate as well I used the organisation account online and when I saw that last weekend I was furious at my own self because I, not deliberately, one cent of deliberately did the wrong thing and here I – I am here saying that I was mistakenly did that. There is no way, and you saw, sir, other evidence that I used the organisation card, it didn't work. Definitely at that time when I was at the clinic I used mine and it didn't work so I used the Immigrant Women's Health but to say dishonest it's a very big word, sir.

Commissioner, I'm happy to leave it there.

THE COMMISSIONER: Yes. I think we'll adjourn till 2 o'clock.

LUNCHEON ADJOURNMENT

[1.30pm]