
I, SHARON ELIZABETH CURE of [REDACTED] in the State of Tasmania DO SOLEMNLY and SINCERELY DECLARE THAT:

1. I have been a Magistrate in the State of Tasmania since 12 January 2015.
2. I signed the Victorian Bar roll in March 2000 and practised as a barrister until I was appointed a Magistrate in Victoria in 2008. I had previously been a solicitor with the Office of Public Prosecutions for 9 years.
3. In response to the request for information dated 8 February 2020 I make this statement addressing the specific topics contained in that request.
4. In 1999 I came to know Nicola Gobbo when I was prosecuting a prostitution control matter. She was defence counsel. I was concerned about her conduct in that matter.
5. Nothing subsequent changed my concern about her.
6. I moved to Crockett Chambers in early 2005.
7. In 2006 Nicola Gobbo took over the room when a member of chambers went overseas. It was supposed to be a temporary arrangement enabled by Mr Heliotis QC.
8. In June of 2007 I occupied a room on the 7th floor. Later that year I moved to the 6th floor.
9. I believe I always locked my chambers. I was sharing with another barrister in some of 2007. I cannot exclude the possibility that the door was left unlocked.
10. A master key to all the rooms on the 7th floor was kept in the power box cupboard in the small hallway to the kitchen. That was well known and if access was needed to any chambers it was available to anyone.
11. I have looked at my fee book. I was not in court on 25th June 2007 nor did I have a trial commencing that week. It is unlikely that I was in chambers that weekend. I can say no more than that.
12. I did a lot of work at home given I had a young family.

alc

13. I was briefed to appear as junior counsel to the late David Ross QC for Carl Williams late in 2006. We were briefed to appear for him in the Jason Moran and Pasquale Barbaro murders at Cross Keys Reserve in June 2003.
14. Shortly after I was briefed, Nicola Gobbo told me in the reception area of Crockett Chambers that she had been "talking to Carl". She may have told me that on more than one occasion.
15. I did not discuss the case with her. I regarded her speaking with him as unusual if not improper given she was not representing him.
16. The murder trial did not proceed on 27 February 2007. Williams entered pleas of guilty to various charges including the murder of Jason Moran.
17. The resolution of the matter was complex.
18. Mr Ross QC and I obtained a ruling from the Ethics Committee on 26 March 2007 to continue to act. Williams' instructions changed after he pleaded guilty.
19. I represented Williams in a hearing on 14th March 2007 unrelated to the murder trial. On that day he instructed me to advise Detectives O'Brien and Bateson, who were present, that he did not wish to make a statement to police assisting them. I did so.
20. In a prison conference on 2 April 2007 he told me that he had decided he would make a statement to police. He had discussed that with Mr Ross QC and I and what impact it might have on his sentence.
21. On 24 April 2007 I was at Barwon Prison after a conference with Williams. Police arrived with a document and Williams signed it. I believe it was "The Statement"¹ that is now before the Royal Commission. I did not read it and I did not know of its contents.
22. On 27 April 2007 in the Supreme Court, the Crown tendered a document in a sealed envelope that I believed to be The Statement. Williams signed an undertaking to give evidence in accordance with it.
23. I did not know of its contents until 2019 when it was published by the Royal Commission.
24. In an email dated 25 April 2007 at 6.11pm, which I attach, I told Ms Altman, my Instructing Solicitor and Mr Ross QC the following:

¹ Exhibit RC0247b

Alt

...

"3. Carl has signed the statement. We will not receive a copy and it is highly sensitive and subject to an ongoing investigation. It is proposed that there be an application for suppression in relation to the following facts:

(a) no publication of the fact that he has made a statement;

(b) no reference to the undertaking to give evidence or assistance to police.

We discussed this at length and it is what the police want and I suggested to Carl that to permit a reference to him assisting in police corruption might not be what is actually reported and it is better that there be a suppression rather than any speculation as to why the court was closed..."

25. I recall being given a document in a sealed envelope at Barwon Prison. I cannot remember exactly when. I attended on many occasions to take instructions. I took the envelope back to chambers and put it in my filing cabinet. Within a very short time the same day, Detective Bateson came to my chambers in William Street with another Detective and asked to speak with me. That was out of the ordinary.
26. He entered my room, closed the door and asked for the return the envelope. I had not opened it.
27. I cannot exclude the possibility that it was The Statement but it is my memory that it was a much shorter document of 2-3 pages. I handed the envelope to Bateson.
28. I knew around that time that Williams alleged that Gobbo had been a conduit between Dale and he and believe now that is what it was about. I was naturally cautious because it implicated Gobbo in serious offences.
29. Mr Ross QC advised Williams not to give evidence at the plea hearing in late April 2007. Williams signed a written copy of that advice which was on the brief I returned to my Instructing Solicitor.
30. Despite that advice, Williams gave sworn evidence. Subsequent to his evidence, the Crown announced that it would not call him to give evidence as he was not regarded as a witness of truth.
31. Williams was sentenced on 7 May 2007. He did not receive a discount for providing assistance.
32. On 8 May 2007 I filled in my fee book. The brief was bundled up with the backsheet and placed in the out tray outside my chambers for my clerk to collect that day.
33. The only material I kept were notes and copies of my chronologies, tables and lists. I also had court books and various documents on my computer.
34. I did not say to Nicola Gobbo at any time that I had received a brief and "you are all over it."

all

- 35. I raised with Williams at one of our early conferences, the call charge records. In particular, I sought his instructions on the calls between Gobbo and [REDACTED] I was concerned about her involvement with [REDACTED] at the time of the murders. I do not believe he ever provided instructions on that issue.
- 36. I do not specifically recall the records of Gobbo's visits to [REDACTED] in prison.
- 37. I did not have a copy of The Statement in a blue Victoria Police folder.
- 38. I did not discuss the Williams' case with Gobbo at any time nor is that likely given the concerns I had about her involvement.
- 39. I did not ever give Nicola Gobbo permission to enter my chambers when I was not there.
- 40. I did not invite her into my chambers when I was there.
- 41. I do not believe she was ever in my chambers with my knowledge.

I make this solemn declaration under the Oaths Act 2001.

Declared at: *Launceston*

Signature: *Allewe*

Date: *10.2.20*

Before me: *Jluck*
JP 5155

Alle

Sharon Cure

From: "Sharon Cure" [REDACTED]
To: "Marita Altman" [REDACTED]; [REDACTED]
Sent: Wednesday, 25 April 2007 6:11 PM
Subject: Williams - the ongoing saga

David and Marita

The current state of play is this:

1. I endeavoured to negotiate improved conditions for Carl with Geoff Horgan. We had meaningful discussions but the final result is that The OPP and Purana say it is not up to them. Carl received a letter on Monday saying that his classification has been changed from Regime 2 to 3 which slightly improves his conditions. He wants more.

Geoff Horgan says there is nothing more he can do. He suggests that perhaps the sentencing judge might have some more clout - and it is a matter for us but it could be raised on the plea. What do you think? He wants weekly contact visits and unlimited phone calls. At present under the new regime he is to receive 2 one hour box visits a week, 1 contact visit a month with children and assessment for a further 12 family visits subject to application. and other additional benefits in the letter that I will show you.

2. As for the summaries the Crown is not too flexible but I am going to make one last ditch effort to negotiate a couple of issues. I will forward the copies to you. I have now read the Lewis Moran brief. I am running out of time but I can make some representations on Mallia.

3. Carl has signed the statement. We will not receive a copy and it is highly sensitive and subject to an ongoing investigation. It is proposed that there be an application for suppression in relation to the following facts:

(a) no publication of the fact that he has made a statement;

(b) no reference to the undertaking to give evidence or assistance to police.

We discussed this at length and it is what the police want and I suggested to Carl that to permit a reference to him assisting in police corruption might not be what is actually reported and it is better that there be a suppression rather than any speculation as to why the court would be closed...

4. Carl still wants to give evidence about his conditions. He also wants to set the record straight about certain facts. I intend to type these up and email them to you.

I am available tomorrow and I will have my car - with the intention that we go to the prison late morning. I don't know if we are ready to proceed. If the Prosecution don't agree to our demands on the summary then we may need more time to consider how we go about proving the matters...

I will send you further materials shortly.

Sharon

25/04/2007

SLC