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ROYAL COMMISSION INTO THE
MANAGEMENT OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Thursday, 13 June 2019

Led by Commissioner: The Honourable Margaret McMurdo AC

Also Present

Counsel Assisting: Mr C. Winneke QC
Mr A Woods
Ms M. Tittensor

Solicitors Assisting: Mr H. Rapke
Ms A. Tighe
Ms. T Lingard

Counsel for Nicola Gobbo Mr P. Collinson QC
Mr R. Nathwani

Minter Ellison : Mr [REDACTED] Gobbo Solicitor
Ms. [REDACTED] Gobbo Solicitor
Ms [REDACTED] Gobbo Solicitor

1 MR RAPKE: Hello,

2

3 MR [Gobbo Solicitor]: No, it's Mr [Gobbo Solicitor] here now.

4

5 MR RAPKE: Hello Mr [Gobbo Solicitor], how are you?

6

7 MR [Gobbo Solicitor]: I'm pretty well thanks, yourself?

8

9 MR RAPKE: Very well. Very well today, thank you. I'm
10 here with Commissioner McMurdo and other members of the
11 Commission legal team, counsel and solicitors, and we're
12 ready to proceed if you are and Ms Gobbo is.

13

14 MR COLLINSON: Yes. Good afternoon to all. We've got our
15 counsel team and solicitors team as we had outlined in our
16 email and we've got the client on hold at the moment, so
17 we're ready to patch her in. Just before we do that,
18 Commissioner, it's Peter Collinson speaking.

19

20 COMMISSIONER: Yes, Mr Collinson.

21

22 MR COLLINSON: I don't want to take up any time at all. I
23 did register with counsel assisting some reservations that
24 we have about the relevance of a lot of the questions that
25 are to be asked because they seem to go to minute details
26 of events relating to the murder of the Hodsons. Now,
27 counsel assisting explained to me a basis upon which
28 relevance might be established and I think our view on this
29 is we just don't want to raise any further objection at the
30 moment but we do maintain a potential objection on the
31 basis of relevance but we don't ask you to rule on that
32 now, we're happy to go to the questions.

33

34 COMMISSIONER: All right. I note that you've raised the
35 matter. Thanks, Mr Collinson.

36

37 MR COLLINSON: Thank you, Commissioner.

38

39 COMMISSIONER: Can you hear me okay?

40

41 MR COLLINSON: Yes, yes, we can, thank you.

42

43 COMMISSIONER: Thank you.

44

45 MR COLLINSON: So I'll now endeavour to patch in our
46 client. Just one moment, please.

47

1 COMMISSIONER: Thank you.

2

3 MR COLLINSON: Hello, I'm afraid because we've done the
4 calls in a different order they can't actually conference
5 us in so we'll just have to get our client to answer the
6 call we were holding and then I'll be able to patch you in.
7 So if you wouldn't mind holding for that purpose.

8

9 MR WINNEKE: No problems, Mr **Gobbo Solicitor**, thank you.

10

11 COMMISSIONER: Thank you.

12

13 MR COLLINSON: It won't take long.

14

15

16 Hello, Nicola, do I still have you?

17

18 MS GOBBO: Yes, I'm here.

19

20 MR **Gobbo Solicitor**: And Commissioner and counsel assisting et al.,
21 do we have you as well?

22

23 MR WINNEKE: Yes.

24

25 COMMISSIONER: Loud and clear.

26

27 MR COLLINSON: Excellent. All right, well we've managed to
28 make the technology work.

29

30 COMMISSIONER: Well done. Well done. Thanks Mr Collinson.
31 Hello, Ms Gobbo. Thank you, Commissioner McMurdo speaking.

32

33 MS GOBBO: How are you?

34

35 COMMISSIONER: Have you had an opportunity to read over the
36 transcripts of our earlier conversations?

37

38 MS GOBBO: Yes, but not recently.

39

40 COMMISSIONER: And were you happy with them as being
41 accurate?

42

43 MS GOBBO: No, there's a lot of - well, I wouldn't say,
44 they're not inaccurate but there's a lot of things I want
45 to add to and, um, and expand on and, um - there's just a
46 lot more that I can say about a lot of things.

47

1 COMMISSIONER: All right. At some stage soon if you could
2 do that and, through your solicitors and when you're happy
3 with them swear or affirm to them as being accurate.

4
5 MS GOBBO: Um, Commissioner, I don't have any - I want, I
6 really want to keep it clear that I don't have any issue
7 in, um, doing my level best to provide any detail or as
8 much detail about anything but - if I'm wanted, but I'm
9 just, I'm really constrained by, by being, um, in such
10 difficult circumstances, um, without any form of support
11 and, um, I'm just trying to do my best day by day.

12
13 COMMISSIONER: Sure. But you can indicate on that in the
14 transcripts and anything you're not sure about just say so,
15 but in due course if you could do that that would be of
16 great assistance to us. All right then?

17
18 MS GOBBO: When time - when, when time allows, yes I will.

19
20 COMMISSIONER: Thank you. I'll hand over now to Mr Winneke
21 to ask some questions. Thank you.

22
23 MR WINNEKE: G'day Nicola. Just a quick couple of things.
24 You've got some questions, I take it, that we've set out
25 and you've had a look at those, have you?

26
27 MS GOBBO: I, um, printed them, I [REDACTED] to be
28 printed this morning and I've just glanced at them is all
29 I've been able to do this morning.

30
31 MR WINNEKE: Right. Well we'll go through them but just
32 before we do, have you also seen a statement that's been
33 made by Paul Dale for the purposes of this Commission?

34
35 MS GOBBO: I've got it but I haven't read it, as in, um,
36 Mr [Gobbo Solicitor] [REDACTED] emailed it to me yesterday, yesterday afternoon,
37 but, um, I didn't, I couldn't physically open it until, um,

38 [REDACTED]

39
40 MR WINNEKE: Right.

41
42 MS GOBBO: And I had to go and get a new phone yesterday so
43 that's a separate saga, and so I downloaded it last night

44 [REDACTED] to be printed because [REDACTED]

45 [REDACTED] and I collected it [REDACTED]

46 [REDACTED]

47 um, but I haven't read it, and in a way it's probably

1 better I don't read it first.

2

3 MR WINNEKE: All right. So you haven't read it at all?

4

5 MS GOBBO: No.

6

7 MR WINNEKE: Okay.

8

9 MS GOBBO: That's the truth, I haven't read it.

10

11 MR WINNEKE: All right then.

12

13 MS GOBBO: It is sitting, [REDACTED]
[REDACTED]

15

16 MR WINNEKE: All right then. Well then what we might do is
17 one after the other go through the questions or topics that
18 we've set out in the document that we sent to your
19 solicitors, and the first - - -

20

21 MS GOBBO: Hmm hmm.

22

23 MR WINNEKE: - - - topic really concerns your meeting with
24 Paul Dale and I take it that you have a recollection
25 generally of meeting Paul Dale or when you first met him
26 and the context of the initial meeting or meetings, is that
27 right?

28

29 MS GOBBO: Um, I can't remember precisely which, which
30 client it would have been. I do recall that he was the
31 sergeant in charge of one of the Drug Squad crews.

32

33 MR WINNEKE: Yes.

34

35 MS GOBBO: So he was one of the powder and pill - I used to
36 call it the powder and pill crew, as opposed to the heroin
37 crew.

38

39 MR WINNEKE: Yes.

40

41 MS GOBBO: And I just, I couldn't - I can't remember
42 precisely which, which bail application it would have been
43 when I came across him the first time.

44

45 MR WINNEKE: Yes. But you say it was a bail application?

46

47 MS GOBBO: In all likelihood it would have been because

1 that, that is what I was predominantly doing around 02/03.

2

3 MR WINNEKE: So you say it would have been around 02 and
4 03?

5

6 MS GOBBO: Yep.

7

8 MR WINNEKE: I think he might have suggested - - -

9

10 MS GOBBO: Sorry, sorry, sorry, sorry. He - I later, later
11 when I got to know him, he thinks that I met him years
12 earlier in some context to do with, um, something to do
13 with the Lorimer Task Force.

14

15 MR WINNEKE: Yes.

16

17 MS GOBBO: Which is when I was assisting with Bandali Debs
18 and Jason Roberts but I can't, I can't recall that specific
19 time or occasion.

20

21 MR WINNEKE: Yes. So he was at, I think he was initially
22 at Brunswick. There was a murder in Brunswick in about 97.
23 He was seconded to the Lorimer Task Force in 98, but he was
24 at the Homicide Squad I think from about 97 onwards. Now,
25 it may well be also that he was there at the same time as
26 Tim Argall. Now, you know Tim Argall and you'd known him I
27 think since about 92 or 3, would that be right?

28

29 MS GOBBO: Since the raid, yes. Since the execution of the
30 search warrant, yes.

31

32 MR WINNEKE: Yes. The second one or the first one?

33

34 MS GOBBO: No, the first one.

35

36 MR WINNEKE: Right. There was a second one. I know we're
37 sort of diverting away from the questions but I did want to
38 ask you this: there was a second raid in which your house
39 was raided at the time that Brian Wilson was there and he
40 was charged with offences on that second occasion. That
41 was in 95?

42

43 MS GOBBO: Yeah, that was the one, that was - yeah, that
44 was the one by my instigation.

45

46 MR WINNEKE: Yes. So you had, I think - did you contact
47 Tim Argall and basically put him on to - - -

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MS GOBBO: Yes.

MR WINNEKE: - - - Brian Wilson and say 'come and raid him'
in effect to get him out of the place?

MS GOBBO: Yeah, it was to try, yeah, it was try to get him
out, get him, get him physically out of the house.

MR WINNEKE: Yes.

MS GOBBO: In the circumstances in which I was,
embarrassing as it is to admit, scared of the bloke.

MR WINNEKE: Yes. In any event he became a friend and
indeed he's given evidence that there was an occasion when
you had sexual intercourse and I think he says that was
around, I can't recall exactly, 96/97 when he was I think
at Malvern or thereabouts?

MS GOBBO: I thought it was - I thought it was earlier than
that but, um, but I'm not, I'm not really in a position to
challenge what year but it was - - -

MR WINNEKE: Well I take it you don't dispute - - -

MS GOBBO: I thought it was earlier, but.

MR WINNEKE: He gave evidence that there was one occasion
of sexual intercourse. I take it you don't dispute that?

MS GOBBO: No. No, no.

MR WINNEKE: Might it have been more than one occasion?

MS GOBBO: No. I, um - I thought it was once, but - I
actually thought it was a lot, I thought it was earlier, I
thought it was like 95.

MR WINNEKE: So not long after or around the time of the
second raid?

MS GOBBO: Correct. That's right, that's right. He kind
of, um, it was a kind of - I want to be, I don't want to
sound crass, Mr Winneke, but I mean all my dignity is long
gone with all of this so I'll just tell it how it is.

1 MR WINNEKE: Yes.

2

3 MS GOBBO: He had a, um, I don't know it was a - instead of
4 it being a situation, a circumstance of, um, what can I
5 say, lustful or drunken 20-something year old behaviour
6 where he was concerned it was more like, he was like a lap
7 dog, he had this - like a, almost like a school boy crush,
8 and kept, he was very persistent phone calling and trying
9 to be of assistance to me and it was in that context that I
10 spoke with him, but that's why - I think it was earlier.

11

12 MR WINNEKE: All right. In any event, he was certainly a
13 friend of Paul Dale's around the time of 98, 99 and
14 following because, as we understand it, they were at
15 Lorimer together and they might have even been known to
16 each other prior to that, but do you think it might be the
17 case that you met Paul Dale socially through Tim Argall
18 earlier than 2002?

19

20 MS GOBBO: I don't know. I may have but he wouldn't have,
21 I don't have - if I did, it didn't, it doesn't stand out in
22 my mind as - I mean I met a lot, I met a lot of police
23 socially at various functions and times in pubs and I - it
24 doesn't stand out in my mind, I can't say to you I can
25 remember, you know, meeting some guy, meeting him and
26 thinking that it stands out in my mind for any reason.

27

28 MR WINNEKE: All right.

29

30 MS GOBBO: But equally if it is the case that someone says
31 I did, well I can't dispute that, I might have.

32

33 MR WINNEKE: Terry Hodson, it appears said somewhere round,
34 and shortly after the Dublin Street burglary in one of his
35 initial conversations with ESD, that the three striper,
36 Paul Dale, was sleeping with you.

37

38 MS GOBBO: Yeah.

39

40 MR WINNEKE: So what he was suggesting was that at the
41 time, around 27 September 2003 you already were in an
42 intimate relationship with Paul Dale. Now, what do you say
43 to that?

44

45 MS GOBBO: In, at the time of the burglary?

46

47 MR WINNEKE: Yes.

1

2 MS GOBBO: No, because I think, I think the first time -
3 no, the first, the first night where I end up with Paul
4 Dale is, um, I'm sure it's after the burglary because, um,
5 I'm sure it's the year, I'm sure it's the year I went to
6 Phuket and that was 04, or sorry, late 03, sorry. Late 03.

7

8 MR WINNEKE: What about this proposition - - -

9

10 MS GOBBO: Sorry, no. I didn't - I can tell you
11 categorically I did not, I did not, um, I didn't have any
12 kind of intimate relationship with him until - the start of
13 it was the night that I met him at O'Connell or Connell,
14 whatever that pub is in South Melbourne and I'm pretty sure
15 that was - - -

16

17 MR WINNEKE: That's 9 October.

18

19 MS GOBBO: That was post the burglary.

20

21 MR WINNEKE: Yes, 9 October. There's no dispute that you
22 met him, I think it's diarised and I think you've said in
23 the past that you met him on 9 October at O'Connell's Hotel
24 in South Melbourne on 9 October.

25

26 MS GOBBO: Yes.

27

28 MR WINNEKE: You say that that was - - -

29

30 MS GOBBO: No, I don't know why Hodson would say that,
31 unless it's something that Dale's been, Dale's said to him
32 and there were, my recollection is there was plenty of
33 things that Dale apparently said to him in the time of him
34 being an informer which turned out to be garbage, so I can
35 only think someone might have said that to him but it's
36 categorically wrong.

37

38 MR WINNEKE: Have you never heard that he had made that
39 statement, that you and he, you and Dale were sleeping
40 together at around the time of the - - -

41

42 MS GOBBO: Sorry, I can't hear you, it's cutting out.

43

44 MR WINNEKE: Sorry, had you never heard that before, that
45 suggestion that - - -

46

47 MS GOBBO: No.

1

2 MR WINNEKE: - - - that Hodson had said that you and Dale
3 were sleeping together?

4

5 MS GOBBO: No, not, not prior to the burglary, no.

6

7 MR WINNEKE: This is the first time you've heard that
8 suggestion?

9

10 MS GOBBO: Yes, that's right. I haven't read that
11 anywhere. I just say - like I have read, I have read bits
12 and pieces in the past, not this year, or not last year.
13 In the past, um, when it was, um, leading up to the, um -
14 so when there was a request by the family for there to be
15 an Inquest.

16

17 MR WINNEKE: Yes.

18

19 MS GOBBO: And Solicitor 1 got me to do some written
20 submissions and then, um, and then when there was an order
21 that there
22 be an Inquest, um, I know I got some material from Solicitor 1
23 that he wanted me to help him with, obviously all for free.
24 But I never, I've never, I've never read that - in anything
25 I've read I've never read that or heard that before.

26

27 MR WINNEKE: I see. Did you make, you made submissions
28 as to whether or not there should be an Inquest in relation to
29 the murders of the Hodsons?

30

31 MS GOBBO: Sorry, I just can't - you just sound really
32 faint.

33

34 MR WINNEKE: I'm sorry. Did you make submissions which
35 were then - sorry, I'm speaking into the wrong microphone.
36 Did you make submissions - - -

37

38 MS GOBBO: That's better. Yeah, that's better.

39

40 MR WINNEKE: Did you make submissions which were used by
41 Solicitor 1 on behalf of the children of the Hodsons
42 with a view to encouraging the Coroner to hold an Inquest
43 into the deaths?

44

45 MS GOBBO: Yes, correct. He had, um, he had - I can't
46 remember which of the family that he was specifically
47 speaking to but, um, he was, um, asked - it might have been
by Nicki, he was asked to help try and persuade the State

1 Coroner to hold an Inquest.

2

3 MR WINNEKE: I follow.

4

5 MS GOBBO: Because I think they'd been denied one and, um,
6 he asked me if I could assist in drafting something for
7 him, um, for the record no payment but there was never
8 going to be a payment, um, and I can, I can remember, um,
9 doing a couple of drafts of submissions for him which
10 should be on my computer.

11

12 MR WINNEKE: Okay, all right. Now then can you tell us
13 what the nature of your relationship was with Paul Dale
14 prior to the Dublin Street burglary?

15

16 MS GOBBO: Um, a very, um - what's the right word for it -
17 pretty nasty is probably the best way to put it. As in I
18 had - so in the lead up to the burglary I had a few, a
19 number of bail applications for, um, I was going to say
20 accused, for drug dealers who, who had obviously been set
21 up by Hodson and, um - sorry, I'm just trying to think of a
22 way to put it without - I won't be specific about names yet
23 but you can obviously ask. In circumstances in which they
24 were readily able to identify that they had been set up by
25 an informer and they knew it was Hodson.

26

27 MR WINNEKE: If I can just short-circuit this. This is
28 Pidoto, Shane Pidoto is one. Shaheen Waheed is another.

29

30 MS GOBBO: That's the one. Yes, that's the one.

31

32 MR WINNEKE: Bruno D'Aloia is another.

33

34 MS GOBBO: I'll use him as an example. So the bail
35 application that I did for him - - -

36

37 MR WINNEKE: Which one?

38

39 MS GOBBO: Was adjourned a couple of - sorry?

40

41 MR WINNEKE: Which one are you talking about? I've just
42 mentioned three names, you're talking about - - -

43

44 MS GOBBO: The bail application I did for Shane Pidoto.

45

46 MR WINNEKE: Right, yes.

47

1 MS GOBBO: I'm talking about getting him out on bail
2 initially. It was listed a number of times. It got
3 adjourned from memory because Miechel wouldn't turn up to
4 court and eventually the order was made that, um, his
5 Sergeant turn up, which happened to be Dale, and I can
6 remember, um, viciously cross-examining him because it was
7 just, some of what they'd done to Shane was, at the time
8 anyway, I thought it was absurd. I remember that he was
9 charged with some proceeds of crime charge based upon a
10 single transaction on one date and Miechel had taken every
11 single item out of the guy's house and charged him with
12 proceeds of crime.

13
14 MR WINNEKE: Can I just stop you there, just so as we get a
15 time - - -

16
17 MS GOBBO: And I told - sorry.

18
19 MR WINNEKE: Just so as we can get a time frame. We're
20 talking about November 2002. There was a bail application
21 - - -

22
23 MS GOBBO: Sorry, I can't hear you.

24
25 MR WINNEKE: - - - on 14 November 2002. A further - - -

26
27 MS GOBBO: Sorry, I can't hear you.

28
29 MR WINNEKE: Yes, a further bail application in December, 9
30 December 2002. The first one was one in which Ray Gibson
31 appeared, then on the second occasion it was Luisa
32 Di Pietrantonio. Is that what you're talking about?

33
34 MS GOBBO: Yes, yep.

35
36 MR WINNEKE: And although Miechel was the informant
37 nominally, I think he was on leave and Paul Dale was in
38 effect the person who was presenting the case for the
39 police.

40
41 MS GOBBO: Yeah, well he - eventually, I think it was the
42 third time it was listed, he turned up and, um,
43 Ms Cotterell was the magistrate and I know that I, um, I
44 know that I - I just remember that whatever questions I
45 asked Dale were nasty enough or vicious enough that they
46 ended up - I ended up being told to sit down by my
47 instructing solicitor at one stage.

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MR WINNEKE: Was that Suzie Cameron?

MS GOBBO: Yes, she said, "You crucified the bloke, sit down". And then there was some media coverage afterwards saying, accusing Dale of being dishonest and disingenuous or something along those lines, so he - and he wasn't, I wouldn't describe his feelings towards me as being, um, nice at that point because, um, he was pretty, he was pretty embarrassed and angry and Shane was only one of, there were more than - I mean he's one example but there were others.

MR WINNEKE: And it seems that it was on that occasion, either in November or December, that you spoke to Dale outside of the court and suggested to him that you knew who his informer was?

MS GOBBO: Yes, I would have done that.

MR WINNEKE: And that was Terry Hodson?

MS GOBBO: Yes, because it was, it was, it was - by the way they were running the guy, it was - I know there was another guy that comes to mind, Bruno D'Aloia and his co-accused. There were others who you meet people in the Custody Centre for the first time and they, they're trying to work out how they've come unstuck or what the case is against them and it was obvious from their instructions who the informer was and then it became, um, I don't know if it was confirmed already but then it was confirmed in writing when people like Dale handed over diary notes that included, um, Terry's registered number.

MR WINNEKE: Do you know how you came to act for Bruno D'Aloia?

MS GOBBO: Not off the top of my head, no. I might have - no, I don't. I'd just be guessing that, um, as I'm sure you appreciate, you get one major drug traffic, one major alleged drug trafficker bail and all of a sudden everybody else says, "Oh, well, obviously she got him bail so can you do mine as well?"

MR WINNEKE: All right. So Bruno D'Aloia's made a submission to this inquiry in which he said that you turned up unannounced at a remand hearing that he had without an

1 instructing solicitor. What do you say to that
2 proposition?

3

4 MS GOBBO: Maybe I did but I wouldn't have turned up for no
5 reason, as in I wasn't - I was never that short of work
6 that I was hanging around courts trying to just - I mean,
7 that just doesn't make sense. Why would I have turned up
8 if I didn't know him?

9

10 MR WINNEKE: Paul Dale suggested that he referred clients
11 to you.

12

13 MS GOBBO: No. No.

14

15 MR WINNEKE: Obviously there was - - -

16

17 MS GOBBO: No, I can't remember who - - -

18

19 MR WINNEKE: Obviously subsequent to that occasion,
20 accepting what you say is correct, that in November of 2002
21 you belted Dale up, subsequently the relationship obviously
22 changes because by the time of the Dublin Street burglary,
23 and very shortly thereafter, on your analysis, you're quite
24 close friends with him. So it would appear to be the case,
25 wouldn't it, that at some stage throughout the period
26 between November 02 and through to September 03 you become,
27 if not close friends, respected opponents if you like?

28

29 MS GOBBO: Yes, I'd say that the latter is more accurate.

30

31 MR WINNEKE: And it obviously became - - -

32

33 MS GOBBO: Sorry - - -

34

35 MR WINNEKE: Sorry, go on, I interrupted you.

36

37 MS GOBBO: I'm just trying to think because, I'm just -
38 sorry, I'm just trying to think of who D'Aloia's - I'm
39 trying to think of who D'Aloia's solicitor was or who his
40 crew was because, um, there is - I find it astounding that
41 - I did not get, I didn't get referrals from, from police.
42 In fact it was quite the opposite, they used to try and
43 tell people to not speak to me.

44

45 MR WINNEKE: Yes. It appears that he was a co-accused with
46 a fellow called Adrian Duncan. You ended up doing a plea
47 for D'Aloia, I think with Phillip Dunn, is that right?

1

2 MS GOBBO: Yes, yep.

3

4 MR WINNEKE: And he was co-accused I think with Duncan and
5 it may well have been that Georgia Halikopoulos was the
6 instructing solicitor for - - -

7

8 MS GOBBO: It was a Dan Kazovski case I think.

9

10 MR WINNEKE: Right. So do you think that D'Aloia came to
11 you via Dan or did you get Dan into it?

12

13 MS GOBBO: No, I would, um - I just can't, um - I did send
14 the occasional person to Dan before his accident, more as
15 in more, as in what I'm saying is I sent them to, I
16 referred people who came to me direct to Dan, as opposed to
17 Georgia, because I had a closer relationship with Dan.
18 But, um, I can't, I actually can't, I can't think of a
19 single person who, um, who Dale referred to me.

20

21 MR WINNEKE: Just so as you're aware, Paul Dale does
22 suggest that he did refer clients to you. He says that in
23 his statement.

24

25 MS GOBBO: He says a lot of things in his book that I don't
26 agree with as well.

27

28 MR WINNEKE: Right. I think one of which is that - I'm not
29 too sure whether he says it in his book, but do you accept
30 the proposition that you did sleep with him?

31

32 MS GOBBO: Yes. Yep.

33

34 MR WINNEKE: Over a period of time or was it a one off or
35 what was the situation?

36

37 MS GOBBO: So the first, I call it the first night because,
38 um, I don't - I have, I was not a drinker at that point in
39 my life or ever, actually, of ever drinking to the point of
40 blacking out but, um, it's only ever happened twice in my
41 life and one night was the O'Connell's night where I
42 cannot, I can't recall how I got home. I've got no
43 recollection of leaving or getting home and then no - it's
44 a complete, frighteningly, a complete blank. I've only
45 ever had that happen twice in my life, um, and one other
46 time was nothing to do with, with police or anything else,
47 but, um - - -

1

2 MR WINNEKE: So this is, we're talking about 9 September
3 2003? October, I apologise.

4

5 MS GOBBO: The O'Connell's night.

6

7 MR WINNEKE: Yes.

8

9 MS GOBBO: Yes, the O'Connell's night. And I know that,
10 um, I then - I can't recall having - whether - sorry,
11 sorry. Whether or not I actually slept with him that night
12 or not, I don't really know. I can remember, I can
13 remember that - kissing him at the pub because we were
14 there until, um, until it closed.

15

16 MR WINNEKE: This is on the first night that you went out
17 with him at O'Connell's, 9 October?

18

19 MS GOBBO: Yes, yep.

20

21 MR WINNEKE: At that stage - - -

22

23 MS GOBBO: And then, um - sorry, go on.

24

25 MR WINNEKE: No, I interrupted, you go on.

26

27 MS GOBBO: And then, sorry, then I can remember, um, I
28 went, I'm sure that, after that is when I had a trip to
29 Thailand with my sister, um. I just say that because it's
30 referable in my head to that's the year of the tsunami.

31

32 MR WINNEKE: Yes. That's, you went away I think on 16
33 October to Phuket, is that right?

34

35 MS GOBBO: Yes. And then, um - and then, um, after we got
36 back I don't recall - I can't, I can't be specific about
37 when I next saw Dale or what the next circumstances were.

38

39 MR WINNEKE: So it appears that you met him twice, or at
40 least at O'Connell's I think once on the 9th and then there
41 was a later occasion about 15th or thereabouts. You go
42 away to Thailand on the 16th, you met him again at
43 O'Connell's on, about the 15th or the 14th or thereabouts,
44 do you agree with that?

45

46 MS GOBBO: Of October?

47

1 MR WINNEKE: Yes.

2

3 MS GOBBO: Um, no, I thought I was, I thought I went - I
4 thought I was in Thailand at that point.

5

6 MS GOBBO: No, you go on the 16th and the evidence that
7 we've got would suggest that you met him twice before you
8 went, once I think on the night before or thereabouts,
9 prior to going to Thailand.

10

11 MS GOBBO: Yeah. I can't, I can remember the first night,
12 um - - -

13

14 MR WINNEKE: And that's the night where you blanked out and
15 you woke up - - -

16

17 MS GOBBO: Yes, and I made the assumption maybe I did sleep
18 with him but I don't, I literally, um - look, I can
19 remember ringing my instructing solicitor that I was going
20 to court for that, the following morning, and, um, telling
21 him that I had, um, a very, very bad headache.

22

23 MR WINNEKE: I take it when you say - you woke up in bed
24 with Paul Dale?

25

26 MS GOBBO: Yes, and he went home and I'm sure I sent him a
27 message afterwards to say, "Did you even get home?"
28 Because I found my car with a flat tyre, so I don't even, I
29 don't even - I mean I've obviously even drove home that
30 night, or I assume I drove, maybe he drove, um. I'm not
31 trying, I'm sorry, I'm not trying to sound vague but
32 that's, that's the best I can do for, as to what happened
33 in terms of detail, it is a, it is just completely blank.

34

35 MR WINNEKE: Okay. Dale says that he had sexual
36 intercourse with you once and he believed it was in 2004.
37 So I take it you then, you would take issue with that
38 proposition?

39

40 MS GOBBO: No, I - unless he's talking about the
41 O'Connell's night, then in 04 there was, um, there was one
42 occasion where, um, he, I'm sure I met him and Tim Argall
43 and there was a whole group of them at some, I can't
44 remember the name of it, but a pub in - sorry, he used to
45 drink at a place called The Local in Bay Street, Port
46 Melbourne, or that's what it was called then, and I, I
47 haven't really spoken about this before because it's pretty

1 embarrassing, but he and Tim Argall came back to my
2 apartment afterwards and both thought it was really funny
3 to strip off and then they would thought they would take it
4 in turns and I found myself quite, um, intimidated and, um,
5 out of my depth.

6
7 MR WINNEKE: That was a sexual experience with, in effect
8 the three of you?

9
10 MS GOBBO: No, no, no. No, no, no. I think there was Dale
11 only. I mean, you know, no one's, no one's asked me the
12 detail of this before. I can't tell you exactly what date
13 it was but, I mean it may have been, it may have been late
14 03, it could have been 04. Anyway, it was - everything
15 with Dale is post the O'Connell's night.

16
17 MR WINNEKE: Was it after Thailand or before Thailand, that
18 is - - -

19
20 MS GOBBO: No, after.

21
22 MR WINNEKE: After Thailand, okay. Now did you have at
23 that stage a convertible Mercedes coupe?

24
25 MS GOBBO: Yes, yes.

26
27 MR WINNEKE: When did you get that, do you remember? I
28 take it it was before - - -

29
30 MS GOBBO: Where or - - -

31
32 MR WINNEKE: No, when. Was it before the Dublin Street
33 burglary?

34
35 MS GOBBO: Um, yes, I think it was because it was after the
36 Saab that I had caught fire.

37
38 MR WINNEKE: Are you able to pinpoint when that was?

39
40 MS GOBBO: Um, it was, I know it was over the, I know it
41 was over - it must have been, it was late December one year
42 because, um, the roof mechanism, the wiring rim caught on
43 fire and, um - it was under a warranty and the Saab people
44 couldn't understand how it had happened, but the long and
45 short of it was that they repaired, they replaced it and
46 repaired it under the warranty but because they couldn't
47 explain to me why it had happened, they, they thought, an

1 electrical engineer thought that there was - an electrician
2 or engineer - thought that there was possibly, um, it may
3 be a listening device or a tracker or something that's made
4 it catch fire because it's, apparently this happens in - -
5 -

6
7 MR WINNEKE: I don't want to worry about that. Perhaps we
8 won't go into that.

9
10 MS GOBBO: Sorry, and the car, the long and short of it is
11 is that I decided that they could keep their car and it
12 might have been, it may have been, um, it would have been
13 maybe March or April the following - I mean the car, I know
14 the fire was, the wire proofing was over the Christmas/New
15 Year break, so it would have been subsequent to that.

16
17 MR WINNEKE: Just whilst we're on - - -

18
19 MS GOBBO: And I have - pardon?

20
21 MR WINNEKE: Just whilst we're on that car, was it [REDACTED]
22 who assisted you into the Mercedes? In other
23 words, helped you buy the car?

24
25 MS GOBBO: Yes, [REDACTED] the Mercedes
26 dealer and for the record, Tony Mokbel did not buy the car,
27 although I read that in the Herald and Weekly Times years
28 ago.

29
30 MR WINNEKE: Okay. Whilst we're on [REDACTED] did he
31 also supply you or provide you with [REDACTED] mobile phones?

32
33 MS GOBBO: Yes, he was a, he was somehow involved [REDACTED]
34 [REDACTED] and that was at a time, prehistoric as it seems
35 now, when you could have a mobile and somehow have a
36 [REDACTED] as well that people could call, but
37 it rang on a mobile. God, that sounds ancient technology,
38 but that was, that was how [REDACTED] were, um, kind of an
39 attractive proposition separate to the other mobile
40 retailers at the time.

41
42 MR WINNEKE: If we can take the Dublin Street burglary, 27
43 September 2003 as a reference point, it was prior to that
44 that [REDACTED] was in effect providing you with [REDACTED] mobile
45 phones, would you agree with that?

46
47 MS GOBBO: Yep. Yes.

1
2 MR WINNEKE: You've always had a mobile phone number, I
3 think it ended in 87, I'm not too sure, is that right, the
4 one that you used for your business? When you came to the
5 Bar you got the mobile phone?

6
7 MS GOBBO: I think I had one before then.

8
9 MR WINNEKE: Yes.

10
11 MS GOBBO: Yes, and then at one, at some stage I thought it
12 was a good idea to try and separate, um, personal from work
13 and have two, but that failed dismally.

14
15 MR WINNEKE: And some of the mobile phones you had were not
16 always registered in your name, I take it?

17
18 MS GOBBO: Well, no, because a couple of, um, on a couple
19 of occasions I've had, I've been given, I was given phones,
20 um, primarily because the, um, people such as, um, ██████████ is a
21 good example, were they assumed that, even though I'd sit
22 down and try and explain to them that for the police to
23 listen or to get a warrant on my phone number, that they
24 would have to get a warrant, blah, blah, blah, but those
25 clients assumed that police were listening and so would
26 either talk in person or, "Here's a bodgey phone, use that
27 one".

28
29 MR WINNEKE: So ██████████ supplied you with bodgey phones. I
30 think Adam Ahmed supplied you with bodgey phones, is that
31 right?

32
33 MS GOBBO: Yes, and - - -

34
35 MR WINNEKE: Tony Mokbel?

36
37 MS GOBBO: There's another guy who was - well, Mokbel did
38 but not, I don't think it was directly him or it was, um -
39 I think there was another guy who was a friend of
40 ██████████'s sorry, the name - I can't remember the name of
41 the guy but he was connected directly with the ██████████
42 business. Sorry, he - ██████████ - he was a guy who was, um, I
43 don't know if he was ever charged but he was laundering, he
44 laundered hundreds of thousands of - or millions of dollars
45 of drug money through a fake bus invoicing company. ██████████
46 ██████████? Someone.

47

1 MR WINNEKE: So you first, um, I think you first appeared
2 certainly on an indictable matter for [REDACTED] in
3 [REDACTED] of 2002, would that be right?

4
5 MS GOBBO: Um, yeah, I don't know, Chris, sorry. Whatever
6 - whoever it was that briefed me, yes.

7
8 MR WINNEKE: In the context of that professional
9 relationship, you would say that he, from then on, would
10 have provided you with phones or a phone on which to speak
11 to him, or with which to speak to him?

12
13 MS GOBBO: Um I think, I'm sure - yes, I'm sure it was more
14 than one and he, he was a person who convinced me that it
15 was a, a money saving opportunity as well to convert, I
16 think I might have been with Optus then, to move from Optus
17 to [REDACTED] or - anyway, I remember changing numbers at some
18 point.

19
20 MR WINNEKE: I sort of got on to this topic because I was
21 asking you about your car. Paul Dale says that there was
22 an occasion when you were out at a hotel, a pub in South
23 Melbourne with numerous off duty police officers. You all
24 had a lot to drink and, "Nicola offered to drive us all to
25 the casino". Do you recall that night?

26
27 MS GOBBO: Yes.

28
29 MR WINNEKE: When was that?

30
31 MS GOBBO: I do remember driving to the casino with him but
32 it was a two seater car, so I can't, I don't know - - -

33
34 MR WINNEKE: He said that, "A number of us were squashed
35 into the, into the car, the convertible and we continued to
36 drink into the early hours of the morning".

37
38 MS GOBBO: Sorry, say that again, Chris, sorry?

39
40 MR WINNEKE: Look, I'll read out what he says. "I don't
41 recall how this came about." In fact, I'll go back. "It
42 was also during this time that I met Nicola Gobbo whilst
43 off duty at a Homicide Squad social function. I don't
44 recall how this came about, however it was at a hotel/pub
45 in South Melbourne. Nicola was drinking with numerous off
46 duty members. We had all had a lot to drink when Nicola
47 offered to drive us all to the casino, even though we were

1 aware that she'd been drinking excessively. A number of us
2 squashed into her convertible Mercedes Benz coupé and were
3 driven by Nicola to the casino where we continued to drink
4 into the early hours of the morning. From that night
5 onwards I felt I'd built a rapport with Nicola and hence I
6 would recommend her to criminals my team or others had
7 arrested for drug matters". Now, if that's correct, one
8 assumes it's at some stage in either 2002, 2003?

9

10 MS GOBBO: Um - - -

11

12 MR WINNEKE: Perhaps to be fair, firstly, do you remember
13 that night?

14

15 MS GOBBO: I beg your pardon?

16

17 MR WINNEKE: Do you remember that night?

18

19 MS GOBBO: Um, it does, it does, um, it does spark a memory
20 of being refused entry at Crown Casino with him one night.
21 Um, but I don't remember, um, I don't remember anyone else
22 being there, I just remember being refused entry and trying
23 to calm him down because he got really mouthy with security
24 and I might have been drinking but I was aware enough of,
25 of him raising his voice and becoming quite aggressive, but
26 I don't recall anyone else being there and I don't, I don't
27 know that - I just, I just don't, I can't say, um - in fact
28 no - not I can't say, I didn't have a social friendship
29 with him or any kind of thing with him until, um, after the
30 O'Connell's night.

31

32 MR WINNEKE: All right.

33

34 MS GOBBO: And I even - sorry, Chris, the reason I can, I
35 know that - the reason I can say that's, um, albeit patchy
36 but from memory is because the thing about the O'Connell's
37 night that, that stood out was, um, both of us were, sure
38 there was that instant lustful attraction drinking
39 insanity, um, but there was, he was mindful of, um, and he
40 told me this at some point that night, or I remember it,
41 him saying something about being paranoid that I was - in
42 his words, wired up and setting him up in some way and
43 equally, I mean we laughed about it because I thought he
44 was doing the same to me.

45

46 MR WINNEKE: So when do you think that was?

47

1 MS GOBBO: I'm sure that was the O'Connell's night.

2

3 MR WINNEKE: All right. Now can I go to the Dublin Street
4 burglary.

5

6 MS GOBBO: Yep.

7

8 MR WINNEKE: Perhaps before I do that, why would you think
9 that he would be taping you?

10

11 MS GOBBO: Well because I'd given him a hiding in, in
12 court, subpoenaed all kinds of material from him and, um,
13 if my, um, if my memory is right about the time frame, um,
14 there were all kinds of, um, there were all kinds of, um,
15 public and other rumours and speculation about the Drug
16 Squad at the time.

17

18 MR WINNEKE: You discussed with him Peter De Santo I take
19 it?

20

21 MS GOBBO: He was - yeah, he hated De Santo with a passion.

22

23 MR WINNEKE: Right. When did you have discussions with him
24 about De Santo?

25

26 MS GOBBO: Um, look, I couldn't say specifically.

27

28 MR WINNEKE: Why do you say he hated De Santo?

29

30 MS GOBBO: Because, subsequent to the burglary at least, he
31 was - and I can remember specifically post the burglary,
32 um, he was, um, vocal in his, um, criticism of De Santo.
33 Actually, it was before the burglary too but he was, um, he
34 used to call him a - the corruption buster and he was, um -
35 - -

36

37 MR WINNEKE: So he told you - - -

38

39 MS GOBBO: His view was that, his view was that De Santo
40 would, um, go to any length and break whatever law was
41 necessary to, um, to, to get people, meaning police
42 officers, and when I say get people, I mean have them
43 charged.

44

45 MR WINNEKE: How would you describe your relationship with
46 Peter De Santo?

47

1 MS GOBBO: Um, it changed over time but, um, I was, I was
2 quite intimidated by him and he - - -

3
4 MR WINNEKE: Why was that?

5
6 MS GOBBO: He was the master - because he was a master of
7 deception and - I mean he tried to set me up at one stage,
8 not that I was aware of it at the time.

9
10 MR WINNEKE: When was that, do you know, and why was that?

11
12 MS GOBBO: Well when Hodson, Hodson, I mean Terry, not
13 Andrew, rang me and wanted to meet me post the burglary at
14 a time when I didn't, I didn't know that Hodson - so my
15 knowledge of Hodson's involvement in the burglary was,
16 obviously it evolved over time and Hodson came, rings up
17 and comes to see me, says he wants to talk to me. Sorry, I
18 beg your pardon, I think Andrew rang me and said he wanted
19 to bring his dad to see me, so Terry came with Andrew, um,
20 refused to come to my office, wanted to meet in that, in
21 that cafeteria that, um, barristers used to use in Owen
22 Dixon chambers. I can't remember the name of it, but that
23 courtyard area, and it was essentially about, "What happens
24 if I'm charged?"

25
26 MR WINNEKE: What I might do is come back to that.

27
28 MS GOBBO: And I can remember going through this - - -

29
30 MR WINNEKE: I'll come back to that. I'm sorry to
31 interrupt, but I just want to ask you, you say that Paul
32 Dale told you even before the Dublin Street burglary that
33 De Santo was the corruption buster.

34
35 MS GOBBO: Yep.

36
37 MR WINNEKE: In what context would he have told you that?

38
39 MS GOBBO: Um, I can't remember if it was, I can't remember
40 specifically, um, about whom or in what context.

41
42 MR WINNEKE: But in any event, prior to that burglary you
43 would have discussions with Paul Dale who would make
44 disparaging comments about Peter De Santo?

45
46 MS GOBBO: Yes, yes, and obviously those comments got, um,
47 worse over time because of what happened.

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MR WINNEKE: Yes, I follow that.

MS GOBBO: Down the track.

MR WINNEKE: I take it certainly by November of 2003 you knew Peter De Santo quite well because you'd been having communications with him for some years prior to that in relation to corrupt police officers?

MS GOBBO: Yes, yes, and a lot of it was to do with, um - a lot of it came, or sorry, most of it came from [REDACTED] being - the reality is that I think it's fair to say [REDACTED] only really only [REDACTED] because of the alleged corruption.

MR WINNEKE: All right. Now if I can come back to 27 September. You were contacted that night by a fellow called Jason Hakel or Gus El-Hareri in the early hours of the morning, the 28th.

MS GOBBO: Yes, I knew him as, I knew him as - sorry, I knew him as Jason but I know who you're talking about. He was a runner for, um, he was a runner for - - -

MR WINNEKE: Mokbel.

MS GOBBO: Mokbel.

MR WINNEKE: Had you acted for him before?

MS GOBBO: Um, I can't, I don't know if I acted for him before that or subsequently but I do recall he was a lunatic, just a raving lunatic.

MR WINNEKE: In any event, he contacted you in the middle of the night and asked you about, if you could find out about a burglary which had occurred?

MS GOBBO: Yes. Yes, I remember getting that call and - -
-

MR WINNEKE: And what did you do?

MS GOBBO: - - - thinking - and he wasn't, um, well I didn't know anything about a burglary. I don't know, I can't remember his exact, I can't remember the exact

1 conversation but I can remember him ringing me and, um, and
2 then at some point I got a phone call from the police
3 about, I think the first person that was, I got a phone
4 call about was Nadim Ahmed who had been a client of mine.

5
6 MR WINNEKE: Did Colleen O'Reilly also ring you that night?

7
8 MS GOBBO: Yes, I think - I got, I get the impression that
9 they had, that someone had shared my phone number, whether
10 it be one of the crooks or - see, I didn't know that night
11 that it was a, that it was really a Tony Mokbel house, I
12 only learned that way down the track.

13
14 MR WINNEKE: From who?

15
16 MS GOBBO: From Ahmed.

17
18 MR WINNEKE: Had Ahmed told you - - -

19
20 MS GOBBO: And even then it was, and even then it wasn't,
21 it wasn't direct and I've got to take whatever he said with
22 a grain of salt because he was a massive, massive ice
23 addict.

24
25 MR WINNEKE: Who's that, Ahmed?

26
27 MS GOBBO: Yep.

28
29 MR WINNEKE: Paul Dale rang you on the morning, that is the
30 Sunday morning, is that right?

31
32 MS GOBBO: Yes. I'm not sure if it was - well it must have
33 been, it would have been him or another police officer.
34 Sorry, no, Dale did ring, um, to put one of them on the
35 phone. I just can't - it was them exercising their rights
36 but I can't remember who I spoke to first.

37
38 MR WINNEKE: In any event you ended up speaking to Azzam
39 Ahmed, Nadim Ahmed, that's his father, Abbey Haynes and
40 Colleen O'Reilly, you spoke to all of them in the period
41 following the burglary?

42
43 MS GOBBO: Yes.

44
45 MR WINNEKE: Azzam Ahmed, Abbey, Colleen O'Reilly were
46 charged. Nadim wasn't, is that right?

47

1 MS GOBBO: That's correct.

2

3 MR WINNEKE: And you'd previously - - -

4

5 MS GOBBO: That's correct, and - - -

6

7 MR WINNEKE: - - - acted for Nadim in another matter
8 earlier on I think in 2003?

9

10 MS GOBBO: Yes, I got him, I got him bail. He was, um,
11 another one who had applied for bail plenty of times, been
12 refused and then on the back of the, um, my infamy from
13 getting Tony Mokbel bail, Nadim got bail and I think, just
14 going back to your question about De Santo, [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED] and there was, leave aside whether
19 it was right or wrong or truthful or not, I know that one
20 of my issues was the fact that [REDACTED]

21 [REDACTED]

22 [REDACTED] and me being a bit unhappy about
23 that for obvious reasons.

24

25 MR WINNEKE: I take it you made applications for bail for
26 Abbey, Colleen and Azzam Ahmed?

27

28 MS GOBBO: Yes. It was his, his instructions were, um, to,
29 in his words, "look after the girls". Um, I didn't know, I
30 didn't know specifically - I didn't know initially that
31 they were both involved with him. Nor did I know that
32 Abbey was involved with Tony, subsequently I learned all of
33 that, but it was a simple case of, um, saying to him that,
34 you know, the girls had more of a chance of getting bail
35 than he did, for obvious reasons, as in that they didn't
36 have priors, he did, um, and the case against them was
37 different. His instructions were "get them bail, look
38 after them", um, and it was - - -

39

40 MR WINNEKE: Did you have instructing solicitors for these
41 three people?

42

43 MS GOBBO: Yeah, I think it was - it might have been Jim
44 Valos, I can't - I'm pretty sure it was Jim or maybe it was
45 - it might have been - - -

46

47 MR WINNEKE: Did you refer them to particular solicitors or

1 was it a solicitor who acted for all of them?

2

3 MS GOBBO: It was one solicitor initially, despite me
4 suggesting that there should be different solicitors.

5

6 MR WINNEKE: Why was that?

7

8 MS GOBBO: Because of the fact - well because of the
9 obvious fact that the girls, and I mean Colleen and Abbey,
10 had different interests to, um, to Ahmed and I made it
11 clear to him that I would be telling them that they had
12 different, um, different opportunities and obviously down
13 the track that's what Abbey, that's what Abbey does, she -
14 - -

15

16 MR WINNEKE: She made a statement.

17

18 MS GOBBO: She decided to help herself.

19

20 MR WINNEKE: Yes.

21

22 MS GOBBO: Yes.

23

24 MR WINNEKE: And you suggested that she should make a
25 statement?

26

27 MS GOBBO: Well, I don't say I suggested it, but I, I was
28 never one - my view was that I'm not doing the time, these
29 people are, and I'm not going to be someone who - this is
30 what caused a lot of the tension with Tony Mokbel and Carl
31 and so forth because I, I adamantly refused to play along
32 with their, their rules which was, "You're part of the crew
33 and you must ensure that you act for people but don't tell
34 them, don't let them roll and don't even tell them that's
35 an opportunity", or worse than that, "Make sure they
36 don't".

37

38 MR WINNEKE: In any event, your concern was that the three
39 people had differing interests and therefore they ought to
40 have separate instructing solicitors?

41

42 MS GOBBO: Yes. The capacity to get separate advice, yes.

43

44 MR WINNEKE: Yes. Nonetheless it was, as far as you were
45 concerned, reasonable for you to act for all of them?

46

47 MS GOBBO: Well, so long as I knew that I had given them

1 all the opportunity to, um - you know, I can say yes, I did
2 give them all of their options as opposed to trying to, um,
3 to, you know, in circumstances where there is a problem in
4 acting for more than one person because there's a conflict
5 and you're not looking after that person's individual
6 interests.

7
8 MR WINNEKE: All right. At the same - - -

9
10 MS GOBBO: Abbey took a long time to come to the conclusion
11 that she wanted to become a witness but I supported her
12 through that.

13
14 MR WINNEKE: At the same time you were acting for Terry
15 Hodson?

16
17 MS GOBBO: In relation to his, um, possible arrest.

18
19 MR WINNEKE: Yes. And if I can come back to this area - -
20 -

21
22 MS GOBBO: As in, as in that's what he, that's what he came
23 to see me for with his son.

24
25 MR WINNEKE: Yes.

26
27 MS GOBBO: And it was only subsequently when Dale gets
28 served with his hand-up brief and we are exchanging
29 material, because his brief is different from the girls and
30 Ahmed's brief, even though it relates to the same set of
31 circumstances, um, I find out that there's a, that Terry
32 was recording me and that, um, it was De Santo that set him
33 up to record me, it was an occasion when he offered me
34 cocaine and cash.

35
36 MR WINNEKE: Sorry, who offered you cocaine and cash?

37
38 MS GOBBO: Terry.

39
40 MR WINNEKE: Terry Hodson?

41
42 MS GOBBO: Yep.

43
44 MR WINNEKE: And where was that?

45
46 MS GOBBO: It was at the, at the, that was at the, um - it
47 was either at, at that Irish, I met him, I know he refused

1 to come to me, he refused to come to chambers, probably
2 thought it was bugged.

3
4 MR WINNEKE: You met him at the Celtic Club.

5
6 MS GOBBO: Yes, I was going to say the Celtic Club or that
7 place, is it Georgiou's, that place at Owen Dixon?

8
9 MR WINNEKE: Domino's?

10
11 MS GOBBO: That courtyard outside. Domino's, sorry. Not
12 Georgiou's, Domino's, yes.

13
14 MR WINNEKE: You made a note I think on 1 October of a
15 conference that you had with Terry and Andrew at, I think
16 it was at the Celtic Club?

17
18 MS GOBBO: That would be right. And I just, sorry, I just
19 can't remember which, which date it was. Subsequently in
20 Dale's brief there's, there's a statement in there from
21 some cop who says [REDACTED], sorry, [REDACTED]
22 [REDACTED] Terry and the whole, the purpose was
23 to, um, I presume, to try and, um, entrap, not entrap,
24 sorry, to set me up because, um, Terry - there was a
25 conversation in which Terry asked if I wanted some cocaine
26 or, um, instead of cash for payment.

27
28 MR WINNEKE: When were you reading Paul Dale's brief?

29
30 MS GOBBO: Sorry, where was I?

31
32 MR WINNEKE: When were you reading Paul Dale's brief and
33 where?

34
35 MS GOBBO: Um, so after, after the brief of evidence is -
36 sorry, so long after, after he gets arrested and charged,
37 um, which is December I think from memory.

38
39 MR WINNEKE: 5 December, yes.

40
41 MS GOBBO: Um, I can't, I can't remember what, what month
42 the following year the briefs of evidence get served but
43 there is a, there was an exchange, an ongoing exchange of
44 documents between myself and him in terms of material in
45 his, sorry, when I say their brief, I mean the Dale brief,
46 or the Dale and Micheel brief, as opposed to the Drug Squad
47 brief which relates to the same circumstances but the

1 material's different.

2

3 MR WINNEKE: So when do you believe that you were going
4 through Dale's brief?

5

6 MS GOBBO: Um, within, I'm assuming within weeks of it
7 being served.

8

9 MR WINNEKE: He provided it to you, I take it, so as you
10 could look at the brief and provide him with advice, is
11 that right?

12

13 MS GOBBO: No, it was, um, him - no, it was him giving me
14 copies of documents - I think it started off with the index
15 actually, or the summary.

16

17 MR WINNEKE: Yes.

18

19 MS GOBBO: Um, so that I could identify statements that
20 might assist the three charged by the Drug Squad, and
21 sorry, and vice versa, because I remember having to - - -

22

23 MR WINNEKE: Sorry?

24

25 MS GOBBO: - - - explain that in those terms to, um, to
26 Ahmed and others as in are we - is it okay, are you okay
27 with exchanging documents? Because otherwise you'll be
28 able to get access to them but it will require an
29 application to court.

30

31 MR WINNEKE: Can I stop you there. Do you say that Paul
32 Dale gave you his brief so as you could go through that
33 brief and provide assistance to the people, the three
34 people for whom you were acting?

35

36 MS GOBBO: That was, that was the point of it, yes. There
37 were documents in his brief that, um, that contradicted
38 things that were in the Drug Squad brief.

39

40 MR WINNEKE: Right. And when do you say this happened,
41 shortly after you received the, or Paul Dale received the
42 brief?

43

44 MS GOBBO: I'm not able to be certain but I'm making the,
45 I'm assuming that it was within weeks of him being served
46 with his brief. I know, I can remember meeting him in
47 Lygon Street one night sober and him - sorry, he was sober,

1 and him letting - I think he brought it with him to read
2 and then subsequently I got copies of things.

3

4 MR WINNEKE: Did you say to him, "Paul, can I look at your
5 brief so as I can provide my other clients assistance"?

6

7 MS GOBBO: Yes, there was no misunderstanding about the
8 purpose of it, um, in terms of an exchange of documents.
9 He was, he was equally keen to get access to the Drug Squad
10 brief, because I think from memory it was, the Drug Squad
11 did one brief and ESD did the other and at some point - - -

12

13 MR WINNEKE: Did he ask you if he could have a look at the
14 Drug Squad brief as well?

15

16 MS GOBBO: Correct, yes. Correct.

17

18 MR WINNEKE: Did you show him what was in the Drug Squad
19 brief?

20

21 MS GOBBO: Yes, some statements, yes, I did.

22

23 MR WINNEKE: You showed him some of the statements - - -

24

25 MS GOBBO: (Indistinct) the people that I was acting for.

26

27 MR WINNEKE: You showed him some of the statements in Azzam
28 Ahmed's brief and/or Colleen O'Reilly's brief and/or Abbey
29 Hayne's brief?

30

31 MS GOBBO: It was, yeah, it was the same brief, um, for the
32 three accused.

33

34 MR WINNEKE: I thought you said it was a different brief?

35

36 MS GOBBO: Pardon?

37

38 MR WINNEKE: I thought you said it was a different brief.

39

40 MS GOBBO: No, I'm saying - - -

41

42 MR WINNEKE: I apologise.

43

44 MS GOBBO: - - - it was the same brief for the three
45 people.

46

47 MR WINNEKE: You're quite right. Yes, okay.

1

2 MS GOBBO: You know in those days, as you - I'm sure you
3 know that you got one full brief, um, which, which was
4 like, you know, folders and folders of often irrelevant
5 telephone intercepts or LD material or whatever, but it
6 applied equally to everybody charged with the same, or from
7 the same arrest.

8

9 MR WINNEKE: Do you think you would have told those other
10 three that you were showing their briefs or parts of their
11 brief to Paul Dale?

12

13 MS GOBBO: Not do I think, categorically I did.

14

15 MR WINNEKE: You did, right. And you can recall that, can
16 you?

17

18 MS GOBBO: Yes, I can, because I specifically had that
19 conversation with Ahmed, but in fairness to him, he, um - I
20 know that he had a, um, his borderline IQ, I think it was
21 71, 72, he wasn't the sharpest tool in the shed.

22

23 MR WINNEKE: Yes.

24

25 MS GOBBO: And, um, unbeknownst to me, it did come out a
26 bit later, he wasn't, he was out of his head using ice
27 while he was on bail.

28

29 MR WINNEKE: Yes, okay. Now, on 5 December the arrests
30 occurred in relation to all of the offenders, including -
31 I'm sorry, I withdraw that. Hodson, Dale and Miechel were
32 arrested on 5 December.

33

34 MS GOBBO: Hmm hmm.

35

36 MR WINNEKE: And Dale contacted you on that day and asked
37 you if you could act for him?

38

39 MS GOBBO: He asked me to come and see him in the Custody
40 Centre.

41

42 MR WINNEKE: And did you?

43

44 MS GOBBO: Yes, and I said, I'm happy to come and see you
45 but, um, but you're a police officer, so you would be no
46 doubt with Tony Hargreaves because all of the police were,
47 or at least were initially.

1

2 MR WINNEKE: Yes.

3

4 MS GOBBO: And I did see him but I subsequently, um, gave
5 the notes to Tony.

6

7 MR WINNEKE: Did he give you materials on that occasion,
8 any documents on that occasion, 5 December, do you recall?

9

10 MS GOBBO: No, he was, no, he was behind bars in the
11 Custody Centre. Sorry, he may - I beg your pardon, he may
12 have, I may have collected his charge sheets and given them
13 to - I'm not saying I specifically did, but it was my, it
14 was the general practice in those days that when a person
15 was lodged at the Custody Centre following being arrested,
16 they got, you know, their tapes and charge sheets were left
17 in property there and so they often signed them out to
18 whoever came first to be given to whoever the solicitor
19 was. So I may have, um, I really can't be specific.

20

21 MR WINNEKE: Okay. In addition to that he contacted you
22 during the time that he was being interviewed and asked,
23 and asked you for advice, is that correct?

24

25 MS GOBBO: I think, I can't remember whether he rang while
26 he was being interviewed. Um - - -

27

28 MR WINNEKE: There's evidence that there was a break in the
29 interview, Mr Gregor was interviewing him, there was a
30 break in the interview and during that break he contacted a
31 solicitor. Mr Gregor was of the view that he'd contacted
32 you and Dale says he did.

33

34 MS GOBBO: Well I can't, I can't dispute it but I don't
35 have a specific - I don't have a specific memory of, um, of
36 any conversation in any detail. I know that, I do know
37 that on that date I was trying to get hold of Tony. I had
38 Tony, obviously I had Tony's mobile number and he was in,
39 in some court hearing and got to Dale or got the message,
40 um, hours later.

41

42 MR WINNEKE: Yes. Now, prior to his arrest, and we've
43 asked you about the two meetings that you had with him, one
44 at O'Connell's on the 9th and then a later one perhaps on
45 the 14th or 15th, you gave him documents, I think cases,
46 and you highlighted some of those cases.

47

1 MS GOBBO: Um, bail cases?
2
3 MR WINNEKE: No, well, I'm not too sure what they were. Do
4 you recollect giving him cases and highlighting aspects of
5 the cases?
6
7 MS GOBBO: Um, oh, actually, I did. Um, yes, you reminded
8 me - in fact I think I did at the first night at
9 O'Connell's. He, he was asking about conspiracy cases I
10 think, um, I can't remember obviously what specific case,
11 but - maybe he asked me that night and it was subsequent to
12 that that I gave him - but I did, I, um, but they were
13 nothing, nothing that you couldn't download off the
14 Internet yourself.
15
16 MR WINNEKE: I follow that. In any event he was asking
17 you, I take it, to advise him about the law of conspiracy?
18
19 MS GOBBO: Yeah, he wanted, I'm sure he wanted, um -
20 because before he got charged, um, he was, um, paranoid
21 that he was going to be charged and obviously not telling
22 me in any way, shape or form that - well I don't even know
23 if it was the truth but what his involvement actually was,
24 so in a kind of, in an isolated way he's asking me for
25 examples of, of what the law is on conspiracy.
26
27 MR WINNEKE: In addition to that, there's evidence that you
28 provided Timothy Argall advice in between or around the
29 time - perhaps I'll withdraw that. Prior to the arrest of
30 Paul Dale did you provide Tim Argall advice as well?
31
32 MS GOBBO: Legal advice?
33
34 MR WINNEKE: Yes.
35
36 MS GOBBO: No. No, because I don't know that - Tim wasn't
37 being charged with anything. Not that I, not that I
38 recall. Unless - - -
39
40 MR WINNEKE: Think about it carefully. Did you at any
41 stage - - -
42
43 MS GOBBO: Sorry, Chris, you're just a bit weak, sorry.
44
45 MR WINNEKE: Okay.
46
47 MS GOBBO: Your voice has dropped a bit.

1

2 MR WINNEKE: Did you at any stage see Tim Argall in the
3 period weeks after the Dublin Street burglary and provide
4 him with legal advice?

5

6 MS GOBBO: Not that I can remember, no.

7

8 MR WINNEKE: And it's something that you would remember, is
9 it?

10

11 MS GOBBO: I would have, I would have thought so. Unless
12 it's, um, I can only ever remember talking to Tim about
13 Paul.

14

15 MR WINNEKE: Do you recall meeting Tim and Paul in the
16 vicinity of your chambers or at the Wheat Café or around
17 there or Domino's in the weeks following the Dublin Street
18 burglary and prior to the arrests?

19

20 MS GOBBO: Not specifically but I'm - I wouldn't be, I
21 wouldn't say, if someone says I did, I'm not saying I
22 wouldn't have but I don't, I just don't, I don't remember -
23 I really think that it would stick out in my head if I had
24 been approached by Agro to give him some kind of legal
25 advice.

26

27 MR WINNEKE: Agro being Tim Argall, I assume?

28

29 MS GOBBO: Yes, sorry, that was his nickname. Sorry, I beg
30 your pardon.

31

32 MR WINNEKE: Did you - - -

33

34 MS GOBBO: That was because of his, sorry, that was because
35 of his hair, not because - he wasn't the aggressive one out
36 of the two.

37

38 MR WINNEKE: That is a reference to some Sesame Street
39 character I think, isn't it? No?

40

41 MS GOBBO: Yes, because his hair was like that at one
42 stage, yes, you're right.

43

44 MR WINNEKE: There's evidence that you were communicating
45 with both Argall and Dale on their respective mobile phones
46 and sending text messages back and forth in that period
47 following the Dublin Street burglary, you accept that?

1

2 MS GOBBO: Yep. Yes. I mean, yeah, look - sorry, I'm not,
3 I've got no issue with - look, phone records will be phone
4 records, I just, I can't tell you specifically what's in
5 texts, but you've got my phone, so - and I'm assuming that
6 the police have got the text messages.

7

8 MR WINNEKE: Yes. Do you recall in effect passing messages
9 between, Argall passing messages between you and Paul Dale?

10

11 MS GOBBO: Yes, yes, because, um, after the - in the weeks
12 after the burglary, and I'm talking not, not necessarily
13 like the first week, but as the weeks go on, you know, it
14 becomes, like there's a first, the first knowledge that
15 there's, um, a police officer possibly involved is the, um,
16 the issue with Miechel and the police dog biting him or
17 chasing him.

18

19 MR WINNEKE: Yes.

20

21 MS GOBBO: And, you know, there was a, there was a, um - I
22 can remember it being in the media. There was a lot of,
23 um, speculation about Miechel and Dale and I was, obviously
24 I didn't know, I was in two minds about what Dale's
25 involvement was or wasn't and not being told, obviously not
26 being told - I've used the term the truth from Dale, but I
27 use that in inverted commas because whatever his
28 instructions were, were his instructions or what he wanted
29 to tell me, and then I had, I had the, the other side of it
30 where I learned more from, like I think I said to you
31 initially, I didn't know that it was, that the house itself
32 had anything to do with Tony Mokbel and I learned down the
33 track that in effect it was a Mokbel controlled, um,
34 empire, or not empire, but you know, that house was
35 basically being used, um, by Ahmed but it was controlled by
36 Tony or financed by Tony, and Dale at one stage was, um - I
37 can't remember precisely when this was, when this occurred
38 but he expressed concern that Tony may want to kill him
39 because of the fact that his drugs had been ripped off.

40

41 MR WINNEKE: I want to come back to Terry Hodson if I can.
42 You were actually, you actually came to be involved with
43 Terry Hodson initially via a telephone call from Peter
44 De Santo on about 29 September, do you accept that?

45

46 MS GOBBO: Yes.

47

1 MR WINNEKE: He actually contacted you with a view to you
2 putting Terry Hodson in contact with De Santo, with ESD,
3 via Andrew Hodson. So that's how it initially came about,
4 isn't it?

5
6 MS GOBBO: Sorry, say that again, that - - -

7
8 MR WINNEKE: Peter De Santo rang you knowing that you had
9 previously acted for Andrew Hodson.

10
11 MS GOBBO: Yes.

12
13 MR WINNEKE: And asked you if you could reach out to Terry
14 Hodson via Andrew to get him to come in and speak to ESD.

15
16 MS GOBBO: Yes, because they wanted him to roll, yes.

17
18 MR WINNEKE: Yes. So you knew that from the start,
19 correct?

20
21 MS GOBBO: But, sorry - yes, sorry. But what I, what I'm
22 not clear about is whether Hodson at that point when
23 De Santo rings me, I later thought that Hodson had already
24 made a statement and agreed to assist ESD and it was
25 De Santo trying to set me up.

26
27 MR WINNEKE: Yes. Look, you've got your diaries and your
28 court books, you know that there was a note that you've
29 made I think on about 1 October or thereabouts of the
30 meeting that you had with Andrew and Terry Hodson. Do you
31 have your court books?

32
33 MS GOBBO: Sorry, no, no. Look, I've - my lawyers have
34 sent me a hard drive of the copy of - actually, I don't
35 know if they've sent the court book, but they've sent a
36 copy of what was on my computer, but, um, I can tell you
37 truthfully, I haven't looked at it.

38
39 MR WINNEKE: All right.

40
41 MS GOBBO: I'm just not, I'm not in a position - you know,
42 I don't, I don't want to sound like I'm whinging because I
43 really am, I don't mind how long I have to speak to you for
44 to try and answer any questions, [REDACTED]

[REDACTED] and I get three hours a
46 day [REDACTED], um, and I'm, my health is declining and
47 I'm, so I'm only just doing my best.

1
2 MR WINNEKE: No, no, I understand that. I understand that.
3 So the point I'm making is that in effect you are the
4 conduit through whom ESD reaches out to Terry Hodson and
5 you have a discussion with Terry Hodson with a view to
6 encouraging him or knowing that ESD are keen for him to
7 come in and speak to ESD?

8
9 MS GOBBO: Yes, De Santo made it clear that that's what his
10 interest was. But I subsequently thought that he had
11 already, that he was already on board, um, but that might
12 have been my paranoia or an impression that De Santo gave
13 me.

14
15 MR WINNEKE: Right.

16
17 MS GOBBO: But your point is right, that De Santo wanted,
18 he effectively wanted me to, um, to convert, um, or push
19 Terry in that direction.

20
21 MR WINNEKE: Now is that the first - - -

22
23 MS GOBBO: Sorry, Chris, I'm - sorry, I'm just taking,
24 sorry, I'm just taking a painkiller, but go on.

25
26 MR WINNEKE: Do you want to have a break?

27
28 MS GOBBO: No, no, I just, every two hours I, it just keeps
29 my, um, neuralgia at a level that's, um, yeah, just - the
30 pain's always there but it just takes the edge off.

31
32 MR WINNEKE: I can understand that, but if it's
33 uncomfortable we don't want to make it any worse so by all
34 means say so if you're finding it uncomfortable and you
35 want to have a break.

36
37 MS GOBBO: No, it's okay, I can keep going.

38
39 MR WINNEKE: Had that ever happened before, what you've
40 just - - -

41
42 MS GOBBO: With De Santo?

43
44 MR WINNEKE: Yes, with De Santo?

45
46 MS GOBBO: Um, not, not that I can specifically recall.
47 Um, he was, um, he was - look, I know, I don't want to

1 demean myself by saying this but I will. He was an
2 intimidating, um, and a very good tactician. He, he made
3 me utterly paranoid, often for no reason I think. Um, he
4 was scary. I found him - if I had to see him tomorrow I
5 would find him intimidating and I have to say truthfully
6 not, I couldn't say to you because he was a bully because
7 I've, you know, in the last, in months gone by, this year
8 I've dealt, I dealt with those police that were here
9 ostensibly helping me who were bullies in their language
10 and the way they behaved, but De Santo wasn't like that, he
11 was, he would do it in a very professional way but he was,
12 um, conniving is probably the best way to put it, he was,
13 he was a scary bloke.

14
15 MR WINNEKE: Perhaps I'll ask you this: did you meet with
16 him on occasions and have discussions with him about
17 matters?

18
19 MS GOBBO: Yes, yes.

20
21 MR WINNEKE: Matters pertaining to your clients and clients
22 who he was interested in speaking to?

23
24 MS GOBBO: Yes, and you know, like I look back and
25 obviously the man would have picked my brain, um, and I was
26 - look, again, I know it sounds - I don't want you to think
27 that I'm trying to make some excuse, because I genuinely am
28 not, but I felt that I couldn't say no to him and I
29 couldn't not answer whatever it is he wanted to ask me. I
30 should have had the, I feel like I should have had the guts
31 or the strength to just tell him to bugger off, sorry to
32 use that language.

33
34 MR WINNEKE: No, that's fine.

35
36 MS GOBBO: I should have - - -

37
38 MR WINNEKE: Can you give us - - -

39
40 MS GOBBO: I should have felt stronger.

41
42 MR WINNEKE: Are you able to give us any names of clients
43 in relation to whom he sought information from you?

44
45 MS GOBBO: Not, um, not off the top of my head but I'm just
46 - I'll just write a note. If I, if I had access to my, um,
47 if I had access to my fee book from that period it would be

1 pretty, it would just spark my memory of people that he
 2 would have had an interest in. Sorry, I'm just trying to
 3 think of a way - I'm sorry to be off the top of my head,
 4 but that might be a way to identify people.

5
 6 MR WINNEKE: Yes. What about Ferguson and Sadler?

7
 8 MS GOBBO: Yes, I was just about to say, yes, I was just
 9 about to say Sadler and Ferguson were another couple. Dave
 10 Waters was another one. He was, he was, um - the thing
 11 about De Santo was he gave me the impression, um, that he,
 12 he knew, um, everything about everyone, as in people like
 13 Sadler and Ferguson, or that he had his tentacles in every
 14 investigation and he could make life very difficult for
 15 anybody who didn't, um, who didn't cooperate with him and I
 16 can't express it to you - I'm probably not doing myself
 17 justice to express it in this way, but I found myself
 18 wanting to please him or wanting, not to impress him, but
 19 wanting to help him and answer his questions in, um, in a
 20 not dissimilar way to the way [REDACTED]

[REDACTED]

29
 30 MR WINNEKE: No, that's okay. We know that there was a
 31 confiscation proceedings in relation to Ferguson.

32
 33 MS GOBBO: Yes, I think that's how I got involved in giving
 34 him advice in the first place. Oh, the tractors, it was
 35 the tractors and the potatoes.

36
 37 MR WINNEKE: Yes. Did you give information to Peter
 38 De Santo about that?

39
 40 MS GOBBO: I know I spoke to De Santo about it. I just, I
 41 can't recall the specific, um, I can't recall the specific
 42 aspect of it but it was, um - - -

43
 44 MR WINNEKE: Well, information that would have been of
 45 assistance to the police?

46
 47 MS GOBBO: Yes, yes.

1
2 MR WINNEKE: And without the knowledge of Mr Ferguson?
3
4 MS GOBBO: Correct.
5
6 MR WINNEKE: What about Sadler, did you give information to
7 De Santo about Mr Sadler without his knowledge?
8
9 MS GOBBO: I can't, I know that I - I don't, I'm not in a
10 position to say that I didn't speak to De Santo about
11 Sadler. He would have, anything he asked I would have
12 answered, um, but whether anything that I - whether I told
13 him anything that was of use about Sadler, I'm not sure. I
14 know that what De Santo, one of the things that De Santo
15 liked to do was to, he would make it sound like a social
16 conversation instead of it being, um, instead of him
17 interrogating you, but - and he would, like he liked to
18 know about the relationships between people, as in like,
19 um, what the relationship was between Ferguson and Sadler
20 in terms of were they helping each other, financing each
21 other, that kind of background information, um, I think it
22 was like, from De Santo's point of view, him moving chess
23 pieces on a board because he wanted to - I know at one
24 stage he was keen on Sadler, um, informing on everyone,
25 which didn't happen.
26
27 MR WINNEKE: What were the circumstances of these
28 conversations? How did they come about? Did he contact
29 you?
30
31 MS GOBBO: Well, my, in - consistent with what I'm saying
32 about my, me being intimidated by him, um, there would have
33 been occasions where I rang him, or rang him back because
34 of messages that he left.
35
36 MR WINNEKE: Would you have been seeking to - - -
37
38 MS GOBBO: Or I rang him back - sorry?
39
40 MR WINNEKE: I was going to say would you have been seeking
41 information in return, for example, [REDACTED]
42
43 MS GOBBO: Um, I know - yes and no is the honest answer to
44 that because [REDACTED] - - -
45
46 MR WINNEKE: What about the yes part?
47

1 MS GOBBO: Well because [REDACTED] - the answer would have been
2 yes at some point because [REDACTED], I know that a couple of
3 times, or one time at least I can remember [REDACTED]
4 [REDACTED], sorry,
5 an [REDACTED] I thought was ridiculous, um, and along the
6 lines of, you know, [REDACTED] and
7 [REDACTED].

8
9 MR WINNEKE: [REDACTED] and [REDACTED] in relation to [REDACTED],
10 giving [REDACTED] some - - -

11
12 MS GOBBO: That's why in my answer I said yes.

13
14 MR WINNEKE: Improving [REDACTED], would
15 that be an example of that?

16
17 MS GOBBO: Sorry, I just, I think I spoke over you, Chris,
18 sorry.

19
20 MR WINNEKE: No, I was going to say would an example of
21 that be when [REDACTED] wanted to get [REDACTED]
22 [REDACTED] in [REDACTED] that he might have been
23 [REDACTED]?

24
25 MS GOBBO: Yes, yes, correct, that's one, yes.

26
27 COMMISSIONER: Nicola - - -

28
29 MS GOBBO: So all I'm trying to say is, in answer to your
30 question, um, why I was asking De Santo for things, I mean
31 what I'm really trying to qualify and say, yes, if I did,
32 it wasn't me just trying to fish for the sake of it, it
33 would have been because of, because of someone like [REDACTED]
34 wanting something or asking me to ask a particular
35 question.

36
37 COMMISSIONER: Nicola, Commissioner McMurdo speaking. I've
38 got another commitment now, I have to leave but the
39 conversation can continue with the rest of the people
40 present and I'll read the transcript when it's prepared.

41
42 MS GOBBO: Okay.

43
44 COMMISSIONER: All right then. Thank you.

45
46 MS GOBBO: Sure.

47

1 MR WINNEKE: We'll keep going, if you're happy to keep
2 going?
3
4 MS GOBBO: Can I, can I just, um, can I just, um, just step
5 away from the phone and go to the bathroom?
6
7 MR WINNEKE: Yes, by all means, absolutely. Why don't we
8 have a short break, perhaps for ten minutes?
9
10 MS GOBBO: Okay. Will I just hang up or just keep the
11 phone on?
12
13 MR WINNEKE: We'll mute it from our end.
14
15 MR COLLINSON: Yes, we think leave the phone on is probably
16 safer.
17
18 MR WINNEKE: Yes, we'll just mute it from our end.
19
20 MR COLLINSON: Yes.
21
22 MR WINNEKE: What time have you got now? Synchronise
23 watches. Have you got about 3.37 or something, 3.32,
24 rather?
25
26 MR COLLINSON: Yes.
27
28 MR WINNEKE: We'll come back on at 3.40?
29
30 MR COLLINSON: Yes.
31
32 MR WINNEKE: Okay.
33
34 MR COLLINSON: Thank you.
35
36 (Short adjournment.)
37
38 MR WINNEKE: Hello?
39
40 MS GOBBO: Yep, still here.
41
42 MR COLLINSON: We're here as well.
43
44 MR WINNEKE: You're there, Peter?
45
46 MR COLLINSON: Yes.
47

[REDACTED]

45
46 MR WINNEKE: [REDACTED]
47 Can I just, can I go back to what you were talking about

1 before with Peter De Santo. He seems to be a fairly, a
2 character who is a sort of a, I don't know whether you say
3 manipulative, but he's able to elicit information from you
4 which perhaps, with hindsight, such information you
5 shouldn't be giving?

6
7 MS GOBBO: Yes. Yes, that's a fair way to put it.

8
9 MR WINNEKE: I think we had this conversation once before
10 concerning Wayne Strawhorn and I think you made a similar
11 concession with respect to Wayne, another similar sort of
12 character?

13
14 MS GOBBO: Yes, Wayne and him were very - were not
15 dissimilar in that regard.

16
17 MR WINNEKE: Can I ask you - - -

18
19 MS GOBBO: Yes, manipulative is right.

20
21 MR WINNEKE: Can I ask you this: are there any other
22 police officers who come to mind who perhaps are able to
23 manipulate information out of you in a similar way?

24
25 MS GOBBO: Bateson.

26
27 MR WINNEKE: So Stuart Bateson is another?

28
29 MS GOBBO: Yes, but I would say in fairness to him he, he
30 did it in a more professional gentlemanly way.

31
32 MR WINNEKE: But the same effect?

33
34 MS GOBBO: He was more - yes, the same effect. I mean I
35 say that - - -

36
37 MR WINNEKE: Anyone else?

38
39 MS GOBBO: - - - because I can look, I can look back now
40 with hindsight, a wonderful thing as it is, and - like what
41 possessed me to have all of those conversations with him
42 and why did, why did I feel the need to basically purge my
43 soul to someone who, who didn't have my interests, who
44 claimed that he did but didn't have my interests at heart.

45
46 MR WINNEKE: Perhaps before I move into that can I ask you
47 to think carefully and think whether there are any other

1 police officers who would fall into that same category?

2

3 MS GOBBO: I'll just make a note, Chris, because I will,
4 I've got to switch one - turn my brain on and think back
5 to, um - so it's, the other question you asked was the
6 De Santo clients and then other police. Um, I'd say **Sandy White**
7 would be one. He was - I just, I try, I'm trying
8 to not let my - I'm trying to be, it sounds ridiculous to
9 say this to you, but I'm trying to be as objective as I can
10 be in this assessment.

11

12 MR WINNEKE: Yes.

13

14 MS GOBBO: But **Sandy White** is, if I thought De Santo was
15 a manipulator, then **Sandy White** is, takes the prize way
16 ahead of De Santo. Um, but **Sandy White** did it in a way
17 that made me petrified of the man.

18

19 MR WINNEKE: Why do you say that?

20

21 MS GOBBO: Because he would say things to me like, um, "You
22 can try and hide things from us, you can try and not tell
23 us things, but you will never know when we're testing you
24 or when we're asking you something when we already know the
25 answer", um, "So you need to - every time we ask you
26 something or debrief you on some topic, you won't know and
27 it's part of the unfairness of the trust relationship as in
28 you have to trust us, we don't have to trust you, and we
29 never can trust you because of, because of who you are, but
30 you have to trust us because if you don't, we can burn
31 you", meaning - well not meaning, he said it in those words
32 too, you know, "You have to rely on us to keep your secrets
33 secret".

34

35 MR WINNEKE: So to that extent did you feel as if you were
36 in a cleft stick, you couldn't go forward, you couldn't go
37 backwards, you just had to keep assisting or doing what - -

38

39

40 MS GOBBO: I couldn't see an end to it, Chris, I could not
41 see an end to it. I'm sure I'm recorded saying to them, I
42 know I said it to some handlers, "How is this going to
43 end?"

44

45 MR WINNEKE: Did you feel as if it affected your health?

46

47 MS GOBBO: Absolutely.

1

[REDACTED]

24

25 MR WINNEKE: All right. Sorry, Nicola, I didn't mean to
26 interrupt. Was it [REDACTED] who was asking you questions
27 about what you were going to say about the handlers?

28

29 MS GOBBO: Um, yes, he made it - a couple of times prior
30 to, prior to that hook up, sorry, not hook up, prior to
31 that phone link up, he - in a kind of, um, you know, in a
32 way to try and, as though to get me on side, um, you know,
33 "You've been very harshly treated. What's been done to you
34 is appalling", um, you know, really overtures of sympathy
35 and empathy but at the same time made a number of direct
36 threats that he would ensure that my children were removed
37 from me if I didn't toe the line and said to me a couple of
38 times that **Sandy White** was hardly done by when he was
39 forced to resign and he was mistreated by the, um, the
40 senior rank and file at Victoria Police over, over his -
41 well I don't know whether it was forced or his resignation,
42 and that, because **Fox** said, "Look, you know I haven't, I
43 haven't dealt with you directly but I know all about you
44 because I've been in that unit for many, many years, I've
45 done lots of undercover work, lots of intelligence work.
46 Your handlers are friends of mine, I'm still friends with
47 them". And you know [REDACTED]

[REDACTED]

7
8 MR WINNEKE: All right. Now that was on the first occasion
9 or immediately after the first occasion we spoke to you,
10 was it, on 20 March?

11
[REDACTED]

17 [REDACTED] And what I mean by that
18 is that I've noticed a significant decrease in, um, tension
19 and in the type of behaviour that, behavioural changes I
20 [REDACTED] as a result of me not being on edge all the
21 time [REDACTED]

23
24 MR WINNEKE: Okay.

25
26 MS GOBBO: I mean there was another occasion with [REDACTED]
[REDACTED]

39
40 MR WINNEKE: Well, that's fair enough, I agree. That's
41 fair enough, [REDACTED]

42
[REDACTED]

1
2 MR WINNEKE: Yes, okay.

3
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted] which had on the

10 outside of the envelope was, I don't know if it was 60
11 Minutes or some, it was some media organisation, and there
12 have been plenty seeking to, um, 60 Minutes was one that
13 comes to mind seeking to do some interview or speak to me
14 and, um - - -

15
16 MR WINNEKE: Yes, all right.

17
18 MS GOBBO: But they didn't, [Redacted]
[Redacted]
[Redacted]
[Redacted]

23 -
24

[Redacted]
[Redacted]
[Redacted]
[Redacted]

30
31 MR WINNEKE: Yes, I follow that. Nicola, could we, could
32 we just ask you - - -

33
34 MS GOBBO: Sorry, anyway, I'll make a note of the other
35 police.

36
37 MR WINNEKE: No, I understand that. You've put that on the
38 record. Can I ask you, if we could go back to the period,
39 and we're talking about other police officers who you
40 provided information to.

41
42 MS GOBBO: Yes.

43
44 MR WINNEKE: And we've referred to a number of them,
45 Bateson, Strawhorn, De Santo, Sandy White. If we can focus
46 on people outside of the SDU. Now, during the period that
47 you were a registered informer, I take it there were other

1 police officers who you were also speaking to and providing
2 information to?
3
4 MS GOBBO: Um, during the time that I was a registered
5 informer?
6
7 MR WINNEKE: Yes. So you continued to speak to Stuart
8 Bateson, I take it?
9
10 MS GOBBO: Yes, but I - but **Sandy White** made it clear
11 that if I spoke to anybody, any other police officer, um,
12 that he had to know about it.
13
14 MR WINNEKE: Right.
15
16 MS GOBBO: And so, for example, I was allowed to speak to
17 Dale Flynn a number of times.
18
19 MR WINNEKE: Was he another person who had some sort of
20 capacity to elicit information like these other police
21 officers you've mentioned?
22
23 MS GOBBO: No, I - I don't think that, I don't think that -
24 no, I didn't read Dale Flynn that way.
25
26 MR WINNEKE: Okay. In any event you spoke to Flynn. You
27 continued to speak to Bateson. Who else did you speak to?
28
29 MS GOBBO: Did you speak to Jim O'Brien on occasions?
30
31 MR NATHWANI: Chris, sorry, it's Rishi, I think we lost
32 her.
33
34 MR WINNEKE: Right. Give us a moment. It just went dead.
35 It makes me think the battery might have gone on her phone.
36 Let's just check.
37
38 MR WINNEKE: Thanks Rishi, we'll stand by.
39
40 MS GOBBO: Hello.
41
42 MR WINNEKE: Yes.
43
44 MS GOBBO: Yes, I'm still here.
45
46 MR WINNEKE: Okay, good.
47

1 MR NATHWANI: We're back on.

2

3 MR WINNEKE: All back on. Thanks Rishi.

4

5 MS GOBBO: I don't know what happened. I'm not sure what
6 happened, it just went dead.

7

8 MR WINNEKE: I think I asked you, Jim O'Brien, did you
9 continue speaking to Jim O'Brien?

10

11 MS GOBBO: Yes, um, but nowhere near as frequently as Dale
12 Flynn and Jason Kelly was another one.

13

14 MR WINNEKE: Right. This might be taxing your
15 recollection, but what did you speak to Jim O'Brien about
16 when you were in the SDU?

17

18 MS GOBBO: You mean when I was as an informer - - -

19

20 MR WINNEKE: As a registered informer, yes. What were you
21 speaking to these people about other than, you know, when
22 you were speaking to members of the SDU, when you had
23 direct conversations with other police officers, what was
24 it about? I mean, for example in relation to Jim O'Brien,
25 what would he have been asking you questions about?

26

27 MS GOBBO: Um, it was - I can't remember Jim, a specific
28 conversation with Jim off the top of my head but, um, look
29 I know with Dale Flynn, I can recall a few cups of coffee
30 with him and conversations about, um, [REDACTED] and [REDACTED]
31 Um, they, those kind of conversations were, um,
32 they weren't encouraged by Sandy White in fact he, he
33 was pretty, um, he was, not constantly but often reminding
34 me that I shouldn't have any conversation with any police
35 officer at all, um, about anything, lest there be me
36 inadvertently revealing something about me being an
37 informer. But at the same time he conceded that Jim
38 O'Brien knew precisely what I was and what I was doing.
39 Um, Dale Flynn knew. Jason Kelly knew. Um - - -

40

41 MR WINNEKE: Paul Rowe. Did you speak to Paul Rowe outside
42 of - - -

43

44 MS GOBBO: At one stage - yes. Well Paul Rowe knew
45 absolutely and entirely because he was the, he and Steve
46 Mansell did the hand over to Sandy White in the first
47 place.

1

2 MR WINNEKE: Yes. So did you continue to speak to those
3 fellows?

4

5 MS GOBBO: Not to Steve Mansell, no.

6

7 MR WINNEKE: But Paul Rowe you did.

8

9 MS GOBBO: To Paul, yes, because he was, um, he was, he was
10 right in the middle of the [REDACTED] case and, um,
11 like Jim O'Brien was right in the middle of [REDACTED]
12 Bateson was the same with [REDACTED] Um, sorry, I thought -
13 - -

14

15 MR WINNEKE: And you were speaking to them about matters
16 that you were involved in?

17

18 MS GOBBO: Yes, yes, and basically anything that they
19 asked. I mean they were, you know, I guess I was at a
20 disadvantage of, of not - and like all my dealings with
21 Sandy White and the handlers, I never knew, um, the big
22 picture. I was just, like [REDACTED] Sandy White would often
23 remind me that I had to tell him everything about anybody
24 that I had contact with because some tiny little bit of
25 information that might mean nothing to me and I might think
26 is irrelevant might be the piece of the jigsaw puzzle that
27 could assist them and that I had to trust them to
28 disseminate or, sorry, to make a decision, what he would
29 say is that he would make the decision about the safe
30 dissemination of that material, sorry that intelligence, in
31 a way that didn't reveal, um, the source.

32

33 MR WINNEKE: And so you would provide them with - - -

34

35 MS GOBBO: So there were a couple of times when I - sorry,
36 go on.

37

38 MR WINNEKE: I was going to say, you would provide them
39 with everything or as much information as you could
40 possibly provide because it may well be that even a small
41 piece of information might be the missing piece of
42 information they needed?

43

44 MS GOBBO: Correct, yes, and like I said - - -

45

46 MR WINNEKE: And regardless of where that information came
47 from.

1

2 MS GOBBO: That's right, and like as an example, I would
3 go, they would encourage me to go to, um, every single
4 social, um, setting that I could get to in, without being
5 obvious as an informer and to just, not to steer the
6 conversation in a particular way but to gather as much
7 information as I could, whether it be phone numbers, car
8 registrations, who was present, proper names instead of
9 just nicknames.

10

11 MR WINNEKE: Yes, I follow. This is **Sandy White** I take it,
12 this is the SDU you're talking about?

13

14 MS GOBBO: Yes.

15

16 MR WINNEKE: I'm keen to find out what information, what
17 information that you gave to police officers outside of the
18 SDU handlers. So we've spoken of - - -

19

20 MS GOBBO: Okay.

21

22 MR WINNEKE: - - - Jim O'Brien. You can't recall
23 specifically what you spoke to Jim O'Brien about, but
24 believe you would have spoken to him about matters that you
25 were involved in?

26

27 MS GOBBO: Yes, and - sorry, with him I can recall that,
28 um, his, he had a particular, um, dislike for Mick Gatto.
29 Gatto was his next target but he ended up resigning before,
30 and worked at [REDACTED] before, but their next target was
31 Gatto.

32

33 MR WINNEKE: Was Gatto. And indeed you were quite, you
34 were - I think I read in one, in your letter that in effect
35 you were unable to continue the project, if I can - I don't
36 know whether that's your word, but I'll use that word, with
37 respect to Gatto because events conspired against you?

38

39 MS GOBBO: Correct, that's right. And it got to an ugly
40 stage with Mick separate to, separate to that, because
41 Mick's ultimate test for, um, for not being an informer and
42 being someone he could trust, as in really trust, was to
43 sleep with him and, um, I really didn't want to have to go
44 down that path. Um, you might, I mean I wouldn't be
45 offended if you or anyone else took the view that we'll be
46 surprised to hear that because it seems that I, it appears
47 that I've slept with the half of the Police Force according

1 to what's been made public.

2

3 MR WINNEKE: I mean you can put it on the record, I take it
4 you didn't sleep with Mick Gatto?

5

6 MS GOBBO: No, no, but, um, no but Sandy White was
7 actively encouraging me, in his words, take one for the
8 team, you know, if it's got to be done, it's got to be
9 done. His view was if it didn't, if it didn't break the
10 law, and I didn't need an indemnity for it, then I should
11 do whatever was necessary.

12

13 MR WINNEKE: So Jim O'Brien was very keen, keen for you to
14 provide information against Mick Gatto?

15

16 MS GOBBO: Yes, and, um - - -

17

18 MR WINNEKE: How was, what was the means by which, that
19 they were going to get you to get Gatto?

20

21 MS GOBBO: Um, in much the same way of the way they steered
22 me to anyone else, which was they would start off with
23 [REDACTED], you know, like say Mick as
24 an example, [REDACTED]
25 around him, as in who do you think, based on your knowledge
26 of, acquired from spending time with these people, if we,
27 if we - like if we, for example, um, [REDACTED]
28 [REDACTED] you know, a drug deal or a drug
29 importation or whatever the crime might be, who's more
30 likely to roll.

31

32 MR WINNEKE: Did you come to a conclusion - - -

33

34 MS GOBBO: Who's more likely to give him up.

35

36 MR WINNEKE: - - - with respect to Gatto, who was the one
37 who was going to roll on Gatto?

38

39 MS GOBBO: Um, I said to, my view was that, that no one in
40 his crew would. He, that people, people - all of the
41 people that I knew through Mick, um, were, were not people
42 that would be prepared to do that because they knew they'd
43 be killed and unlike, unlike the Mokbels and the Williams
44 of this world, he, um, he always looked after, um, his
45 crew. I don't mean to sound like I'm talking like a
46 criminal, but he made sure people's families were looked
47 after, he paid their legal fees, um, and didn't give - he

1 generally didn't give people a reason to complain, whereas
2 the, you know like, for example, where Tony's concerned,
3 there were so many underlings that didn't get, that either
4 didn't get paid or whose families never got a cent while he
5 was living this incredible life of luxury. That gave, it
6 gave people more of an incentive to be bitter and twisted.

7

8 MR WINNEKE: Was it considered that Faruk Orman might be
9 vulnerable to rolling on Mick Gatto?

10

11 MS GOBBO: Yes. Well they, they meaning my handlers, they
12 - I'm making the assumption that they were getting that
13 view from Purana detectives but my - - -

14

15 MR WINNEKE: Did you speak to any Purana detectives about
16 that?

17

18 MS GOBBO: Yes, I - well I can't be - I'm sure I did but I
19 can't specifically tell you who or when, but my, my view
20 about Faruk was that he was very unlikely to do so, um,
21 with the, with the, with the, um - sorry, with the
22 exception of the fact that he was young and, um, his IQ is
23 - he's another one whose IQ I know is 72, 73. He's dumb
24 but street wise. Um, they, they believed that Faruk was
25 someone who could be targeted, as in if they charged him
26 with enough he would, um, he would assist them. My view
27 was that he would not do so, but we argued about things
28 like that. They said - - -

29

30 MR WINNEKE: Who did you argue with?

31

32 MS GOBBO: I know that with my handlers there was, there
33 were plenty of discussions obviously over time, not
34 necessarily on one particular occasion, um, and - I'm just
35 trying to think of others. I have to have a think about
36 others, other police officers that I had contact with in
37 what, in the context of, um, like people like Jason Kelly
38 who I didn't necessarily go out of my way to arrange to
39 meet but he just springs to mind because he didn't live
40 that far from me, he lived in an adjacent suburb, so I
41 often - not often, but from time to time ran into him
42 literally in the street and would end up having a
43 conversation with him.

44

45 MR WINNEKE: All right. And do you think you might have
46 provided information to him?

47

1 MS GOBBO: Well, not, um - yes, but not, not as in me
2 ringing him up saying, "I've got something to tell you", it
3 was more a case of, um, me, I guess in the context of being
4 isolated and knowing that he was someone who knew, to
5 whatever degree I'm not sure, but who knew that I was
6 assisting, and who hadn't burned me, um, that he would be
7 someone who I could have a conversation with, um,
8 reasonably openly, but with the proviso as **Sandy White**
9 reminded me always, which is that anything that you tell
10 them, assume that we will know either before or after.

11
12 MR WINNEKE: Can I ask you this: once you became a
13 fully-fledged registered informer, obviously you've told us
14 about what the expectation was with respect to **Sandy White**
15 and his crew, that is, look, we just - we want all of the
16 information from you because we never know or you'll never
17 know what might fill the, you know, be the last piece of
18 the jigsaw puzzle.

19
20 MS GOBBO: Yes.

21
22 MR WINNEKE: Insofar as there were other police officers
23 who you knew were aware of what you were doing, and that is
24 that you were an informer, were you of the view that it was
25 reasonable to provide similar assistance if it was of
26 assistance to them? Do you know what I mean?

27
28 MS GOBBO: Yes, but on the - yes, yes, I do, but - yes, but
29 on the, always on the proviso that it went through
30 **Sandy White** first or a handler first, um, or that they were
31 aware of it. So that there wasn't a situation where I was
32 telling, you know, someone outside of the, outside of that
33 small circle anything that **Sandy White**'s crew did not
34 know.

35
36 MR WINNEKE: Right. But you were in effect providing them
37 with the services of a registered informer, that is
38 providing information about matters that you knew about?

39
40 MS GOBBO: Correct, and - yes, and it was done with the,
41 um, approval and, um, I wouldn't say encouragement but at
42 least the approval of, um, **Sandy White** insofar as he
43 would say, um - and look, even when I happened to genuinely
44 just bump into someone outside court or in Lonsdale Street,
45 and later on they would say to me, "We know you saw such
46 and such or we saw you standing on the corner talking to
47 such and such, what did you talk about", and then they'd

1 say, "Ha, ha, it was a test because we know what you spoke
2 about because we spoke to that person", and then it was
3 like mind games because then I would wonder, well hang on a
4 minute, is that police officer someone else who knows what
5 I've, that I'm assisting?

6
7 MR WINNEKE: Yes, and I follow that. I think - we seem to
8 have strayed away from our questions. It's like a
9 meandering stream but what we might do is come back to our
10 questions.

11
12 MS GOBBO: Sorry. Sorry, if I've - - -

13
14 MR WINNEKE: No, no, no, look that's my fault as much as
15 yours but can I ask you, and we're obviously focusing on
16 Mr Dale. You, as I understand it, received, you went to
17 see Dale in custody on 7 December?

18
19 MS GOBBO: This is the Custody Centre, yes.

20
21 MR WINNEKE: Yes.

22
23 MS GOBBO: Or is this the Port Phillip - - -

24
25 MR WINNEKE: No, I think at Port Phillip Prison you saw him
26 on the 7th.

27
28 MS GOBBO: The Custody Centre.

29
30 MR WINNEKE: You saw him on the 5th at the Custody Centre.

31
32 MS GOBBO: Yes.

33
34 MR WINNEKE: And you said before that he might have
35 provided you with charge sheets and so on.

36
37 MS GOBBO: Yes, yes.

38
39 MR WINNEKE: You saw him on 7 December, two days later, at
40 Port Phillip Prison.

41
42 MS GOBBO: Charlotte.

43
44 MR WINNEKE: Charlotte division?

45
46 MS GOBBO: Yes.

47

1 MR WINNEKE: And also you saw him on the 14th. You went
2 out to see him on 14 December. Do you recall that?

3
4 MS GOBBO: I've got, um, I certainly have a recollection of
5 seeing him at Charlotte once, I don't recall seeing him
6 twice, but if I did I did.

7
8 MR WINNEKE: The prison records suggested that you saw him
9 on I think on the 14th. I'll be corrected if I - - -

10
11 MS GOBBO: Yes, well that's what I'm saying, I'm not, I'm
12 not in, I'm not suggesting that anyone's wrong. I can, I
13 can specifically recall, um, seeing him at Charlotte, um,
14 on the day of, I'm sure it was the day of the night of Carl
15 Williams' daughter's christening, which is the one, the one
16 function that I most regret ever attending. Ironically - -
17 -

18
19 MR WINNEKE: That's on 7 December.

20
21 MS GOBBO: The only reason I - yes. The only reason I went
22 was because there was a whole table of barristers and
23 solicitors there, but I regret it because it's ended up
24 being so widely used in the media.

25
26 MR WINNEKE: Yes. I take it as at those - I mean albeit -
27 do you say that you were in a relationship with Dale at
28 that stage or not?

29
30 MS GOBBO: No. God no. No.

31
32 MR WINNEKE: So you see him on the 7th and the 14th.

33
34 MS GOBBO: I'm sorry, I wouldn't - sorry, I wouldn't even -
35 sorry, I didn't mean to interrupt but I wouldn't, I don't
36 think it's, I don't think it's the right way to term it,
37 relationship.

38
39 MR WINNEKE: Okay. Do you say you that were never in a
40 personal relationship with him?

41
42 MS GOBBO: No, no. I think that gives it too much, um, it
43 makes it sounds too normal. No.

44
45 MR WINNEKE: How would you describe it then?

46
47 MS GOBBO: Sorry, I didn't mean, I didn't mean - I didn't

1 mean to interrupt you.

2

3 MR WINNEKE: No, that's all right.

4

5 MS GOBBO: So after he gets, like for example, after he
6 gets bail, which I think is before Christmas, just before
7 Christmas, he has, um, he has a huge party to celebrate
8 getting bail and makes a point of ringing me and, um,
9 thanking me for, um, for seeing him and supporting him and,
10 um - - -

11

12 MR WINNEKE: He invited you, I think, to his party and you
13 didn't go.

14

15 MS GOBBO: Yes. Yes, correct. Correct.

16

17 MR WINNEKE: Prior to - perhaps I'll ask you about this.
18 On 5 December Terry Hodson was arrested also?

19

20 MS GOBBO: Yes.

21

22 MR WINNEKE: And by that stage was Jim Valos acting for
23 him?

24

25 MS GOBBO: Um, Jim was acting for him because he was - I
26 think it was more of a convenience because he was the
27 solicitor for Andrew.

28

29 MR WINNEKE: Right. So you in effect - - -

30

31 MS GOBBO: But subsequently, um, Solicitor 1 ended up
32 acting for Terry.

33

34 MR WINNEKE: At that stage the other people for whom you
35 were acting, Ahmed, O'Reilly and Haynes, I think were
36 either - certainly I think Haynes had been admitted to
37 bail, had she, at that stage?

38

39 MS GOBBO: I think, I think they all had by Christmas.

40

41 MR WINNEKE: Yes.

42

43 MS GOBBO: Or just before Christmas.

44

45 MR WINNEKE: Yes. So you were at court to appear for
46 Terry Hodson as I understand it, instructed by Jim Valos.

47

1 MS GOBBO: Um, I know I was asked to do his bail
2 application by Solicitor 1 but I, I said I couldn't do it because
3 there was a, um, there was a perceived conflict of
4 interest. Solicitor 1's view was, "Well, you know more about this
5 than anyone else so you should do it". I may have done, I
6 may have done, I may have stood up and done the remand, um,
7 for Terry because Jim never wanted to actually appear, even
8 at a filing hearing, himself, but I don't - - -

9

10 MR WINNEKE: There is some suggestion, in fact Mr Gregor
11 said that you were prevented from acting for Terry Hodson
12 because there was an apparent conflict of interest and that
13 was something that you were told and it was for that reason
14 that you didn't appear for him on 5 December.

15

16 MS GOBBO: I'm sorry, I was told by who, by Murray Gregor?

17

18 MR WINNEKE: By Murray Gregor? Or I think Mr Grey. In any
19 event it was conveyed to you that it wasn't appropriate for
20 you to appear because of the conflict of interest and
21 because of that you didn't appear.

22

23 MS GOBBO: I'm not sure how it came about that I didn't,
24 but I think it's more, it might be - look I'm not disputing
25 that's someone's perception of it but I think it's more
26 likely to be, um, the truth is more likely to be nothing
27 that anyone ever wanted to be, ever wants to be open about,
28 which is, as you would know, you draw a bad magistrate on
29 the day you've listed a bail application and you don't like
30 the magistrate and you invent a reason to postpone it and
31 conflict of interest was one that was used plenty of times
32 when it shouldn't have been.

33

34 MR WINNEKE: To be fair, so as you know, Murray Gregor has
35 notes to the effect that he received advice from the OPP,
36 Rod Grey, to the effect that you should not be appearing
37 and that was conveyed to you and you didn't appear on 5
38 December, the day that they were remanded.

39

40 MS GOBBO: That may, I'm not disputing that, Chris, but I
41 just - - -

42

43 MR WINNEKE: You don't know about it?

44

45 MS GOBBO: He was never going to be applying for bail on
46 that day.

47

1 MR WINNEKE: No, I follow that. Regardless of who the
2 magistrate was it wouldn't have been appropriate to go
3 ahead cold and make a bail application on that day?

4
5 MS GOBBO: No, correct. Correct. That's right. And look
6 I equally, I can't, I can't remember how it was that, how
7 it was that, um, that █████ ended up moving from Jim to
8 Solicitor 1 but I do know that Solicitor 1 - so when Jim Valos was, did
9 his (indistinct) he was trained by, by, um, Solicitor 1
10 so if ever Jim had a conflict he would flick them to Solicitor 1
11 and it, I've just got this vague recollection that, um, he
12 put, he sent Terry to Solicitor 1 because of the conflict with,
13 potential conflict with acting for the other three.

14
15 MR WINNEKE: Okay, I follow that. Just because of the
16 time, I just want to ask you a number of quick questions.

17
18 MS GOBBO: Yes.

19
20 MR WINNEKE: You mentioned before about phones registered
21 in names other than your own. Do you accept that prior to
22 Paul Dale's arrest on 5 December that you did communicate
23 with him on phones, for example, or a phone supplied by █████
24 for example?

25
26 MS GOBBO: Yes.

27
28 MR WINNEKE: So that's before he's arrested? Do you agree
29 with that?

30
31 MS GOBBO: This is at the time when he - yes, this is at
32 the time when he's, um, he is suspended but not charged and
33 utterly paranoid, yes, I do, yes.

34
35 MR WINNEKE: So was that phones that you supply to Paul
36 Dale? Did you give Paul Dale a phone?

37
38 MS GOBBO: No. God no, no. Never supplied him with a
39 phone.

40
41 MR WINNEKE: But you used a phone that wasn't your own
42 phone to communicate with him, correct?

43
44 MS GOBBO: Yeah, I spoke to him on, on, um, my landline, my
45 mobile line and at least one or two other phones as well.

46
47 MR WINNEKE: Are you aware that he also was using a burner

1 phone or a bodgey phone?
2
3 MS GOBBO: No, I later found out when I was told that by,
4 um, by Petra Task Force investigators.
5
6 MR WINNEKE: Right. In 2004, after Dale was released on
7 bail, it appears that you communicated with him on a phone
8 which wasn't registered in his name. I think there's a
9 Darren Johnson is a phone that comes to mind or a name that
10 comes to mind. Are you aware of that?
11
12 MS GOBBO: Yeah, I don't know what names he, what names he
13 had phones in, but he had, he had multiple phones, um,
14 post, post being granted bail.
15
16 MR WINNEKE: All right. And you yourself used a phone that
17 was supplied I think by Adam Ahmed to contact him, to speak
18 to him?
19
20 MS GOBBO: Yeah, I'm not sure if it was a - I'm not sure
21 where - during those years I had, um - I didn't have, I
22 don't think I had more than one at one time, but I had
23 access to phones that were given to me as opposed to be
24 ringing up and connecting them in a false name.
25
26 MR WINNEKE: Did you use a phone which is registered in the
27 name of Valerski?
28
29 MS GOBBO: Um, that name rings a bell, which - I don't know
30 what name it was in. I didn't connect it but that would
31 be, that may be right.
32
33 MR WINNEKE: Who connected it?
34
35 MS GOBBO: Um, it was either - I actually don't know the
36 answer to that. I'm assuming - well, I'm making the
37 assumption that whoever gave it to me did.
38
39 MR WINNEKE: And who would that - - -
40
41 MS GOBBO: ██████████, Mokbel.
42
43 MR WINNEKE: Ahmed?
44
45 MS GOBBO: Ahmed, ██████████'s offsider ██████████. I
46 can't think of his - - -
47

1 MR WINNEKE: All right. Did you have a relationship with
2 Adam Ahmed after - - -

3
4 MS GOBBO: Chris, sorry, I can categorically say I've never
5 falsely connected a phone myself.

6
7 MR WINNEKE: Okay. Did you have a relationship with Adam
8 Ahmed after you got him bailed?

9
10 MS GOBBO: No. Um, but he certainly, um, he certainly
11 wanted me to and told the world that he did.

12
13 MR WINNEKE: Just to clarify one matter, on the night
14 immediately prior to the discovery of the Hodsons' murders,
15 you'd been out with Adam Ahmed prior to him having to go
16 home because he was on a curfew, is that right?

17
18 MS GOBBO: Um, no - yes, but I'd been, it wasn't him, it
19 was, it was, um, it was a thank you for getting him bail
20 from his family. So it was his sister, brother, um, a
21 number of people and he had to leave, I think it was
22 11 o'clock or 10 o'clock, he had to go home to meet his
23 curfew.

24
25 MR WINNEKE: Did you not try and get into Abla's and then
26 you weren't able to get into Abla's and you went over to a
27 restaurant in Chinatown with him?

28
29 MS GOBBO: That, that wasn't that night but that was -
30 sorry, are you talking about the night of the, the night of
31 the Hodsons' murder?

32
33 MR WINNEKE: Yes, or the night prior to the discovery of
34 the murder.

35
36 MS GOBBO: Sorry, I thought - sorry, I'm thinking of a
37 Southgate, the Southgate, um, dinner is a different dinner
38 with - sorry, I thought you said, um, post burglary. No,
39 you're right. The night of the, the night that Andrew
40 Hodson rings to say that he's found, um, his mum and dad -
41 - -

42
43 MR WINNEKE: Yes, the night before that.

44
45 MS GOBBO: Yes. Yes, we had tried to go to - he'd come to
46 my chambers and we tried to go from William Street to
47 Carlton, couldn't get in and ended up just walking to

1 Chinatown or Little Bourke Street.

2

3 MR WINNEKE: Yes. That night, how had that, how had that
4 night or that event occurred, the dinner at Abla's, had
5 that been planned?

6

7 MS GOBBO: No. No, um, it was routine for me to be at work
8 on Saturdays, such was my - obviously in hindsight I look
9 back and think I had no life/work balance but I was usually
10 at, would work on a Saturday and gaol, gaol was Sunday, or
11 Sunday morning, and so if, quite often at that time and
12 subsequent anyone looking for me would always - sometimes I
13 would ring, sometimes I'd just turn up because they would
14 know I would be there.

15

16 MR WINNEKE: All right. Just a couple of other questions.
17 Terry Hodson, you spoke to him on a number of occasions
18 prior to 5 December when he was arrested. Did you speak to
19 him after that, after 5 December?

20

21 MS GOBBO: Um, I'm not sure. Probably.

22

23 MR WINNEKE: Right. Well when you say probably, why would
24 you have spoken to him after the arrest?

25

26 MS GOBBO: Well I'm not, like I'm literally, I shouldn't be
27 guessing, but I'm assuming that I, um - I know that I, I'm
28 sure I would have spoken to him after I didn't appear for
29 him, um, and I know that - I can remember Solicitor 1 wanting me
30 to come to court when he did his bail application for him.

31

32 MR WINNEKE: Yes.

33

34 MS GOBBO: Presumably to fill in the gaps and to help him
35 get him bail.

36

37 MR WINNEKE: And did you do that?

38

39 MS GOBBO: Such was the - pardon?

40

41 MR WINNEKE: And you did do that, did you?

42

43 MS GOBBO: Um, I think I was at court. I think I was at
44 the Melbourne Magistrates' Court on that date but not - but
45 I wasn't, I wasn't sitting at the Bar table assisting Solicitor 1 in
46 any way.

47

1 MR WINNEKE: Okay.

2

3 MS GOBBO: But I've got a vague recollection of Solicitor 1
4 appearing and me waiting for him or seeing him at court
5 towards the end of the bail application.

6

7 MR WINNEKE: Insofar as Hodson is concerned, you were
8 aware, certainly by the time he'd been arrested, or you
9 were aware beforehand that he was an informer, we've
10 discussed that.

11

12 MS GOBBO: Yes, it was a - yes, yes, it was a long - it was
13 one of the worst kept secrets. I use that in inverted
14 commas. Everybody knew.

15

16 MR WINNEKE: And you were also aware by the time of his
17 arrest, and indeed before his arrest, that he would
18 potentially have information that would be of assistance to
19 the Ombudsman or the Police Ombudsman because he seemed to
20 be involved with corrupt police officers?

21

22 MS GOBBO: Potentially, yes.

23

24 MR WINNEKE: I want to suggest that you suggested to him
25 that it could well be to his advantage if he went and spoke
26 to the Police Ombudsman?

27

28 MS GOBBO: That I suggested that to Terry?

29

30 MR WINNEKE: Yes.

31

32 MS GOBBO: Um, I'm - I wouldn't dispute that. I, um, I
33 don't have a specific, I literally don't have a specific
34 recollection as I sit here and think about it.

35

36 MR WINNEKE: All right.

37

38 MS GOBBO: But - - -

39

40 MR WINNEKE: Did you know Brian Hardiman, or know of him?

41

42 MS GOBBO: The name sounds familiar, Chris, but I can't
43 think of - I can't think off of the top of my head where I
44 know the name from.

45

46 MR WINNEKE: If there was evidence which suggested that - -

47 -

1

2 MR COLLINSON: Chris, can I just raise this. We're
3 perfectly happy at this end to continue. The only thing
4 I'm conscious of is [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 MR WINNEKE: Okay. Can I just ask you two other questions,
12 if I may.

13

14 MS GOBBO: Yes, yes.

15

16 MR WINNEKE: Insofar as the Ombudsman's office is
17 concerned, you may have suggested to Hodson, "It would be
18 in your interest to go and speak to the Police Ombudsman",
19 that's something that you don't specifically recall but it
20 may be something that you could have done?

21

22 MS GOBBO: Yes, because I definitely was aware, not through
23 Dale telling me anything, um, but by reason of the people
24 that I'd acted for, that alone, in terms of their
25 instructions, of, um, things that had been done wrong or
26 that shouldn't have happened to him, um, and that could
27 assist his position, bearing in mind that he didn't want to
28 go to gaol.

29

30 MR WINNEKE: I follow that, and you were of the view that
31 Dave Miechel was off?

32

33 MS GOBBO: Yes.

34

35 MR WINNEKE: Okay. Now - - -

36

37 MS GOBBO: I thought that not only, not only was he a bad
38 crook, a crooked police officer, but - I mean setting
39 aside, leaving aside him, um, doing things with Terry that
40 he should not have done, um, in that, in that
41 informer/handler relationship, but separate to that he was
42 a thief and a crook himself.

43

44 MR WINNEKE: Okay. Finally, in February of 2015 you sent
45 an email to Ian Campbell, or at least - - -

46

47 MS GOBBO: Yes.

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MR WINNEKE: And it says - sorry, a text message around February of 2015 to this effect, that Dowsley, that is, "Anthony Dowsley's planning a huge story, will name some specific crooks convicted because of my assistance. Will include the issue of me wearing a wire for Petra".

MS GOBBO: Yep.

MR WINNEKE: Et cetera, et cetera. But then it says this, "There's going to be a story about the smoking gun" - his words, not mine - "Piece of evidence I had against Dale that the investigators never bothered to collect from me. This is a magazine Dale scribbled notes on when I met him which I assumed he did in case there was anyone eavesdropping", right?

MS GOBBO: Yes. I can't, I can't remember the context in which I sent him that text but, um, I would have, yes.

MR WINNEKE: So what I'm asking about is the magazine. Where is it?

MS GOBBO: God, I don't think that, um, I think that it was inadvertently chucked out when I moved from [REDACTED] to my current home, um, and partly no one, no one wanted it. Solicitor 1 at one stage, Solicitor 1 I mean, I had told him about it, um, because of me getting Solicitor 1's assistance when I [REDACTED] hearing, and in terms of Solicitor 1 offering for me to, Solicitor 1 writing to the Director of Public Prosecutions and saying I was prepared to assist at the Coroner's Inquest but in circumstances in which, um, in which it was safe for me to do so.

MR WINNEKE: Yes, but this is a smoking gun piece of, or at least described by Dowsley as a smoking gun piece of evidence. What was written on it?

MS GOBBO: So it - because it was, Dale was writing things down instead of saying them out loud and I went over this with the Petra, sorry, with Shane O'Connell. Now there's another name to add to that list before of police that elicited information from me. Add Shane O'Connell to that, but you can ask me about that again.

MR WINNEKE: Yes.

1 MS GOBBO: So, when I came back from the meeting, as in the
2 recorded meeting that I recorded with Dale.
3
4 MR WINNEKE: Yes.
5
6 MS GOBBO: I had that magazine in my hand.
7
8 MR WINNEKE: Did you give it to anyone?
9
10 MS GOBBO: No, they didn't even want it.
11
12 MR WINNEKE: Did you tell anyone about it?
13
14 MS GOBBO: Yes, I did. I had it in my hand.
15
16 MR WINNEKE: And did you show it to police?
17
18 MS GOBBO: Shane O'Connell, yes.
19
20 MR WINNEKE: Showed it to Shane O'Connell?
21
22 MS GOBBO: Yes. He took the device back off me.
23
24 MR WINNEKE: What had he written on the magazine?
25
26 MS GOBBO: Um, so a couple of initials. So - I had to go
27 through this with Petra, um, a couple of years, or sorry, a
28 year or about a year after making my statement, they came
29 and met me in another state in Australia with the
30 transcript of the covertly recorded conversation and asked
31 me to piece together the bits that were missing and during
32 that, um, those hours and hours of listening to the
33 recording and trying to work out the inaudible parts, I was
34 able to say to them bits that he, like initials that he'd
35 written down, um, that he hadn't said out loud on the tape
36 and I don't, I'm sorry if I sound vague, but if I had it in
37 - like there was, so there is a copy of the transcript.
38
39 MR WINNEKE: With your handwritten notes?
40
41 MS GOBBO: And it has my annotations on it.
42
43 MR WINNEKE: All right. And that was provided to Petra,
44 was it?
45
46 MS GOBBO: Yes, that was Cameron Davey and Sol Solomon.
47

1 MR WINNEKE: So that transcript - - -

2

3 MS GOBBO: And you can add Sol Solomon to the other list as
4 well, because he's a - he's another one who befriended me,
5 um, and spooked me.

6

7 MR WINNEKE: Okay. All right, we'll add him to the list.
8 That finishes it. Just before we go, would you be prepared
9 to speak to us again, and I'm sorry for dragging things on
10 now, but would you be prepared to speak to us again about
11 the handlers and other matters prior to us dealing with
12 those witnesses? We'd certainly appreciate it if you did.

13

14 MS GOBBO: Chris, I'm more than, look, if it can - I'm
15 trying to just fit things in [REDACTED]

[REDACTED]

[REDACTED] or anything else.

18

19 MR WINNEKE: Yes, I understand that.

20

21 MS GOBBO: You know, look if - the bottom line is, I'd
22 prefer to do this in person. It's a lot easier doing it
23 face-to-face and I, I appreciate that we go off on tangents
24 and I'm - you've got lots of topics and lots of things
25 you'll come up with, I assume with witnesses you're asking
26 questions of, and I'm happy to help in any way that I can.
27 I mine my life's been laid bare, so, um, it's just very
28 difficult to do it when I'm stuck without anybody and not
29 well myself.

30

31 MR WINNEKE: No, I understand that.

32

33 [REDACTED]

34

35 MR WINNEKE: I understand that. We'll let you go so you
36 can get off [REDACTED] we'll be in touch with
37 you in due course. Thanks very much, Nicola.

38

39 MS GOBBO: All right. No, no problems. Thank you. Bye.

40

41 MR WINNEKE: You're gone?

42

43 MR COLLINSON: I think Nicola's gone. We're still here.
44 Was there anything else you want to touch upon, Chris?

45

46 MR WINNEKE: No, there isn't Peter, no.

47

1 MR COLLINSON: Okay. We'll no doubt liaise about another
2 time that's convenient to you.

3
4 MR WINNEKE: That be would be good.

5
6 MR RAPKE: Also Mr Gobbo Solicitor, further to our discussion and our
7 correspondence to each other or email, if we could get a
8 statement prepared which will pick up the answers to
9 Chris's questions of today, plus the transcripts of the
10 previous two sessions and Nicola can make corrections or
11 expand things that she said as she saw fit, that would be
12 very helpful. And then you and I will no doubt be in
13 contact again to talk about a further session about the
14 handlers and those hearings, just so you know, are set to
15 start next month, 22 July notionally, but I think that's
16 going to be a pretty firm date, and we would like some
17 assistance from her there. So we will no doubt speak
18 again.

19
20 MR COLLINSON: Sorry, I didn't want to interrupt you,
21 Howard, but unfortunately Mr Gobbo Solicitor had to go a bit earlier,
22 but we've received all of that information.

23
24 MR RAPKE: That's fine. If you'd be good enough to pass it
25 on, Peter, I'd be grateful.

26 ---

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