

The Royal Commission into the Management of Police Informants

STATEMENT OF: PAUL NOEL DALE [REDACTED]

Ex-Detective Sergeant 27243 Victoria Police

VicPol 1988 - Resigned 2005

1. My full name is Paul Noel Dale, I am 50 years of age and I reside at an address known to the Royal Commission.
2. I have been requested by the Royal Commission into the Management of Police Informants to prepare a statement of my knowledge and dealings with Nicola Gobbo.
3. I make this statement at a time when 32 large boxes of legal documents have been collected by the Royal Commission from my home. I have kept those documents that I have accumulated over the years through numerous compulsory examinations, police interviews, police briefs of evidence against me and discovery documents.
4. I have willingly supplied those documents to the Royal Commission as I believe there is vital material within those documents to establish several points I believe are relevant to the Commission and its terms of reference,
 - a) Nicola Gobbo was at times a legal advisor to me
 - b) I believe certain conversations between myself and Nicola Gobbo were privileged by law
 - c) I believe Senior Police members conspired to pervert the course of justice through the unethical use of a practising criminal barrister against her clients.
 - d) I believe senior police were willing to commit perjury to mislead our justice system whilst attempting to hide their atrocious behaviour.
5. Based upon the fact I do not have access to those documents or any of my official police diaries from the period of time I dealt with Gobbo, I make this statement on my best recollection of events.
6. Should material be discovered within those boxes of documents, I request I be allowed to give further evidence and submit a supplementary statement.
7. In 1988 I joined the Victoria Police Force.
8. On graduation I was stationed at various uniform stations throughout the metropolitan area and a short time in Wangaratta.
9. In 1995 I believe it was I took promotion to Detective Senior Constable at the Brunswick CIU.
10. In 1997 I transferred to the Homicide Squad.
11. In 2000 I took promotion to Sergeant at the Brunswick Police Station (Uniform).
12. In 2002 I was promoted to Detective Sergeant, positioned at the then newly formed Major Drug Investigation Division, Victoria Police, hereinafter referred to as MDID.
13. My role was direct supervisor of a crew of several sub-ordinate Detectives.
14. It was during 2002 that I believe I first came into contact with Criminal Barrister, Nicola Gobbo, in a professional capacity.
15. Nicola was representing criminals my team of investigators had recently charged. Over the following several months I would come into contact with Nicola Gobbo on a regular basis as

the criminals we were charging at the time were all involved in major drug trafficking activities, and it became very clear to all at the MDID at the time, that Nicola Gobbo was the 'Go to' lawyer for criminals charged with major drug trafficking offences.

16. Nicola had gained a very good reputation amongst the major drug dealers in Melbourne and spent many hours at the MDID offices assisting her clients (She was regularly called after hours by arrested suspects- and she would turn up to the offices of the MDID at St. Kilda Road Police Complex, at all hours).
17. I don't recall ever seeing any other Solicitors /Barristers attend at the MDID offices after hours as commonly as Nicola did.
18. It was during this time throughout 2002-2003 that my crew were making numerous arrests based on information supplied by informer Terrence Hodson.
19. Terrence Hodson was already a Police Informer, registered with the MDID prior to my arrival.
20. Detective David Miechel was his direct handler and D/SGT Graeme Sayce was the overall supervisor of Miechel and Hodson.
21. I was handed that role by D/SGT Sayce upon my arrival at the MDID and Detective Miechel came onto my crew.
22. I soon discovered that Hodson was being prolifically used by the MDID and many arrests were being made as a direct result of his information/actions.
23. In fact it wasn't just his information, Hodson was being used to buy and sell large quantities of drugs which allowed the MDID members to identify targets and arrest them.
24. It was clear to me that Hodson's identity as a police Informer would become very apparent once all these arrested persons received their briefs of evidence.
25. It was during this time that Nicola Gobbo, who was representing a number of these offenders started to put two and two together. In fact she said to me in court on one of the bail hearings that she knew who our informer was. She said she knew Terry Hodson was our informer. She said this in an off the cuff manner that alerted me to the fact she was not 100% sure, however we would need to make some changes in our processes to hide the fact Terry Hodson was in fact the informer.
26. I immediately notified my Supervisors, D/S/SGT James O'Brien and D/Superintendent Anthony Biggin and informed them what had been said by Nicola Gobbo at court, and that Terrence Hodson's identity as an informer was at risk.
27. It was agreed at that time that we would conduct a risk assessment of Terrence Hodson as an informer and put any current drug trafficking investigations involving Terrence Hodson on hold.
28. I, D/S/SGT O'Brien and D/Inspector White conducted that risk assessment. It was discovered during the course of that risk assessment that many documents had been supplied to various solicitors including Nicola Gobbo, that related to Terrence Hodson's informer registration number. We couldn't be certain what other documents had been released by junior in-experienced members to solicitors including Nicola Gobbo, as no formal processes were in place at the MDID in regards to brief material handling and what should and should not be released to solicitors.
29. As a result of the risk assessment it was agreed to change the Hodsons' informer registration numbers as their current informer registration numbers were appearing on many Police briefs.

30. Hodson was a prolific informer and was eager to continue supplying information to myself and Miechel; however I felt it was in his best interests to lay low so to speak for a few months.
31. D/S/SGT Obrien and I met with Terrence Hodson on a number of occasions in motel rooms etc. and went through prior, current and future drug investigations Hodson was actively involved in or had knowledge of.
32. During one particular drug investigation, Terry Hodson purchased \$20,000.00 of ecstasy tablets with his own money and had them at his house. This caused a dilemma to us, so I sought the advice of D/S/SGT O'Brien and D/Supt Biggin. The result of that meeting which I was told by Biggin, not to make notes of, (however I did in my diary), was that the MDID did not have the budget to reimburse Hodson. And as Hodson had used his own money to make the buy, we were told to allow Hodson to sell the drugs. This shocked me as 5,000 ecstasy tablets was a large commercial quantity and would have been considered one of the largest drug seizures at that time in Victoria.
33. It was also during this time that I met Nicola Gobbo whilst 'Off Duty' at a Homicide Squad social functions.
34. I don't recall how this came about, however it was at a hotel/pub in South Melbourne. Nicola was drinking with numerous off duty members.
35. We had all had a lot to drink when Nicola offered to drive us all to the Casino. Even though we were aware she had been drinking excessively, a number of us squashed into her convertible Mercedes Benz coupe and were driven by Nicola to the casino, where we continued to drink into the early hours of the morning.
36. From that night onwards I felt I had built a rapport with Nicola and hence I would recommend her to criminals my team or others had arrested for drug matters.
37. Without access to my old day books etc., I can't exactly recall all the criminals names I dealt with that were referred to Nicola, or already had Nicola as a lawyer, but there were many.
38. I had numerous contacts with Nicola during 2002 – 2003, both on a professional basis and a number of occasions socially, and we got along well, both professionally and socially throughout 2002/03. I had sexual intercourse with her once. I believe it was in 2004.
39. I and other members of the MDID were officially requested and supplied many court documents to Nicola throughout this period. I do not recall ever actually meeting her in her chambers although on one occasion around the time of my arrest my wife did. I do know I met her to drop off briefs/documents in a coffee shop which I recall her stating was below her chambers.
40. I dealt with Nicola in a professional capacity throughout this time prior to my ultimate arrest and charging for the Dublin Street Burglary in late 2003.
41. At no time did I even think to use Nicola as a means of eliciting information about her clients. The very basics of Police training from the Academy to Detective Training School to Sub officers course etc., was that it was plain and clear to all members, that Legal Professional Privilege is a cornerstone of our criminal justice system.
42. Every single arrest a Police officer effects re instills that message, when you read the suspect their lawful rights. Every member is aware that any communication between a lawyer and the suspect is privileged/confidential and it's the suspects/clients privilege, not the lawyers.

43. It was also during this time that Nicola was building a reputation throughout the Melbourne underworld as we call it. She was appearing on the news and in the papers representing high profile criminals such as Tony Mokbell and Carl Williams.
44. I became aware in 2003 that Nicola was providing information to Superintendent Peter DE Santo of the Ethical Standards Department, Victoria Police.
45. DE Santo was in charge of a task force investigating alleged corruption by members of the disbanded Drug Squad.
46. I was present on a number of occasions when Nicola took calls from Desanto. Nicola informed me that Desanto was asking her to speak to criminals who may be willing to pass on information about alleged police corruption.
47. She informed me that she had a close relationship with Desanto and that they met socially on occasions as well.
48. I do not recall any further specifics of the Desanto calls other than to say, Nicola was passing information to him at that time.
49. I had no issue with the fact she was assisting Desanto at the time, as I had no respect for corrupt police members.
50. I saw Nicola socially on a number of occasions prior to my initial arrest, particularly throughout the Christmas period of 2002/2003 when many Christmas parties were in full swing.
51. I saw Nicola at a bar in the city where the legal fraternity were having their Christmas break up drinks. She was very drunk, very loud and the centre of attention. I think I left the party before her. This appeared to be her personality at the time, larger than life. Long blonde hair, short skirts, short tops with plenty of breast showing and loud and appearing to be having a good time socially. She was like that at Police social gatherings as well as when in her own environment.
52. Over a 4 month period in 2003 I was in charge of a Drug Trafficking Investigation Code named Operation Gallop.
53. Operation Gallop was investigating large scale Ecstasy production and sales. In September 2003, one of my lead investigators, Detective David Miechel, along with prolific Police Informer, Terrence Hodson, were caught trying to break into and steal drugs/cash from one of the Operation Gallop target addresses (Dublin Street).
54. Over the following few days/weeks, numerous arrests were made as a result of evidence obtained during the operation Gallop investigation. It was during this time, that Nicola again was prominent in providing legal assistance to a number of the arrested/charged offenders in particular Azzam Ahmed our main target of the investigation.
55. There were numerous remand/bail applications during this time and I had a lot of dealings with Nicola.
56. It was also during this time that Nicola told me she had been approached by Terrence and his son Andrew Hodson for legal advice over the Dublin Street Burglary.
57. I recall her telling me that they had both met with her to discuss what Terry Hodson could do to help himself with the Ethical Standards Department members. I recall her telling me that both Terry and Andrew were very heavily drug and alcohol effected at the time.
58. I recall speaking to Nicola about the fact she was already assisting a number of the so called victims of the burglary (Azzam Ahmed/Abbey Haynes/Colleen McGuire etc.).
59. Nicola told me she did not see it as any form of conflict as they were separate matters.

60. In December 2003 as a result of what I believe was a reverse caution statement obtained from Terrence Hodson implicating me in the Burglary of the Dublin Street house, I was arrested at home and conveyed to the Ethical Standards Department. I was conveyed to the office by Murray Gregor and Detective Inspector Steven Smith.
61. I had previously worked at the Homicide Squad with Steve Smith, although not on the same crew, so I knew him well enough.
62. On being informed I was to be charged and remanded in custody, I requested to speak to a lawyer.
63. I was very distressed at the thought of being remanded in custody, so I requested to contact the one person I felt would give me the best chance of obtaining bail and that person was Nicola Gobbo.
64. I was very experienced at that point in regards to obligations of obtaining bail when charged with serious drug offences. I was privy to many recent bail applications Nicola Gobbo had been successful in having bail granted to her clients, and she was the obvious lawyer to turn to in this situation.
65. I made a number of calls to Nicola and my wife. From that point Nicola and my wife somehow were in contact with Tim Argall, a close family friend and previous work colleague of mine. Tim was present at a number of social events that Nicola attended. In fact, I think it was Tim who actually introduced me to Nicola on a social basis.
66. Tim would later seek his own legal advice from Nicola on occasions when I had also sought legal advice from her.
67. I don't recall now if a bail application was actually made on the day. In any event I was remanded in custody and immediately transferred to Port Phillip Prison where I remained until my successful bail application some 10 days later.
68. It was during my time on remand, Nicola Gobbo visited me in a professional capacity (Legal Visit) and informed me she was willing to act on my behalf, I accepted that offer. I supplied Nicola with instructions and she took notes that I had made that I felt were relevant to my pending bail application.
69. We discussed the fact that Tony Hargreaves was the preferred solicitor of the Police Association and that if I was to apply for legal assistance through the Police Association that I would have to be represented by Tony.
70. Nicola told me she was willing to act for me Pro Bono, and even if I did go through the police Association and Tony Hargreaves office, that she could still assist me in any event. I accepted that offer as I had full confidence and trust in Nicola as a competent Barrister.
71. Shortly after I was granted bail, it became apparent that Nicola could not represent me as it would have been a conflict of interest as she was still representing clients such as Azzam Ahmed etc.
72. I discussed this fact with Nicola who maintained she could still assist me in a semi-formal manner and we agreed I would run things by her when I needed her expert legal advice in regards to drug trafficking charges I was facing.
73. I was suspended from Victoria Police at this time, however maintained contact with Nicola Gobbo on a regular basis seeking legal advice from her. At all times it was my belief that Nicola Gobbo was a practising Barrister and that my conversations/discussions with her regarding my legal matters were confidential.

74. My contact with her was via telephone and in person. She never requested I meet at her chambers which did not in any way seem strange as I was very familiar with the way she conducted her professional and social business, in coffee shops and bars, both with clients and police for that matter.
75. I can't recall the exact amount of contact I had with Nicola through this period however, at one time Nicola called me and passed on a message from Terrence Hodson. Nicola told me that Terrence Hodson wanted to meet with me. I replied that as I was currently suspended and charged with criminal offences, I could not meet with him. Knowing what we all now know of Nicola's role as a registered and highly active Police Informant for a number of areas of the Victoria Police Force, I believe Nicola in conjunction with members of Victoria Police, were trying to somehow set me up.
76. In May 2004, Terrence and Christine Hodson were murdered in their Kew home.
77. I was arrested at my home address and my address searched by Warrant the following morning. Then Detective Senior Sergeant Charlie Bezzina was in charge of my arrest at the time.
78. I was conveyed to the St Kilda Road Police complex, interviewed and released without charge.
79. I made contact with Nicola Gobbo at this time and met with her at a hotel/bar in Albert Park. I discussed what had occurred in the police interview, with her, and other matters of legal concerns I had at the time.
80. I met with her for legal advice in what I believed to be a legitimate Lawyer client professional privileged conversation. I would never had met with her or discussed my personal legal concerns with her had I known she was working as a Registered Police Informant for Victoria Police.
81. It was shortly after this that the then OPI was created. I was subpoenaed to the OPI where I was compulsory examined in regards to some documents/ folder (Commonly referred to by the media as the Blue Folder) that had been removed from the MDID offices and was circulating within the criminal underworld.
82. It was put to me that I had stolen this folder and released it somehow into the underworld.
83. I again met with Nicola and discussed this legal matter, believing/knowing she was a practicing Barrister and that my legal discussions should have been legally kept privileged.
84. On 26 November 2004 I attended an OPI hearing conducted by Tony Fitzgerald. The focus of that examination was the "blue folder" allegations. Once again I denied any involvement in any criminal activity.
85. After this examination I again met with Nicola Gobbo and discussed legal matters believing my conversation with her was of a privileged nature.
86. I attended an ACC hearing on 7 March 2007 to attend a compulsory examination.
87. I attended a second examination on 26 November 2008. It was during this examination that I was asked certain questions about my relationship with Nicola Gobbo. I claimed privilege at that time due to the fact it was my strong belief and still is to this day, that my dealings/conversations with Nicola Gobbo were in a client/Lawyer setting and that certain discussions were privileged due to that fact.
88. A short adjournment took place whilst it was discussed with my counsel acting on my behalf and provided to me by the Police Association, Tony Hargreaves.

89. I was eventually informed that due to the purpose of the ACC compulsory hearing that I could not make a claim of Legal Professional Privilege and that I must answer all questions, albeit no answers could be used to incriminate me.
90. At the start of the ACC hearing I was informed of my rights and I was provided with a certificate against any possible self-incrimination. It was pointed out to me in no uncertain terms, that nothing I said at this compulsory and secret hearing could ever be used against me by Victoria Police or any other legal jurisdiction.
91. Everything I said at 2 compulsory ACC hearings was included in the brief of evidence against me for the charge of Murder.
92. Additionally, the transcripts of my hearings were provided to Rod Collins, in jail, who subsequently spread them through the jail system.
93. I was contacted by criminals I had named in these hearings asking me why I had declared them as Police Informers.
94. I made an official complaint about this via my solicitor Tony Hargreaves on 22 July 2009. The ACC denied they had distributed the material. On 28 July 2009 they admitted they had in fact served the brief including my ACC examination transcript on Rod Collins in Barwon Prison by mistake.
95. It was after the second ACC hearing I was called to, that I was able to access some of the transcripts of evidence provided by other witnesses.
96. I recall reading a transcript from Nicola Gobbo's OPI hearing. She had been subpoenaed to give evidence.
97. During her evidence before the OPI on 19 July 2007 and 17 August 2007 Gobbo was examined by Tony Fitzgerald QC. On the second occasion Fitzgerald warned Gobbo that he believed she was not telling the whole truth when he said *But I tell you that just as you took an oath on this occasion you took an oath on the last occasion; and it's sufficient that I say I think that I believe that you neither told the whole truth and that indeed in some instances you told untruths.* Her hearing was cut short and she was advised by the hearing commissioner to seek some independent legal advice as she was perilously close to committing serious criminal offences. I do not believe Nicola was required to ever return to this hearing. I have maintained a theory that one reason why Nicola turned to Victoria Police for help was she feared criminal charges arising from the OPI hearing.
98. Following my second compulsory hearing 26 November 2008 I met with Nicola Gobbo on 6 December 2008 in Albert Park at a café. I was with my wife and child. I asked my wife to leave Nicola and I alone whilst we discussed my legal matters, which she did. I discussed the fact I had again recently attended a further ACC Compulsory hearing.
99. [REDACTED]
100. It was at this time that I actually asked her if it was legal for us to discuss the ACC hearings to which she responded, *But Paul, the reality is that, um, you are entitled to talk to a lawyer about it.*
101. I was left in no doubt in my mind that what I was then talking to Nicola Gobbo about was a Legally Privileged Conversation.
102. Unbeknown to me at the time, Nicola was recording this conversation on behalf of Victoria Police.

103. It was as a result of this taped conversation and an induced statement from Carl Williams, that on 13 February 2009 I was arrested again for the murder of Terrence Hodson and this time charged and remanded into custody.
104. I was immediately transferred to the ACACIA unit of Barwon Prison, where I spent 6 weeks in total isolation.
105. It was during this time that I was visited by Solicitor Tony Hargreaves, who informed me that part of the evidence to be alleged against me, would be a taped conversation held between Nicola Gobbo and myself.
106. Parts of the taped conversation with Nicola was alleged to corroborate parts of a statement made by Carl Williams alleging my involvement in the murders of the Hodsons and hence my charges.
107. I informed Tony Hargreaves at that time that I had been seeking out Nicola Gobbo over the past number of years for legal advice independent of his. I truly believed I had a lawyer/client relationship with Nicola, albeit, we also socialised together at times. I felt any tape recording would be privileged.
108. I did not see the fact I had socialised with her at times and the fact we never met in her chambers or never had an actual signed contractual agreement in place, could possible effect my position of having Legal Professional privilege attached to my conversations with Nicola regarding criminal matters.
109. I am totally appalled by the legal system that such a fundamental right of every citizen of this county to have competent legal assistance could be completely disregarded by Victoria Police and whoever else was involved in this atrocious behaviour of utilising a practicing Barrister as a Police Informer. This has totally undermined our justice system.
110. I wrote to the then President of the Bar Association and made my complaint about how this could happen. I did not receive a reply.
111. At this point in time I had lost all faith in our legal system and was completely bewildered as to how this could possibly be happening.
112. I am so happy today, that this atrocious behaviour of Victoria Police/Office of Corrections and Nicola Gobbo, has been brought to the attention of the community and how this Royal Commission must make the people involved in this accountable for their atrocious behaviour.
113. I was remanded in custody for 8 months due to this atrocious behaviour of Victoria Police and betrayal of my lawyer, Nicola Gobbo. I will be forever medicated due to the mental disorder this has caused me and the mental and physical effects that it has had upon me and my family.
114. In recent times since the announcement of the Royal Commission, I have been approached by a number of people who have provided me with further information regarding Nicola Gobbo's activities.
115. I was recently approached by an ex Officer Paige I presume this is how his name is spelt.
116. ████████ informed me that he was selected to be part of the newly formed Human Sources Division back in 2005.
117. It was a newly formed squad to control informers. He stated he was working with Superintendent Anthony Biggin, Officer Sandy White and others I don't recall the names he mentioned now.

118. He told me how they had [REDACTED] they operated in a covert manner [REDACTED]
119. He further stated that he was present when they first met with Nicola Gobbo and registered her as Informer 3838.
120. [REDACTED]
121. I did not inquire of him for any further information as I believe the Royal Commission has this role and that **Officer Paige** well may be an ex member of Victoria Police willing to tell you the truth.
122. I have also been approached by a person well versed on the activities of Nicola Gobbo, he is a journalist and widely known for his stories surrounding the Gangland Wars (Adam Shand).
123. He informed me that Nicola Gobbo had had a relationship with the then main drug trafficking target of Operation Gallop, Azzam Ahmed.
124. He further stated that Nicola helped Ahmed launder drug money through the purchase of properties including her then chambers.
125. Azzam has since been released from gaol and wants his money.
126. Azzam is a criminal the Royal commission should examine, because if this is true, these allegations, then Victoria Police will have been aware of this.
127. During a break at my Committal hearing for the murder charge, I was approached by then Detective Cameron Davies. He told me Gobbo had been supplying him with information for some time. I did not continue with this conversation at the time, I was disgusted that an investigator would conduct themselves in that manner. Cameron Davies may hold information relevant to the Commission.
128. On 28 March 2013 I was acquitted of the Australian Crime Commission charges, I was out celebrating late with my wife and my mother, Jenny Dale.
129. It was the early hours of the following morning when we were entering the foyer of the Victoria Hotel/Motel, in Victoria Street, City, at just after midnight to collect my mother's luggage, as she had been staying there during my trial. We came across Detective Senior Sergeant Borris Buick (Informant in my ACC matter). I spoke to Boris who made it very clear to me that he did not agree with using Gobbo as an informer/witness, but was directed to do so by Simon Overland.
130. I believe that as a result of Nicola Gobbo's actions in purporting to act as counsel while covertly informing against me was a fundamental and appalling breach of her obligations as counsel to me and her duties to the court.
131. As previously stated, I spent 8 months in custody in the most onerous conditions within the ACACIA Unit, Barwon Prison, as a direct result of Nicola Gobbos and Victoria Police's atrocious and unethical actions and what I believe to be criminal behaviour.
132. It was during my committal that it became apparent that Nicola was a Police Informer and was turned into a prosecution witness on the instructions of the then Chief Commissioner, Simon Overland, in attempt to convict me of charges I had not committed.
133. I don't recall ever hearing Nicola speak about providing information to police members other than Desanto.
134. Upon having the brief of evidence for the murder charge served upon me, my legal team set out requesting numerous documents held by the Petra Task Force (Task Force set up to

- investigate the Hodson murders). Most documents were supplied heavily redacted and as such most documents were not supplied willingly and we required courts to direct the Police to supply them. There were many legal arguments regarding the supply of documents and in particular any information regarding Nicola Gobbo being used as a witness.
135. It was very clear to me and my legal team (Raymond Lopez/Andrew McKenna and Tony Hargreaves) that the police were clearly desperately trying to protect/keep secret something untoward. Through the analysis of investigating police members notes/daybooks/diaries that had not been blacked out/redacted, we became aware of the existence of the Petra Task Force Steering Committee. The steering committee appeared to include Commissioner Simon Overland, Commissioner Luke Cornelius, Commissioner Graham Ashton and D/Insp Steven Smith.
 136. At the commencement of my committal, we called D/Insp Smith, who wasn't on the witness list for the brief of evidence, to come and give evidence in regards to the role of the Steering Committee.
 137. D/Inspector Steve Smith took the Oath and in front of Magistrate Peter Reardon denied the Steering Committee existed. Once it was pointed out to him in no uncertain terms that we were aware of the Steering committee, he then denied any notes existed in relation to the Steering Committee. He categorically denied the existence of any records/notes what so ever under cross examination by my counsel.
 138. The following day at court, solicitors from the Victoria government solicitor's office representing the Police turned up and approached the Magistrate. They informed the court that the evidence given by Smith the previous day was not accurate and that notes did exist of the Steering Committee. In fact some 25000 notes existed and that they would need some months to examine them.
 139. My committal was adjourned for 3 months pending Victoria Police supplying the notes of the Steering committee. Notes that according to the evidence of D/Inspector Steve Smith did not exist. It was his evidence written note, no recorded note, no video note, not one single note existed, D/Insp Steve Smith being a member of the Petra Task Force Steering Committee.
 140. I made a written complaint to then ESD and OPI regarding the evidence of Steve Smith, a high ranking Victoria Police Officer. I received a letter back some months later stating they had investigated the complaint and found it to be unsubstantiated.
 141. During the early stages of my committal for the murders we became aware that Nicola Gobbo had fallen out with Simon Overland and was refusing to come to court to give evidence at my committal. We received this information from Nicola Gobbo's sister. We were also informed that she was very unwell and in and out of hospital for some serious medical reasons.
 142. We made this known to the Magistrate who then asked the prosecution of the Gobbo situation. The prosecution put D/SGT Sol Solomon into the witness box to give evidence in regards to Nicola's health and availability to attend and give evidence.
 143. Once again, I along with my legal team observed a senior member of Victoria Police, take the bible and swear to tell the truth, the whole truth and nothing but the truth. Solomon then swore that Nicola Gobbo was not unwell and was ready and available to attend and give evidence at the committal.

144. Solomon was asked a number of questions under oath as to Gobbo's health and ability to attend and give evidence to which he categorically stated she was available, ready and well enough to attend court to give her evidence.
145. The following morning, solicitors representing Nicola Gobbo entered the court room and requested to be heard on behalf of Nicola Gobbo. The magistrate was then informed by lawyers representing Nicola Gobbo that she was in fact very unwell and unable to attend the committal to give evidence. They stated that Victoria Police was fully aware of her health situation and the fact she would be unable to attend to give evidence at this time or in the near future.
146. I now have copies of numerous letters sent between Nicola Gobbo's lawyers and the DPP prior to my committal hearing. The letters set it out very clearly that Nicola Gobbo was medically unfit to attend court for the committal hearing and that other dates for her to give her evidence should be sought. The letters in return from the DPP to Gobbo's solicitors refuse to accept that proposal and so it goes on.

CONCLUSION – AND FURTHER MATTERS

147. I believe I have responded to questions 1, 2 and 3 of your request in the above material as best I can without having the ability to refresh my memory from any of my official Police diaries or day books I kept during that period as they were seized from me and never returned by VicPol.
148. In response to question 4 – 'Given the commissions first two terms of reference, namely:
 - The number of, and extent to which, cases may have been affected by the conduct of Nicola Gobbo as a human source.
 - The conduct of current and former members of Victoria Police in their disclosures about and recruitment, handling and management of Nicola Gobbo as a human source.
149. If the commission forms the view that this atrocious behaviour of Victoria Police and complete disregard of our legal system can be rectified through better training systems, please be aware that the current command structure of Victoria Police are the exact people who believe they have done nothing wrong recruiting, controlling and manipulating the justice system through the use of a practicing criminal Barrister.
150. However we now know they knew what they were doing was wrong, however they made the calculated decision to ignore the rule of law and try to hide the fact of what they did. They have gone to extraordinary lengths and costs in an attempt to mislead our justice system and hide what they knew was unethical behaviour.
151. Whilst Vicpol members such as the current Chief Commissioner Graham Ashton, Assistant Commissioner Robert Hill, Commander Stuart Bateson, D/Insp Steven Smith, D/Sgt Solomon and no doubt many other senior members of Victoria Police who were implicit in this behaviour, I fear that changes will not happen.
152. At no stage did I use Nicola Gobbo against any of her clients whilst I was a member of Victoria Police.
153. In regards to the number of and extent to which, cases may have been effected by the conduct of Nicola Gobbo as a human source, well I know of one major case, MINE.

154. The charge of Murder laid by Victoria Police against me was based in part on a conversation held between myself and Nicola Gobbo, which she covertly taped as a result of an offer made by her to Victoria Police to do so.
155. This conversation was for legal advice and hence privileged by law.
156. I spent 8 months on remand in the most onerous conditions within the Acacia Unit, Barwon Prison, which caused a mental illness that I have not been able to rectify since being released.
157. That recorded conversation was also a basis for the 23 charges laid against me as a result of giving evidence twice at the Australian Crime Commission.
158. I was tried and found not guilty of all charges at a great financial and mental cost to me.
159. I was completely blindsided by the fact a practicing and very high profile criminal barrister could possibly be working for the Victoria Police. It should not have been allowed to happen.
160. I and no doubt many others caught up in this absolutely disgraceful conduct by senior Victoria police trust that this Royal Commission can hold these people accountable.



Paul Dale

20-05-2019