

{ TIME \@ "MMMM d, yyyy" }

Once again Peter was vacillating between a trial or pleading guilty [REDACTED]
[REDACTED] Various arrangements were made on his behalf^{PII}
[REDACTED]^{PII}

[REDACTED]^{PII}. I believe that he was very stressed, claimed that he was being followed and had received death threats. Combined with all this was the fact that Peter's wife was due to be released from prison in early March and he did not want to make any decisions, [REDACTED]^{PII} while she was still in custody.

A week before the trial Senior Counsel withdrew as did I (we were unable to get clear instructions one way or the other) and Peter once again changed solicitors, to Brian Cash. It would appear that negotiations then took place with the Crown based on Peter pleading guilty to an agreed summary. By this time Hicks had already indicated he was pleading and so I suspect that whatever bargaining power Peter had previously had was all but gone, particularly because the Crown had always made it clear that Hicks was its primary objective.

I gather from reading the transcript of the plea and the sentence that there was no real agreement between the Crown and Cash (on behalf of Peter) as to the exact details of the alleged trafficking and bribery to which Peter pleaded guilty. By this I mean that it does not appear that Cash made submissions about how much money was involved or what quantity of speed was manufactured. The basis upon which Hampel J sentenced is a mystery because on one hand he suggests that it is all unquantified and that he was not told in the course of the plea any specifics about these matters. However, my recollection of the brief was that nothing was actually manufactured by Peter from the chemicals he stole from the Drug Squad. Any speed manufactured was by others who were to be Crown witnesses at the trial.

The proposed grounds of appeal need immediate attention. They need amending and I will start to gather authorities in the next few weeks in anticipation of a joint conference in Melbourne or Sydney very soon.

Please let me know if you require any of the original brief summarised from the CD that I have, or if there is anything else that needs to be done by way of preparation.