

1 HER HONOUR: Mr Heliotis, I am the trial judge in respect to
2 those matters, they are not listed. The matter that is
3 listed is the matter in July.

4 MR HELIOTIS: The appeal proceedings, Your Honour, what is to
5 happen with those?

6 HER HONOUR: The appeal proceedings aren't taking place because
7 you client has sought not to be sentenced, and I remember
8 clarifying are you sure because the appeal process cannot
9 start without a sentence and I was informed that is
10 correct.

11 MR HELIOTIS: Your Honour, can I ask you to just give us two
12 minutes before Your Honour rises for the afternoon. I
13 know it's Friday.

14 HER HONOUR: No, it's fine.

15 MR HELIOTIS: But I just want to get some instructions on this
16 matter if I may.

17 MR HORGAN: We would like to be heard on that too Your Honour.

18 HER HONOUR: The reason I asked Mr Gobbo to attend is that in
19 this letter it says that Ms Gobbo is acting for Mr
20 [REDACTED] as junior to Mr Heliotis. I would have thought
21 that would create the same problems as to why Ms Gobbo
22 was not your junior in the last trial.

23 MS GOBBO: Your Honour, I haven't seen the letter but I don't
24 think it's Mr Heliotis, I think it's Mr Lovitt.

25 HER HONOUR: I'm sorry, as junior to Mr Lovitt.

26 MS GOBBO: No, I'm not, Your Honour, I can't appear in the
27 trial for the same reason I couldn't appear at the
28 committal and can't appear at this trial.

29 HER HONOUR: Have you seen the letters?

30 MS GOBBO: No, I haven't.

31 HER HONOUR: The first letter is dated 13 April. "We write

1 seeking approval for a joint professional visit with
2 prisoners Carl Williams and [REDACTED] on Saturday
3 15 April by the writer and counsel Ms Nicola Gobbo." The
4 next one: "We confirm that the writer is the solicitor
5 on the record for Mr Williams and Ms Gobbo is counsel for
6 [REDACTED] We advise that the proposed legal conference
7 on Saturday 15 April is to confer in relation to trial
8 proceedings listed for July 2006 before the Supreme Court
9 of Victoria, as well as other matters, to which these
10 prisoners have sought advice. I am sure you are not
11 surprised, the next letter is, [REDACTED] is represented
12 by the firm Messrs Valos Black and his counsel is Colin
13 Lovett, QC and Ms Nichola Gobbo." [REDACTED] is
14 Williams' [REDACTED] trial commencing in July
15 2006. I think you understand why I asked you to come.

16 MS GOBBO: Yes, Your Honour.

17 HER HONOUR: You are not counsel.

18 MS GOBBO: No. Your Honour, I have continued to have a role in
19 relation to [REDACTED] and I have visited him, as
20 everyone here is probably well aware, with Mr Valos and
21 one of the reasons - I'll leave aside the reasons - - -

22 HER HONOUR: I read the plea. I've seen the plea in respect of
23 [REDACTED] - sorry - it was [REDACTED] was it - no it's
24 someone else. Are you involved for [REDACTED] in some
25 other way?

26 MS GOBBO: Yes. Not in relation to this trial, Your Honour.

27 HER HONOUR: OK. Well, accordingly - - -

28 MS GOBBO: And for the same - - -

29 HER HONOUR: - - - you certainly shouldn't be having a joint
30 conference.

31 MS GOBBO: I think Your Honour raised on a previous occasion or

1 there was some - someone raised the question of - I think
2 my name appeared on the transcript from the committal or
3 there was some suggestion I was at the committal. I
4 thought that Your Honour had raised it previously, but
5 for the same reason I can't be in the trial because I've
6 acted for one of the witnesses.

7 HER HONOUR: You were certainly not intending to have a joint
8 conference with Mr Williams and [REDACTED] and
9 Ms Garde-Wilson in relation to the trial.

10 MS GOBBO: No, not in relation to the trial, Your Honour.

11 HER HONOUR: Thank you.

12 MS GOBBO: Would Your Honour want me to remain?

13 HER HONOUR: No, that's - - -

14 MR HELIOTIS: (Indistinct) joint conference in relation to
15 other matter.

16 MS GOBBO: Well, we might, yes.

17 HER HONOUR: Sorry?

18 MR HELIOTIS: That's one of the things I need to find out,
19 whether there are matters involving [REDACTED] that don't
20 involve this trial that [REDACTED] and Ms Gobbo may need to
21 speak to [REDACTED] about. But look, if we can have five
22 minutes - - -

23 HER HONOUR: That's fine. That's Mr Valos and [REDACTED] but
24 if it's a joint conference - - -

25 MR HELIOTIS: With Mr Williams.

26 HER HONOUR: - - - unless Mr Williams is involved in those
27 other matters.

28 MR HELIOTIS: Yes. Well, that's what I want to find out. If I
29 can have five minutes before we continue this it may be
30 that we don't have to hear Mr Horgan at all on this
31 issue.