

ROYAL COMMISSION INTO THE
MANAGEMENT OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Wednesday, 20 March 2019

Led by Commissioner: The Honourable Margaret McMurdo AC

Also Present

Counsel Assisting: Mr C. Winneke QC
Ms M. Tittensor
Mr H. Rapke
Ms A. Tighe
Ms K. Hall
Ms T. Lingard

Counsel for Mr R. Nathwani
Ms N.Gobbo

Minter Ellison Mr Gobbo Solicitor
Ms Gobbo Solicitor

1 COMMISSIONER: Good morning.

2

3 MR [Gobbo Solicitor]: Morning, Mr [Gobbo Solicitor] here.

4

5 COMMISSIONER: Thank you Mr [Gobbo Solicitor]. It's Commissioner
6 McMurdo speaking.

7

8 MR [Gobbo Solicitor]: Good morning, Commissioner.

9

10 COMMISSIONER: Have we got Ms Gobbo on the phone?

11

12 MR [Gobbo Solicitor]: No, we haven't yet. We'll try the conference
13 facility now and hopefully the technology won't let us
14 down.

15

16 COMMISSIONER: Thanks very much, Mr [Gobbo Solicitor].

17

18 MR [Gobbo Solicitor]: Hello Nicola, do we still have you on the line?
19 Nicola, are you still there? She might have just moved
20 away from the phone briefly. It is showing on my dial that
21 we have successfully conferenced so hopefully the
22 technology's okay. Perhaps if you don't mind waiting for a
23 minute or two just to see that she's come back to the
24 phone.

25

26 COMMISSIONER: Okay, thank you.

27

28 MR NATHWANI: Commissioner, whilst that's happening, I'm
29 counsel or junior counsel on behalf of Ms Gobbo and I'm
30 present with Ms [Gobbo Solicitor], another member of the team. Just
31 for your information.

32

33 COMMISSIONER: Thank you. Sorry, I didn't catch your name.

34

35 MR [Gobbo Solicitor]: Sir, that was Rishi Nathwani who was speaking
36 so perhaps we'll all speak so that you can recognise
37 voices. So it's Mr [Gobbo Solicitor] speaking.

38

39 COMMISSIONER: Yes.

40

41 MR NATHWANI: I'm Rishi Nathwani.

42

43 MR [Gobbo Solicitor]: And also we've got one of our associates also
44 in the room, Ms [Gobbo Solicitor].

45

46 MS [Gobbo Solicitor]: Hi.

47

1 MR [Gobbo Solicitor] That's Ms [Gobbo Solicitor] speaking.

2
3 COMMISSIONER: Yes.

4
5 MR [Gobbo Solicitor] And Nicola, do we have you still? We did, we
6 initiated the call by speaking to Ms Gobbo first and my
7 dial is showing that we've got the conference facility
8 appropriately working so I believe she might have just
9 moved away from the phone.

10
11 MS GOBBO: I'm back, MR [Gobbo Solicitor].

12
13 MR [Gobbo Solicitor]: Good, thank you.

14
15 MS GOBBO: I'm back.

16
17 COMMISSIONER: Thank you. Thank you, Ms Gobbo, it's
18 Commissioner McMurdo speaking. Good morning.

19
20 MS GOBBO: Hi.

21
22 COMMISSIONER: Great, thank you. The Royal Commission into
23 the Management of Police Informers appreciates you speaking
24 to us this morning and regrets the unhappy circumstances
25 you and [redacted] are presently in. Now, I understand
26 that - - -

27
28 MS GOBBO: I would much, I would much prefer to be able to
29 be there in person but I'm in very difficult circumstances.

30
31 COMMISSIONER: We understand that and we appreciate your
32 efforts. Now, I understand your solicitor Mr [Gobbo Solicitor]
33 and one of your counsel, Mr Nathwani, are also on
34 the line, although from a different location.

35
36 MS GOBBO: Yep.

37
38 COMMISSIONER: And they'll be also assisting you and
39 representing your interests. Now no doubt you've read the
40 Commission's Terms of Reference and seen our correspondence
41 with Mr [Gobbo Solicitor] and you appreciate that you are central to
42 the work of this Commission.

43
44 MS GOBBO: Yes.

45
46 COMMISSIONER: In essence we need to know about your work
47 as a police informant and how that may have affected cases

1 resulting in convictions. I'll shortly hand over to senior
2 counsel assisting, Mr Winneke QC, whom I understand you
3 know. He's assisted by - - -

4
5 MS GOBBO: Yes.

6
7 COMMISSIONER: - - - Ms Megan Tittensor, who you might also
8 know. You may be asked some questions by me, by counsel
9 assisting and perhaps by the solicitor assisting, Mr Howard
10 Rapke. But before there is a change of questioner at this
11 end of the line the person will identify themselves so that
12 you know who is speaking, we won't be talking over each
13 other and you won't be confused or bamboozled. If you
14 cannot hear or you want a question repeated or if you need
15 a break, please let me know and I'll accommodate that.
16 Conversely if you are feeling okay and are happy to proceed
17 beyond the allotted two hours let me know and I'd be happy
18 to accommodate that also.

19
20 Now could I ask you before we start, would you be
21 content to take an oath or affirmation before we commence
22 speaking?

23
24 MR Gobbo Solicitor: Commissioner, it's Mr Gobbo Solicitor speaking. I
25 think we proposed that this session initially be conducted
26 on the basis of it being an informal initial discussion and
27 given that Ms Gobbo hasn't had the opportunity to have
28 access to relevant background documents or material that we
29 would probably want her to see in order to be able to give
30 formal evidence, our preference would be for this initial
31 conference to proceed on an informal basis.

32
33 COMMISSIONER: Okay.

34
35 Mr Gobbo Solicitor: We are comfortable for it to be recorded, as
36 has been proposed, although we would ask that if a
37 transcript is made of the recording that as a matter of
38 fairness a copy of the transcript be made available to us
39 and we'd also ask that that transcript not be available or
40 used in any dealings with Victoria Police, at least without
41 our, a prior opportunity for us to comment on that. We can
42 elaborate on the reasons for that but the essence of it is
43 that Ms Gobbo has zero trust in Victoria Police and would
44 like to be able to talk freely and openly with you this
45 morning. But obviously to do that it's desirable that she
46 can do so in the knowledge that what she says is not going
47 to be immediately repeated to police or their

1 representatives.

2

3 COMMISSIONER: Okay. Certainly transcript, as you've been
4 informed, will be made, is being taken and will be made
5 available to Ms Gobbo through you, Mr Gobbo Solicitor. And we won't
6 be releasing that publicly. We're certainly not releasing
7 it to Victoria Police without letting you know of our
8 intention and giving you an opportunity to respond. So if
9 you're happy to proceed then on that basis we'll proceed.

10

11 MR Gobbo Solicitor: Yes, thank you, Commissioner.

12

13 COMMISSIONER: Without the oath or affirmation.

14

15 Ms Gobbo, could I perhaps just start by asking you
16 this: you have given evidence in a number of forums on
17 matters related to the subject matter of this Commission
18 already. Things that come to mind are the [REDACTED]
19 inquiry in 20 [REDACTED], I think there was an [REDACTED] in
20 2011/12. There was of course the EF litigation, some
21 dealings before the [REDACTED] perhaps. I wanted to ask you, and
22 I know that you haven't had access to go over this material
23 with a fine-tooth comb, but generally speaking is there
24 anything in the evidence that you have given previously
25 relevant to the subject matter of the Royal Commission that
26 you might want to correct or alter?

27

28 MS GOBBO: Um, taking them one by one, let's start with the
29 [REDACTED] because I can - I think you're referring to, um, me
30 going to the [REDACTED] which was all, which was basically a scam
31 devised by Victoria Police. Why I say scam, it was, it
32 wasn't good given [REDACTED] insofar as the ordinary way
33 in which people were [REDACTED] at that time.

34

35 COMMISSIONER: Yes.

36

37 MS GOBBO: And then they spoke to me beforehand and said,
38 "We're basically doing this so that we can, so it looks
39 like you're not cooperating but you really are and we're
40 going to", I guess that was a way of, um, getting this
41 information. I don't think there was anything that I said
42 that was inaccurate at that time.

43

44 COMMISSIONER: Okay. So that was really so as not to blow
45 your cover as an informer, was it?

46

47 MS GOBBO: Correct. Yes, correct. So I just, I can't, I

1 can - I can't specifically remember what I got asked then,
2 but I don't think there was.

3
4 COMMISSIONER: I understand if you haven't got them
5 specifically before you but I just thought if there was
6 something glaring this was an opportunity for you to change
7 it.

8
9 MS GOBBO: No, not - not that I can, not that I can, I'd be
10 not likely to remember now. The, um, [REDACTED],
11 no, that wasn't - I didn't give evidence there. I thought
12 that it was going to be an opportunity to give evidence but
13 when I attended there it was basically I'd stay in a room
14 with a person from the, I think it was [REDACTED] the
15 [REDACTED] and I actually had a solicitor that had done
16 quite a lot of preparation in anticipation for what I
17 thought was going to be a hearing.

18
19 COMMISSIONER: Yes.

20
21 MS GOBBO: And it turned out to be question and answers
22 about - we went away and I provided written documents, a
23 written response.

24
25 COMMISSIONER: Right.

26
27 MS GOBBO: But, no, I guess - I recall that most of that
28 was questions that seem to have been - the impression I got
29 at the time was that some police officer had made a
30 complaint that suggested that the extent of the physical or
31 some of the physical problems that I had arising from the
32 stress that they caused was self-inflicted and they'd gone
33 and, they'd gone and got a - they hadn't subjected me or
34 requested that I get a full medical report or an
35 independent medical assessment but during the time that I
36 was asked by (indistinct) and I'm talking specifically
37 about when I had ceased, my registration and ceased and I
38 was kind of handing over from my handlers to the Petra Task
39 Force.

40
41 COMMISSIONER: Yes.

42
43 MS GOBBO: And there was some police officers that were
44 with me in one of my - in my longest stay in hospital which
45 was [REDACTED] nights and unbeknownst to me they used, or they had
46 access to my medical records because they had given those
47 records to some forensic doctor and asked him to provide a,

1 some opinion which suggested that I, that I did it all to
2 myself in order to try and, I guess, mislead, mislead a
3 court and obtain a settlement which is completely false.
4 Um, there's nothing there that was inaccurate at all. Um,
5 the [REDACTED] inquiry was, um, a shambles insofar as I was
6 specifically told before I, um, attended, this is by my
7 handlers, that I would not be asked any questions at all
8 that would or could identify the fact that I was an
9 informer and I remember - so there was someone, one of my
10 handlers that was watching from a, that worked in the
11 courtroom, like they were watching from a remote facility,
12 and I think it was the second or third question I got asked
13 by [REDACTED] that created an enormous problem. I can't
14 remember specifically what the question was but it was
15 something along the lines of, you know, it was an open
16 question like, "When was the first time you provided
17 assistance to police" or, "Which police officers have you
18 ever had dealings with?" It was something that threw the
19 whole, the whole hearing went off track then. So I just
20 can't, I can't recall specifically, um, if there was
21 anything in that hearing.

22
23 COMMISSIONER: Yes. Just while you're on that topic,
24 Ms Gobbo.

25
26 MS GOBBO: Yes.

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28 COMMISSIONER: I think you were called back twice to give
29 evidence at that inquiry.

30
31 MS GOBBO: Yep.

32
33 COMMISSIONER: And then each time you were excused.

34
35 MS GOBBO: Yes.

36
37 COMMISSIONER: And it was expected you'd go back a third
38 time but you never did, is that right?

39
40 MS GOBBO: Yes, yes.

41
42 COMMISSIONER: And do you understand the circumstances
43 behind why you didn't go back a third time?

44
45 MS GOBBO: I think they were, they thought that I didn't, I
46 didn't have a solicitor advocating that I should go back, I
47 just - my understanding was it was a decision made by the

1 police hierarchy.

2

3 COMMISSIONER: You don't know who made the decision?

4

5 MS GOBBO: Um, not specifically but it was my understanding
6 at the time, because that was - I mean during the time of -
7 when I say, I guess I should be specific I'm referring to
8 like the 2005, 2007, 2008, so before the Paul Dale stuff
9 started, there were quite a number of occasions on which I
10 would have reason to say things like, um, "Are you sure
11 this is okay" or, "Who's telling you A, B or C?" And I was
12 always either told or led to believe that it was Simon
13 Overland.

14

15 COMMISSIONER: Thank you. Okay. Now I think I took you
16 off track. So, I think the next one was probably the EF
17 litigation, was it?

18

19 MS GOBBO: Yes. No, I didn't - I didn't give evidence in
20 that proceeding. Um, so - no, nothing, nothing in actual
21 (indistinct words).

22

23 MR NATHWANI: Sorry, Commissioner, did you - sorry,
24 Commissioner, it's counsel Rishi Nathwani. I think Nicola,
25 Ms Gobbo is (indistinct), I think the Commissioner includes
26 the evidence before Ginnane?

27

28 COMMISSIONER: That's what I was referring to.

29

30 MS GOBBO: Oh sorry.

31

32 COMMISSIONER: The EF litigation, not the settlement of
33 your civil claim, no.

34

35 MS GOBBO: Oh, no, sorry. I'm very sorry. No, nothing,
36 no. No, nothing that I can, nothing that I can - - -

37

38 COMMISSIONER: Excellent. And just in respect of that
39 litigation, you'll recall through your lawyers you agreed
40 on a large number of facts which were specifically stated
41 to be agreed for the purpose of that litigation. Can we
42 rely on those agreed facts still? Is there anything in
43 them that you wouldn't be happy for us to rely on?

44

45 MS GOBBO: Um, well I can't specifically - like I haven't
46 looked at that for a long time.

47

1 COMMISSIONER: Sure.

2

3 MS GOBBO: Not that I can think of, no. I mean the most,
4 the most significant thing about that litigation was that
5 the bit with the public documents so it was never - the
6 fact that I had been an informer was not, not a fact that
7 was known, not included, or included in the litigation.

8

9 Mr [Gobbo Solicitor]: Ms Gobbo, might I just intervene again. This
10 is Mr [Gobbo Solicitor] speaking. I think you're talking about
11 the 2010 litigation whereas I think the Commissioner's
12 question was directed towards - - -

13

14 MS GOBBO: Oh, sorry.

15

16 MR [Gobbo Solicitor] - - - the litigation before Justice Ginnane.

17

18 COMMISSIONER: Yes, it was.

19

20 MS GOBBO: Sorry, no, no.

21

22 COMMISSIONER: The agreed facts, the agreed facts before
23 Justice Ginnane.

24

25 MS GOBBO: Yes. No, no, there's no objection to them.

26

27 COMMISSIONER: And then just a general question, and I
28 appreciate, you know, you haven't gone over them with a
29 fine-tooth comb but then I gather from what we've just
30 discussed, there's nothing in affidavits that you've
31 prepared for proceedings over the years that calls out to
32 you that, contains some information you want to alter or
33 change, is that right?

34

35 MS GOBBO: Correct.

36

37 COMMISSIONER: Great, great. Now, your lawyers have told
38 the solicitors assisting the Commission that you are keen
39 to help us and to tell your version, so I was going to ask
40 you now if, to tell us what you think the Commission should
41 know about the circumstances relevant to its Terms of
42 Reference.

43

44 MS GOBBO: That's - I wish we had more than two hours.

45

46 COMMISSIONER: Well that's right, we might need more than
47 two hours but we can start. So - perhaps - perhaps I'll

1 hand over to Mr Winneke - - -
2
3 MS GOBBO: (Indistinct.)
4
5 COMMISSIONER: - - - and he can offer some direction as you
6 go through this but probably we'll - I'll hand over to
7 Mr Winneke.
8
9 MR WINNEKE: G'day Nicola.
10
11 MS GOBBO: Hi - sorry.
12
13 MR WINNEKE: It's Chris Winneke speaking.
14
15 MS GOBBO: Yes, I - yeah, I don't need, I don't need voice
16 identification because I can recognise your voice and I
17 know Megan's voice as well.
18
19 MR WINNEKE: Righto, okay. Nicola, the point you make is a
20 pretty obvious point, we've got two hours or less than two
21 hours and obviously the story that you've got to tell may
22 well take considerably more than two hours and obviously
23 we're prepared to hear you for as long as it takes. I take
24 it you're prepared to assist us for as long as it takes,
25 within reason, I take it?
26
27 MS GOBBO: Yes, yes, yes. I might, can I just say, I've
28 got - I, I have [REDACTED] at the moment.
29
30 MR WINNEKE: Listen, I'm not talking about - I'm not
31 talking about today, don't get me wrong. We're going to
32 stick, we'll stick to that limit but what we do hope is
33 that if, and we expect that we'll need more time,
34 effectively, as I understand it, you're happy to say, well,
35 look, you'll come back and help us when, when you're able
36 to do so.
37
38 MS GOBBO: Yes, yes, yes.
39
40 MR WINNEKE: Okay. I suppose the first thing is clearly
41 we're - I mean we're interested in a story which goes back
42 for some time now. As you appreciate, the events, no doubt
43 because of publicity that you've probably seen, go back to
44 about 95 when you were first registered. Now you may or
45 may not know that you were registered. Perhaps can I ask
46 you that question: did you know that you were registered
47 in 95 or not?

1
2 MS GOBBO: No.

3
4 MR WINNEKE: No, I thought you might say that.

5
6 MS GOBBO: No, I first, I first, I first noticed that in
7 the Herald Sun.

8
9 MR WINNEKE: Yes. So, I mean clearly we're talking about
10 events which go back years now and to assist you in helping
11 us and dealing with these matters no doubt you'll want to
12 have documents. Can I ask you, do you have any documents
13 or any diaries or anything at your disposal at the moment?

14
15 MS GOBBO: Sorry, from 95?

16
17 MR WINNEKE: Yes. Well, any - - -

18
19 MS GOBBO: No.

20
21 MR WINNEKE: Generally speaking, yes.

22
23 MS GOBBO: Um, not, not from then.

24
25 MR WINNEKE: Yes.

26
27 MS GOBBO: I do from, I do from roughly 2000 onwards but
28 they're not diaries that, that would necessarily have
29 anything - not that I could think anyway.

30
31 MR WINNEKE: Yes.

32
33 MS GOBBO: That would be particularly relevant. But, um,
34 but back in, in 95 definitely not. I was, um - in 1995 I
35 was doing my last year of, um, my law degree and I was
36 working at the MCG.

37
38 MR WINNEKE: Yes. So just to come back, I'm just trying to
39 work out what you might need to assist you. I mean clearly
40 insofar as the period from 2000 onwards or the time that
41 you came to the Bar, which I think was in about September
42 of 98.

43
44 MS GOBBO: Yes, yes.

45
46 MR WINNEKE: There will obviously be documents there which
47 will be, I suppose, your diaries. I gather there are Law

1 Institute diaries that you used. Are they around?

2

3 MS GOBBO: So I, I understand that, um, my solicitors
4 arranged [REDACTED] a whole lot of, um, material [REDACTED]
5 [REDACTED] - most things, most
6 things I used - the most, um, the thing that I used the
7 most was my laptop.

8

9 MR WINNEKE: Yes.

10

11 MS GOBBO: To create kind of working documents and they had
12 that to be able to get to you, to get the documents on to
13 you.

14

15 MR WINNEKE: Righto, that's good.

16

17 MS GOBBO: And there were, I had paper diaries. I had
18 paper diaries but they were like a week, say a week to a
19 page.

20

21 MR WINNEKE: Yes.

22

23 MS GOBBO: In the years that would matter the most.

24

25 MR WINNEKE: Are they the LIV diaries, those small ones
26 that you used to stick in your pocket? I used to use one
27 of those, I had a small one.

28

29 MS GOBBO: Yes.

30

31 MR WINNEKE: Law Institute of Victoria diaries.

32

33 MS GOBBO: Yes, yes, yes.

34

35 MR WINNEKE: So that will be of assistance.

36

37 MS GOBBO: There's not - - -

38

39 MR WINNEKE: Maybe.

40

41 MS GOBBO: So there's not - all I'm saying is there's not
42 necessarily going to be a lot of detail in them but they'll
43 have, as my fee book, will have dates for particular people
44 and cases.

45

46 MR WINNEKE: Yes, righto. The fee books, how many fee
47 books did you go through?

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MS GOBBO: Two.

MR WINNEKE: Okay. And you've got those I take it? I mean obviously Meldrum's will have details of fees that you put through and so forth.

MS GOBBO: Yes, correct. Correct, yep.

MR WINNEKE: So that will obviously be of some assistance. I mean obviously - look, as you appreciate there are two Terms of Reference that we're particularly interested in in the first place. Obviously the behaviour of the police.

MS GOBBO: Yes.

MR WINNEKE: I'll give you an opportunity to sort of deal with that by way of an opening, if you like, and then secondly as you appreciate it's suggested that there's been cases which have been affected. So obviously we've got to look into that as well.

MS GOBBO: Correct. Yes.

MR WINNEKE: Now, I suppose the first thing is, um, perhaps if I go to the second term of reference first, we're going to go into the behaviour of the police in quite some detail, as you'd probably appreciate, and good, bad or indifferent we're going to look at it and you've obviously got a pretty strong view about the behaviour of particular members of the Police Force and - I mean it would be fair to say that the upper echelons of the Police Force you have been critical of, I mean indeed you've sued. Simon Overland, what do you say generally by way of an opening, if you like, about his conduct overall?

MS GOBBO: Um, evil, corrupt and dishonest.

MR WINNEKE: Can you descend to a little bit more detail? I know it was an opening opportunity.

MS GOBBO: Um, look I, I've never met him but when I was, when I - in the, in the period of say 05, 06, 07 when I - I used to refer to it as my voluntary second job.

MR WINNEKE: Yes.

1 MS GOBBO: Um, I was always led to believe that he was well
2 aware of my informing and that he was, um, a huge supporter
3 and encourager of it and that, you know, in that time there
4 were often circumstances in which, um, I was - would say to
5 my handler, whichever handler I was with at the time, I
6 tried for a while, "Are you sure, are you sure you know
7 what you're doing?" And each and every time they would say
8 to me that their bosses had approved of it and that it was,
9 um, and that it was, that Simon Overland was specifically
10 aware of what I was doing and that he had approved of it.
11 Um, the - so I've never met him and then in 2000 and - late
12 2007, I think it was late 2007, when I had the, what I call
13 the infamous meeting with Paul Dale and I recorded it.

14
15 MR WINNEKE: Yes.

16
17 MS GOBBO: I didn't have any specific meeting with Overland
18 before it or after it but I had meetings with police
19 officers who - specifically Shane O'Connell who said to me
20 I have the imprimatur of the Chief Commissioner to be able
21 to say to you our - not in these specific words but there
22 is no limit to our financial or other commitment to you in
23 terms of if you assist us by giving evidence against
24 (indistinct). Which is what led me down the path of
25 agreeing to give evidence and then obviously how I ended up
26 doing (indistinct words).

27
28 MR WINNEKE: So that was, that was at a time just so just
29 to pause there, you said 2007. In fact I think it was
30 December of 2008 you spoke to Dale.

31
32 MS GOBBO: Sorry, yes.

33
34 MR WINNEKE: So your handlers were saying, were referring
35 to the Chief Commissioner who I think we understand at that
36 stage was Christine Nixon, wasn't it?

37
38 MS GOBBO: Yes, sorry, it was Nixon and Overland, Overland
39 was in charge of the, I understood him to be in charge of
40 the committee - - -

41
42 MR WINNEKE: Sorry, Nicola, are you - you've just got very
43 faint, I don't know whether you moved away from the phone.

44
45 MS GOBBO: Sorry.

46
47 MR WINNEKE: Yeah, that's better.

1
2 MS GOBBO: Is that better?
3
4 MR WINNEKE: Yes. Just repeat that.
5
6 MS GOBBO: Sorry. Yeah, so I think, he was either the
7 Deputy Commissioner then or he was in charge of the
8 committee that oversaw - I never knew at the time that
9 there was the, this whole committee structure of how they
10 looked after informants.
11
12 MR WINNEKE: Yes.
13
14 MS GOBBO: I only learnt about that later on, but I
15 understand that he was in charge of that committee or had
16 oversight of it.
17
18 MR WINNEKE: Yes. So that's your view in general about,
19 about Simon Overland. I think he was Assistant
20 Commissioner of Crime at that stage. Did you - and - - -
21
22 MS GOBBO: And then - - -
23
24 MR WINNEKE: And you've mentioned also that your
25 understanding was that Christine Nixon knew of your
26 involvement at that time.
27
28 MS GOBBO: Yes, yes.
29
30 MR WINNEKE: What gave you to understand that? Was that
31 the comment you made before about the handler assuring you
32 that the Chief Commissioner was in a position to assist you
33 financially and so forth? Was that - that's the context
34 you learnt about her being involved or in the loop?
35
36 MS GOBBO: Yes. No, it was because they, the handlers made
37 it clear that, or the impression they gave me was that the
38 fact of what is my involvement in assisting them went right
39 to the top.
40
41 MR WINNEKE: Yes, yes.
42
43 MS GOBBO: And you've just jogged my memory because of
44 course Simon Overland didn't become the Chief Commissioner
45 until, until Dale was charged, um, or around about that
46 time. Um, but going back to, um, the time of 05, 06, 07
47 period.

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MR WINNEKE: Yes.

MS GOBBO: When the, I guess, I call it the underworld war was at its height and there were people being literally murdered week by week, the, there was a significant change insofar as the Government gave or appeared to give Victoria Police extensive powers and, um, funding to basically try, I guess to try and stop what was going on and in that, in that context, um, there was this kind of, um, enormous - I would even say excitement and, um, um, I say excitement is probably the best word, and then along I come and I happen to know, um, all of the key players and as time, as time went on with my different handlers they became more and more, I wouldn't necessarily say relaxed around me, but they became more reckless in what they did and didn't say in front of me and, um, they gave me, when I say gave me the impression, they often were quite direct, particularly from Sandy White who was in charge, that there was no, there was no shortage of support from high up in the police hierarchy in terms of getting, getting results through any means necessary.

MR WINNEKE: Right. You mentioned extra powers. Do you have a view or an understanding of what extra powers were made available to police?

[REDACTED]

MR WINNEKE: Yes.

MS GOBBO: Um, they were using them extensively and they weren't, and they weren't working because, um, you know, the normal process was people were given a summons and they weren't allowed to tell anyone that they had a summons or that they had been required to give evidence and they then couldn't tell anyone what the evidence was or the questions they were asked, but that wasn't working. Um - - -

MR WINNEKE: Why is that?

MS GOBBO: Because the people would walk out of - well a couple of reasons. The, the way in which people were summonsed, as in they were served with a summons in front

1 of other people or in front of wives or girlfriends. So
2 there was already people knew, as in someone else knew
3 about the fact of a person going there. But the venue was
4 near the Victoria Market, so there was a restaurant down
5 the road from where the venue was which was frequented by
6 the Mafia of Melbourne.

7
8 MR WINNEKE: Yes.

9
10 MS GOBBO: So quite often people would see people going
11 into the building or they would see some crook's car parked
12 out the front of the building for the day and in order to
13 avoid getting a parking ticket the police would say stick
14 the Victoria Police, um, laminated card on the front of
15 your car so you wouldn't get a parking ticket. I mean it
16 was just - I know it sounds ridiculous but it was laughable
17 really.

18
19 MR WINNEKE: Was that the same venue - I know where the -
20 the Office of the Chief Examiner was in that venue. Was
21 the ACC - - -

22
23 MS GOBBO: Yes.

24
25 MR WINNEKE: - - - there as well?

26
27 MS GOBBO: No, the - no, the ACC was in an even worse place
28 because it was in the Federal Police building.

29
30 MR WINNEKE: That's right, yes.

31
32 MS GOBBO: In La Trobe Street.

33
34 MR WINNEKE: So - - -

35
36 MS GOBBO: Um.

37
38 MR WINNEKE: No, keep going, keep going.

39
40 MS GOBBO: And so, just the other, the other thing they did
41 was they established, um - the Purana Task Force got
42 established and they got - more and more police were
43 seconded to that Task Force and, um, there seemed to be no
44 limit to the number of hours or the number of police that
45 were, were um, were brought in to try to stop what was
46 going on.

47

1 MR WINNEKE: How many police were there as far as you knew
2 in Purana?

3
4 MS GOBBO: At one stage about - over 50.

5
6 MR WINNEKE: I suppose you knew - I mean you certainly knew
7 some of them, you probably knew quite a few of them. Do
8 you recall how many of them you did know in Purana?

9
10 MS GOBBO: Um, I could - I'd say at least, at least twenty,
11 because a lot of them, a lot of them crossed over from what
12 was then the Major Drug Investigation Division, they
13 crossed over into Purana, um, for the purpose of - I guess
14 because a lot of the targets were people who were high
15 level drug dealers.

16
17 MR WINNEKE: Yes. So Jim O'Brien's an obvious example of
18 one of those.

19
20 MS GOBBO: Sorry?

21
22 MR WINNEKE: Jim O'Brien would be an example of a person
23 who was in the MDID. In fact I think he might have been in
24 the Drug Squad prior to that. I might be wrong.

25
26 MS GOBBO: Yes, he was.

27
28 MR WINNEKE: He was, yes. And he went through from the
29 Drug Squad into Purana. Sorry, into the MDID and then into
30 Purana. Did you, did you have Con - - -

31
32 MS GOBBO: And he was one, and he, he was one who really,
33 who specifically knew what I was doing.

34
35 MR WINNEKE: Yes, I understand that. Did you actually
36 speak to him during the period that you were with the SDU,
37 being handled by them?

38
39 MS GOBBO: Yes. Yes, I did, yes.

40
41 MR WINNEKE: How frequently do you reckon you would have
42 spoken to Jim O'Brien?

43
44 MS GOBBO: Um, maybe half a dozen times in, um, leading up
45 to - I mean leading up to the night where, um, they took me
46 out for dinner with him. It was a farewell, a farewell for
47 him.

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MR WINNEKE: Yes.

MS GOBBO: And - I can remember it because I, I was in so much pain I couldn't eat or drink anything.

MR WINNEKE: Do you still have the pen they gave you?

MS GOBBO: Yes, I do. Never used it, but I do.

MR WINNEKE: So you'd spoken to him about a half a dozen times. Do you know what about? I mean, again, can I say this, preface this question by, look, if you can't recall, okay, no problem, but if you can recall by all means let us know. Do you recall what you spoke to O'Brien about?

MS GOBBO: Um, there were a couple of times - there was one occasion where, um, I had a long talk to him and Dale Flynn because they executed - again it was a sham - but they executed a search warrant at my chambers to obtain some documents and it was, it was all a set up.

MR WINNEKE: Yes.

MS GOBBO: When I say a set up, it was, there was no reason why I wouldn't have just handed them the materials they wanted, but they wanted it to seem like I wasn't, um, just voluntarily cooperating with police. So they obtained a search warrant.

MR WINNEKE: Yes.

MS GOBBO: Which I remember asking Jim O'Brien how you go about getting a search warrant, um, in circumstances where it's basically fake.

MR WINNEKE: What was the answer to that?

MS GOBBO: Anyway, that was a morning - pardon?

MR WINNEKE: What was the answer to that?

MS GOBBO: He would never, he was a clever bloke, he never wanted to - he'd throw off, kind of change the subject, a bit of a laugh. He, so he, he and Dale Flynn came to my chambers one morning to execute that warrant and ended up sitting around drinking coffee for a good hour. He, he

1 never - when I say he, Jim O'Brien had a particular
2 obsessive hatred towards the Mokbel family. Um, and the
3 Williamses.

4
5 MR WINNEKE: Right. So you mentioned, you mentioned Flynn.
6 Dale Flynn was another fellow you spoke to directly, this
7 is outside the, I suppose the sterile corridor arrangement.

8
9 MS GOBBO: Yes, yep. Yes, I had, um - - -

10
11 MR WINNEKE: You spoke - go on.

12
13 MS GOBBO: Quite a lot of times I had conversations, quite
14 a lot of times I had conversations with Dale Flynn during
15 the time they made me an informer.

16
17 MR WINNEKE: Yes.

18
19 MS GOBBO: That was partly because he was in charge, he was
20 an Acting Sergeant I think, in charge of one of the units
21 in the Drug Squad. I say Purana, the Drug Squad, and one
22 of his, one of his crew was [REDACTED] I had a lot, same
23 thing, a lot of conversations with [REDACTED]

24
25 MR WINNEKE: Over what period of time - - -

26
27 MS GOBBO: (Indistinct words). Um, so, from 05 to - 05 to
28 08.

29
30 MR WINNEKE: Right.

31
32 MS GOBBO: And where - and where, sorry, where [REDACTED]
33 was concerned I bumped into him a number of times when I
34 was living [REDACTED] because he used to live in
35 that, he was living in [REDACTED] at the time.

36
37 MR WINNEKE: All right. Whilst we're on that topic of
38 police officers who you did speak to outside of the handler
39 regime, are you able to recall any others?

40
41 MS GOBBO: Stuart Bateson.

42
43 MR WINNEKE: Stuart Bateson. Was that just in the lead up
44 prior to you being registered or was that during the period
45 that you were registered, 2005 through to 2009? Or both?

46
47 MS GOBBO: Both.

1
2 MR WINNEKE: Both, yes.
3
4 MS GOBBO: Yes.
5
6 MR WINNEKE: So Bateson. Anyone else?
7
8 MS GOBBO: Paul, Paul Rowe.
9
10 MR WINNEKE: Paul Rowe.
11
12 MS GOBBO: Um, again, because he was, um, he was - he
13 started, when I first met him he was at the Drug Squad but
14 then I think he, I think he, he was seconded to Purana.
15 Um, I'm just trying to think of - um, so the - I should say
16 this. My handlers had a view that, not a view, they were -
17 they basically said you can't speak to and you shouldn't
18 speak to anybody other than us.
19
20 MR WINNEKE: Yes.
21
22 MS GOBBO: About anything.
23
24 MR WINNEKE: Yes.
25
26 MS GOBBO: And - so I didn't, other than when they knew
27 about it. So when I refer to having spoken to Jim O'Brien
28 or Dale Flynn, they were aware of it.
29
30 MR WINNEKE: Yes.
31
32 MS GOBBO: There was never a time when I was secretly
33 talking to anyone that they weren't aware of.
34
35 MR WINNEKE: What about [REDACTED] and Bateson and - what about
36 them?
37
38 MS GOBBO: Well, um - no, I think, I think - I didn't, I
39 never lied to my handlers about who I had or had not seen
40 because I was - whether it was, whether it was correct or
41 not, I was absolutely paranoid, especially in the first,
42 definitely in the first year or so, that when they -
43 because they made it clear to me that they didn't trust me
44 and that, um, that they would be testing me at all times.
45 So, um, I probably went into, I was probably more keen to
46 tell them every single detail of every single thing to kind
47 of prove that I was telling the truth.

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MR WINNEKE: Yes.

MS GOBBO: As opposed to as time went on and we relaxed a little bit and they certainly became far less stringent in their rules. There definitely were times when I bumped into [REDACTED] I just can't - I can't be specific about exactly what times but there were times when he said to me, "I'm not meant to speak to you" and then he did speak to me.

MR WINNEKE: About what? I mean what sort of matters?

MS GOBBO: No, nothing, nothing, nothing inappropriate in terms of telling me something that he shouldn't.

MR WINNEKE: Yes.

MS GOBBO: It was more him expressing his, I guess his sympathy for - not sympathy, empathy for the position I found myself stuck in and he would disagree or he at least gave me, said enough to give me the impression that he was not happy with the, um, the situation as it was.

MR WINNEKE: What situation?

MS GOBBO: Well in - after, for example, after - so when I got, when I got - after the Dale conversation was recorded - - -

MR WINNEKE: Yes.

MS GOBBO: - - - and the circumstances of that were basically that I didn't - the only reason I offered to record it was because I'd seen Dale a number, not many times, but a few times, and it didn't appear to me that he was saying anything of any relevance in terms of, in terms of admissions or, or guilt or involvement, it was his normal, his normal rantings and ravings and lies, and it was more interesting - I wouldn't say happy - complete obsession with the Morans and, um, and basically said to me - not in these words, but it was along the lines of - "I don't trust, I don't trust you to be accurately telling us what he may say", but then he did say, "Oh the informer".

MR WINNEKE: Who said that, Sol Solomon?

1 MS GOBBO: Sol Solomon. It was me basically saying, "If
2 you, if you want I'll record it, and then you can hear it,
3 you can hear his crap for yourself". So, obviously, I go
4 along, I record it and later on Sol said, "Well what he did
5 in fact say to you was, was, in terms of investigators, we
6 say it's gold. You may not appreciate it but we can put
7 those pieces into a bigger puzzle and what he said to you
8 is really important". So that then led to a lot of
9 pressure being put on me to become, to agree to make a
10 witness statement and - - -

11
12 MR WINNEKE: Can I just ask you about that? Whilst Solomon
13 was keen for you to do that but that was before - was that
14 after it had been more or less agreed that you would going
15 to be taken away from the SDU and given to Purana for their
16 purposes?

17
18 MS GOBBO: No, no, no.

19
20 MR WINNEKE: Petra I mean, sorry.

21
22 MS GOBBO: It was - it staggered me that the morning, um,
23 the morning that I was effectively, um, sort of more or
24 less handed over to, um, Shane O'Connell who was in charge
25 of, um - well he wasn't the person in charge but he was a
26 senior officer, so ex Task Force, I can remember sitting
27 down with him and saying, "Now please tell me that you know
28 about" - because it was with a view to making a statement,
29 me making a, formalising a statement. I can remember
30 saying to him, "You do realise, and I presume" - I said to
31 him, "I presume you've been told about what's gone on in
32 the past?" And my belief is he had not been told.

33
34 MR WINNEKE: That is that you'd been an informer for some
35 three odd years?

36
37 MS GOBBO: Correct. Correct. Yes.

38
39 MR WINNEKE: And this is O'Connell you were speaking to?

40
41 MS GOBBO: Yes.

42
43 MR WINNEKE: Yes.

44
45 MS GOBBO: Yes.

46
47 MR WINNEKE: And you felt that he hadn't, that he hadn't

1 been read in if you like.

2

3 MS GOBBO: Well he - no, and the impression I got is that

4 he had no idea, he had literally no idea. And I might, I

5 might be completely wrong, but his reaction and his body

6 language suggested that he had no idea and he may well have

7 - he may well have been recording that conversation because

8 my understanding was always when, whenever it was one

9 police officer who was male by themselves, they had some

10 policy where they had to record it basically for their own

11 safety sake so that there couldn't be any suggestion of

12 anything inappropriate or sexual afterwards.

13

14 MR WINNEKE: Right. I think there's some - - -

15

16 COMMISSIONER: Nicola, we're having some trouble just

17 hearing you, you're very faint. I don't know whether you

18 can speak more closely to the phone or a little louder.

19

20 MS GOBBO: Oh, I moved. Is that better?

21

22

23 COMMISSIONER: Yes, that's better, thank you.

24

25 MR WINNEKE: All right. So we started this by giving,

26 basically by asking you to express your views on members of

27 the, more senior members of the Police Force and you've

28 obviously stated strong views about Simon Overland. Do you

29 have any views about other senior members of Victoria

30 Police and their handling of you?

31

32 MS GOBBO: Well I never, I never dealt with anybody, um, of

33 a higher rank than either those I've mentioned or - **Sandy**

34 **White** was the [REDACTED] person that I dealt with.

35

36 MR WINNEKE: Yes.

37

38 MS GOBBO: And he, he - the very first time I met him he

39 said to me words to the effect of, "People like you end up

40 in one of two places, in gaol or in the gutter, so you may

41 as well help us". That may or may not be on a recording,

42 um, but the man scared me.

43

44 MR WINNEKE: What was the context of that discussion?

45

46 MS GOBBO: Well that was the first, that was the very first

47 night - that tape got played to me when I gave evidence in

1 the Supreme Court. This is the tape where I say, "Please
2 don't record this because my fear is if it's recorded then
3 someone may hear it one day or it might fall into the wrong
4 hands" and I was unsure of what I was going to do or not do
5 at that point and I obviously learnt that there was a
6 recording of that meeting when the tape got played to me in
7 the Supreme Court.

8
9 MR WINNEKE: Yes. What about - - -

10
11 MS GOBBO: But in - - -

12
13 MR WINNEKE: Sorry, go on.

14
15 MS GOBBO: So in that, um, in that conversation he, he, he
16 said to me, and it's in the context of him saying, well,
17 you know, you're, um, a thorn in Victoria Police's side
18 because basically every time we arrest someone or some
19 massive drug dealing case, you're there and you seem to get
20 people bailed all the time. And I was, and I was also, um,
21 issuing, serving them with lots of subpoenas that drove
22 them crazy because they used to hide things from accused
23 people. But that's another topic I think.

24
25 MR WINNEKE: Yes, yes.

26
27 MS GOBBO: So in that context he said to me - you know, he
28 was fairly, he was - he scared me is probably the most
29 accurate way to put it.

30
31 MR WINNEKE: Did you feel any pressure to, to actually
32 become an informer and to be registered?

33
34 MS GOBBO: Yes. Yes.

35
36 MR WINNEKE: I'm interested to know what that was and how
37 that was brought to bear, that pressure.

38
39 MS GOBBO: Um, when he said to me, "People like you end up
40 either in the gutter or, in prison or in the gutter" - - -

41
42 MR WINNEKE: What did you take that to mean?

43
44 MS GOBBO: As in you end up - either you go to gaol or you
45 end up dead because someone kills you. He - I was at pains
46 to, I felt that I was at pains to explain to him or justify
47 to him that I did not believe I had committed a crime. I

1 felt (indistinct words) - - -

2

3 MR WINNEKE: What did he suggest, what crime did he suggest
4 you'd committed?

5

6 MS GOBBO: He somewhat - to my memory there was nothing
7 specific. He may have, um, he may have alluded to me being

8 an accessory after the fact or a conspiracy of some sort

9 but, um - either then or in subsequent conversation, but he

10 made me feel like I had to justify myself or explain myself

11 to, um, make him understand that I hadn't actually done

12 anything that I thought was illegal, but that I had a lot

13 of - that I had been exposed to a lot of knowledge of

14 things that were going on that were illegal and that didn't

15 sit comfortably with me.

16

17 MR WINNEKE: I mean at that stage your career was

18 flourishing really as a barrister.

19

20 MS GOBBO: Yes.

21

22 MR WINNEKE: And you were starting to be very successful.

23 I mean I'm just interested to know why it was that you at

24 that stage decided to become an informer and was it your

25 expectation that you would continue to be able to do that

26 and for your career to develop? So two parts to that

27 question I suppose.

28

29 MS GOBBO: No, I think it was more, um, I think at least at

30 the beginning I thought it was a - do this temporarily, as

31 in assist them temporarily. They'll achieve what they need

32 to achieve and then that would be that. But as time went

33 on I - I mean I said to **Sandy White** a number of times,

34 "When is this going to end", because there was a - - -

35

36 MR WINNEKE: When you say assist, assist to do what? What

37 was the immediate - - -

38

39 MS GOBBO: Well that, that was the problem. As time went

40 on they kept coming up with new people and targets that

41 they, that they were specifically interested in. Like

42 right at - - -

43

44 MR WINNEKE: The initial one being, being what? Who was

45 the initial target as far as you were concerned?

46

47 MS GOBBO: Um, initially it would have been - initially

1 Sandy's interest was the Mokbels.

2

3 MR WINNEKE: Yes. Mokbels and family and crew I suppose?

4

5 MS GOBBO: Yes, correct. Correct, their whole crew. And
6 it was identifying, um, the weak links, um, as in the
7 weakest people that might then turn on, turn on, um, people
8 higher up the food chain for want of a better expression.
9 But as time went on Sandy White was intent, was quite -
10 he was quite obsessive about, like if - because he was the
11 sort of police officer who could never, I could never
12 imagine doing anything else in his life, he was, his whole
13 focus in his life time would be being an investigator. He,
14 he indicated to me at some point that Karam, that Rob Karam
15 had got away from him in the past and - so Karam became a
16 focus of his.

17

18 MR WINNEKE: Yes.

19

20 MS GOBBO: And then over time other people they became
21 interested in, like Mick Gatto was one that was of interest
22 to them, but that was towards the end. Um, and they had a
23 specific interest in, in any, um, in any police officers
24 that they were investigating or that were being
25 investigated by ESD at the time.

26

27 MR WINNEKE: Yes.

28

29 MS GOBBO: Because I happened to know such, such as - I
30 know Glen Saunders and - I just can't think of his name -
31 Waters. His surname was Waters I think.

32

33 MR WINNEKE: Yes, Waters.

34

35 MS GOBBO: Waters and the - I can't remember the other
36 guy's name. They were investigators for the Vampire
37 murder.

38

39 MR WINNEKE: Yes, yes. Just to go back to your decision
40 to, to assist them, did you have any discussions with them
41 about the need to reconcile your duty as a barrister with
42 your provision of information to the police about people
43 who, I mean on one view you had a professional obligation
44 to? Was that discussed with Sandy White?

45

46 MS GOBBO: Yes, it was. There were - I can remember saying
47 to him or to handlers from time to time, "I can't tell you

1 that" or "I can't answer that". Um, I can remember one
2 long discussion I had with one particular handler trying to
3 explain to him the concept of what was privileged and what
4 wasn't. Um, and at - you know, it worried me - - -

5
6 MR WINNEKE: Do you remember who that was?

7
8 MS GOBBO: It worried me - I could picture him, I'm just
9 trying to think of his name. Fox, I think his name was
10 Fox.

11
12 MR WINNEKE: Did you know the last names of these handlers
13 or - - -

14
15 MS GOBBO: No. I meant to say that before. So when I met
16 these people they would say - like Peter Smith, I never
17 knew his surname until months went by. They did a whole,
18 "So we're not telling you our full name or anything about
19 us for safety reasons".

20
21 MR WINNEKE: Yes.

22
23 MS GOBBO: And Sandy White was - often repeated the kind
24 of mantra that, "This is an us/them relationship. You have
25 to trust us but we don't have to trust you and because of
26 what you're doing we can't trust you". And he made it, um,
27 I mean it sounds, it sounds even odd to me now but it was
28 like I had to continuously try and prove or over prove my,
29 the fact that I was being honest with them and telling them
30 exactly accurately everything that everybody said to me.

31
32 MR WINNEKE: Right. Did you know whether they ever got any
33 legal advice? Your handlers I'm talking about.

34
35 MS GOBBO: Not to my knowledge. They never, they never
36 said to me that they did.

37
38 MR WINNEKE: Yes. Do you know whether - - -

39
40 MS GOBBO: I know that - - -

41
42 MR WINNEKE: Sorry, go on.

43
44 MS GOBBO: At one stage - sorry, I just can't be specific
45 about exactly when but they certainly gave me the
46 impression that from - on some of these conversations there
47 will be recordings of because whenever I met them they

1 recorded it.

2

3 MR WINNEKE: Did you know that? Did they tell you that?

4

5 MS GOBBO: Yes, they did. Yes, that's right. They

6 actually said that they were recording it from, from the

7 [REDACTED] that we ever walked into, what I'd describe as kind of

8 a tour of Melbourne's most 50 worst [REDACTED] that you
9 could ever find.

10

11 MR WINNEKE: This is on the initial meeting that you had
12 with the SDU?

13

14 MS GOBBO: No, the names - no, not the, not the initial
15 meeting as in over that period of three years there were a
16 lot of meetings in a lot of [REDACTED].

17

18 MR WINNEKE: Yes.

19

20 MS GOBBO: And, um, they didn't - I mean they didn't each
21 and every time put a digital recorder on the table,
22 sometimes they did, but it was made clear that every time
23 that we did meet they were recording it.

24

25 MR WINNEKE: Yes, I follow. Can I ask you about Graham
26 Ashton. Did you ever meet him? I know certainly -
27 firstly, did you meet Graham Ashton?

28

29 MS GOBBO: Not that I know of, no.

30

31 MR WINNEKE: Okay, all right. Did you speak to him on the
32 phone?

33

34 MS GOBBO: Not that I know of, no.

35

36 MR WINNEKE: Okay, all right.

37

38 MS GOBBO: My, my belief was that he was, that he was Simon
39 Overland's second in charge, um, after Simon became the
40 Chief Commissioner.

41

42 MR WINNEKE: Right.

43

44 MS GOBBO: And, look, I did spend a bit of time, um - I
45 have to be honest and say it was probably obsessive, about
46 who was who in terms of police hierarchy and who was in
47 Simon Overland's camp and who wasn't in his camp after the

1 Herald and Weekly Times revealed my former status in March
2 2014.

3

4 MR WINNEKE: And I know we're only touching on some of
5 these topics, but as you appreciate we're sort of - we've
6 got a limited amount of time and I don't want to keep you
7 for too long, but I did want to ask you at this stage, if
8 we can go back, say, to the period prior to when you were
9 crook and you had your stroke and during the height of the
10 gangland killings, if you like.

11

12 MS GOBBO: Yes.

13

14 MR WINNEKE: And you've mentioned this in your letter to
15 Fontana, you got a brief, as I understand it, to act for -
16 let's call him [REDACTED].

17

18 MS GOBBO: Yes.

19

20 MR WINNEKE: Was that your sort of entree into that milieu,
21 if you like, those sort of issues?

22

23 MS GOBBO: Sorry, say that again, was that - - -

24

25 MR WINNEKE: That was sort of your entree into Purana, that
26 is [REDACTED] or had you been involved in Purana matters
27 before that?

28

29 MS GOBBO: Um, not really. It was basically [REDACTED]

30

31 MR WINNEKE: Yes.

32

33 MS GOBBO: I guess the only, the only, um - because I'd
34 acted for Tony Mokbel from 2002 and through Tony I had met
35 Carl Williams and a number of - I'll just describe them as
36 Carl's crew.

37

38 MR WINNEKE: Yes.

39

40 MS GOBBO: I kind of knew a lot of who the players, I guess
41 you could call them the players, were at that point but
42 [REDACTED] was my first, at that point anyway, I guess, if
43 you put it in the category of a gangland murderer.

44

45 MR WINNEKE: Yes. So was that your - now we understand
46 that that led you to coming to know Stuart Bateson. Was
47 that how you came to know him?

1
2 MS GOBBO: Yes.
3
4 MR WINNEKE: Or did you know him prior to that?
5
6 MS GOBBO: Um, look I could have met him in the context of
7 him being either the informant who charged them and I'd
8 acted for, or he might have been the Sergeant or a
9 Detective who was the informant for someone I acted for,
10 but I can't - I don't have a specific recollection of
11 having been, having anything to do with him before
12 [REDACTED] came along.
13
14 MR WINNEKE: Righto. Okay. So in effect that's your - - -
15
16 MS GOBBO: As in - - -
17
18 MR WINNEKE: Sorry, go on.
19
20 MS GOBBO: We did start off, when I say start off, when I
21 first had dealings with Stuart he made it clear that he
22 didn't, didn't trust me, didn't approve of me and - I mean
23 he, he specifically told [REDACTED] that I was having
24 a sexual relationship with Carl Williams, which was
25 ridiculous and absurd but he certainly wasn't one of my, I
26 wouldn't say he was a fan of mine at the beginning.
27
28 MR WINNEKE: Okay. So is it the case then that he's the
29 sort of the first Purana officer that you would, you know,
30 know in their capacity as a Purana Detective?
31
32 MS GOBBO: Um, I just - I'm only hesitating because, um, I
33 thought the first, I thought the first officer in charge of
34 Purana when it was formed was a guy called, a police
35 officer called Andy Allen and he had a, I can't think of
36 the name of his offsider, sorry.
37
38 MR WINNEKE: That's all right.
39
40 MS GOBBO: It might come to me. I'm just, I'm just trying
41 to remember whether Bateson came first or whether at some
42 point - I know that when I got Lewis Moran bailed - - -
43
44 MR WINNEKE: That was when Veniamin makes the threat, is
45 that right, after that?
46
47 MS GOBBO: Yes. I'm trying to think of - yeah. I'm trying

1 to think of when - it was Andy Allen and, sorry, I just
2 can't think of his name. He later became a police - he
3 later moved from Purana to the Geelong district, he was in
4 charge down there. His name will come to me. Swindells,
5 Phil Swindells.

6
7 MR WINNEKE: Swindells, right. So you'd - - -

8
9 MS GOBBO: Sorry, I'm just trying to think whether, whether
10 they came, they - I also had conversations with them but
11 I'm trying to remember where - I just can't be sure whether
12 Bateson was first or they were first, sorry.

13
14 MR WINNEKE: Was the Veniamin threat - I should know this
15 but just if you can remind me - the Veniamin threat to you,
16 that was prior to you getting the brief for [REDACTED], is
17 that right or am I wrong about that?

18
19 MS GOBBO: Um, no, I think that's right because - no, I
20 think you've got it in the right order because, um,
21 Veniamin threatened to kill me because I, because I got -
22 because I got Lewis Moran bailed and he took the view that
23 I was, I was part of, in his words, "You were a part of our
24 crew and you (indistinct words) the other crew" and he
25 didn't take kindly to me trying to explain to him that I
26 was part of both of his crews and, um - - -

27
28 MR WINNEKE: And a result of that - - -

29
30 MS GOBBO: And I think [REDACTED] - - -

31
32 MR WINNEKE: Sorry, go on, I've interrupted you.

33
34 MS GOBBO: I think [REDACTED], my first actual contact with
35 [REDACTED] was when he was arrested for the murder of
36 [REDACTED].

37
38 MR WINNEKE: Yes.

39
40 MS GOBBO: Because after he was - when he was arrested,
41 subsequent to his arrest there was a lot of pressure
42 brought to bear on me from Tony Mokbel and Carl Williams
43 and George Williams to ensure that [REDACTED] kept his mouth
44 shut, didn't implicate them in any way, shape or form and
45 at some point they wanted me to, um, to retain a forensic
46 psychologist or psychiatrist to go and see [REDACTED] to
47 basically say that the guy was either a pathological liar

1 or totally mentally incompetent so that in the event that
2 he did make a statement or give evidence, or try to give
3 evidence, that he would be disbelieved.

4
5 MR WINNEKE: Yes, I follow. So just to go back to that
6 issue or that threat. I mean we understand the bail
7 application, the successful bail application for Moran was
8 in April of - July, I'm sorry, of 2003. Then Veniamin
9 threatens you. Did you go to the police about the threat
10 or did they come to you?

11
12 MS GOBBO: Um, I went to his, I went to his solicitor [REDACTED]
13 [REDACTED]

14
15 MR WINNEKE: Yes.

16
17 MS GOBBO: And the police came to me. Phil Swindells, he
18 came, he met me on the steps of the Magistrates' Court,
19 introduced himself and said, "I'm such and such and", um, I
20 think he basically said, "I know what happened" as in, "I
21 know about the threats". I played dumb and didn't say
22 anything.

23
24 MR WINNEKE: Yes.

25
26 MS GOBBO: And he said, "It's come across the phone lines"
27 were his words.

28
29 MR WINNEKE: Right.

30
31 MS GOBBO: And then said, you know, "If you want our
32 assistance or you want to do anything about it, here's my
33 card or here's my number".

34
35 MR WINNEKE: Yes.

36
37 MS GOBBO: Um, so I was, I was too scared to, I was too
38 scared to speak to him about it.

39
40 MR WINNEKE: So that was dealt with in Brian Rolfe's office
41 with Veniamin being brought in and effectively apologising
42 to you, that was the way that was dealt with, was it?

43
44 MS GOBBO: No. No, no.

45
46 MR WINNEKE: No?
47

1 MS GOBBO: He didn't bring, he didn't bring Veniamin in.
2 He said to me he was with his client and pulling him into
3 line and it was [REDACTED] that brought Veniamin to me and
4 made him apologise.

5
6 MR WINNEKE: Yes, okay. Now at that stage you hadn't, or
7 tell me, had you been having any discussions at all, aside
8 from those discussions with Swindells and I think Andy
9 Allen, outside of your role as a barrister acting for
10 clients?

11
12 MS GOBBO: No. No.

13
14 MR WINNEKE: So then you get the brief for [REDACTED] and by
15 a process of negotiations, as I understand it, and this is
16 really just summarising a whole lot of events, by a process
17 of negotiations [REDACTED] ends up pleading?

18
19 MS GOBBO: Well first of all he pleads to the old material
20 that he was, that allowed him to have bail in the first
21 place, the retrial matter that he - I go to, I think,
22 [REDACTED] - - -

23
24 MR WINNEKE: Down in [REDACTED] I think it was a plea in
25 front of [REDACTED]?

26
27 MS GOBBO: Correct, yes. Yes. Um, and then - and then I'm
28 in the process of dealing with [REDACTED] in relation to
29 him, um, basically making a decision about what else he
30 wanted to do or not do.

31
32 MR WINNEKE: Yes.

33
34 MS GOBBO: And then I got very sick, so that was the end of
35 me dealing with [REDACTED].

36
37 MR WINNEKE: Righto, okay. But was there ongoing, after
38 that was there, did you have discussions with any other
39 police officers from Purana?

40
41 MS GOBBO: About [REDACTED] or in general?

42
43 MR WINNEKE: In general.

44
45 MS GOBBO: Um, I - um, sorry, I'm just trying, I'm trying
46 to think because after I came back to, after I came back to
47 work, as much as I had, should have seen what happened to

1 me as a wake-up call and taken a step back from everything,
2 I didn't. Um, no, so not that I can think of specifically.

3

4 MR WINNEKE: In terms of Mr Bateson - perhaps if I can ask
5 you this as a general proposition. How then do you come to
6 be introduced to the SDU, was that - as I understand it
7 that was through, or at the time when Mr Bickley was
8 arrested, is that right?

9

10 MS GOBBO: Yes, it was, um, through Steve Mansell and Paul
11 Rowe.

12

13 MR WINNEKE: That was, and I think you've made this
14 reasonably plain, you felt that there was pressure being
15 brought to bear on Mr Bickley and you had views about that,
16 is that right?

17

18 MS GOBBO: Yeah, in a - instantly, yes. Yes.

19

20 MR WINNEKE: In terms of Purana, and again I'm sort of
21 moving away from the SDU, but did you provide any
22 assistance to Purana, for example, by going and visiting
23 people in custody?

24

25 MS GOBBO: Yes. At, um - I can't, I can't specifically
26 recall at whose request but I did see a number
27 of times, um, which was, which was their request, not mine.

28

29 MR WINNEKE: That was at Purana's request, did you say?

30

31 MS GOBBO: Yes, yes, and .

32

33 MR WINNEKE: And which officers at Purana?

34

35 MS GOBBO: Um, it might have been Nigel L'Estrange.

36

37 MR WINNEKE: Nigel L'Estrange, yes.

38

39 MS GOBBO: Yes, Nigel L'Estrange was one of the police that
40 talked to. I can't remember - - -

41

42 MR WINNEKE: So that was .

43

44 MS GOBBO: Yes.

45

46 MR WINNEKE: What was the purpose of saying, of doing that,
47 going to the prison to see ?

1

2 MS GOBBO: Well it may have been because, I guess it was
3 because they, they got, they got people like [REDACTED] to a
4 position where they agreed to assist them or become, become
5 Crown witnesses.

6

7 MR WINNEKE: Right.

8

9 MS GOBBO: And then they, then they couldn't work out -
10 they couldn't work out, it was a subject that I gave them
11 plenty of criticism about, they couldn't work out how to
12 give these people any kind of, not necessarily emotional
13 support but just support in terms of somebody to talk to,
14 and um, and it kind of, rightly or wrongly, they kind of
15 assumed, oh, well, she'll sort that out.

16

17 MR WINNEKE: So how did you get to see them? How did you
18 get to see [REDACTED]? Were you acting for him at that
19 stage or not?

20

21 MS GOBBO: Um, no, because I didn't do his plea, but it was
22 - it was more, I suppose it was more simple than that
23 because people like him were put into a [REDACTED] part
24 of the prison. It was as simple as they requested a visit
25 from a particular, I don't know, social visitor or a
26 professional visitor and it had to be okayed by Victoria
27 Police and there wasn't, there wasn't an issue.

28

29 MR WINNEKE: So, for example, [REDACTED] requested a social
30 visit, is that what you're saying?

31

32 MS GOBBO: No. He would either, it would either be social
33 or professional. I visited him in a professional capacity
34 but because of the [REDACTED] section that he, for
35 example, was in, same with [REDACTED], these people were in,
36 they were in a specific category or any visitor had to be
37 approved, as opposed to a normal prisoner that could, that
38 would just go through the normal channels for visitors.

39

40 MR WINNEKE: Yes, I follow that.

41

42 MS GOBBO: So people like - yeah, so people like [REDACTED] were
43 in - it was appointment only and it was pre-approval by
44 Victoria Police.

45

46 MR WINNEKE: Had you been acting for [REDACTED] before these
47 visits?

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MS GOBBO: Um, I had - - -

MR WINNEKE: Could you remember who his solicitor was?

MS GOBBO: Um, I think he changed solicitors because, God, he was a difficult bloke. Um, at one stage it was [REDACTED]

MR WINNEKE: [REDACTED], yeah.

MS GOBBO: And at one stage, um - I know [REDACTED] acted for him when he eventually pleaded guilty. Sorry, I just can't remember - he might have had, he might have had [REDACTED] beforehand, I just can't, because he was a friend of [REDACTED] I just can't recall specifically.

MR WINNEKE: If we focus on [REDACTED], I'm just trying to, if you can recall, how it came to be that the visit comes about. Is it something that's suggested by the police or is it something that's suggested by your instructor or how does it come about?

MS GOBBO: No, it's not, I can tell you it's not suggested - it's not suggested by solicitors.

MR WINNEKE: Right.

MS GOBBO: It was, it is either - it may have been requested by [REDACTED] but, um, encouraged and facilitated by Victoria Police.

MR WINNEKE: So they say to you, do they, "Look, can you go out and see [REDACTED] to provide him with some comfort" or something like that?

MS GOBBO: Basically. And that got repeated countless times when, for example, [REDACTED] ends up in custody because [REDACTED] was not dissimilar to [REDACTED] in the sense that he decides to, to give evidence and so he's put into a particular part of the prison where he's [REDACTED] and he's got no one to visit him, driving me insane on the phone, and the police say, "Well, we're not responsible for helping him or supporting him in any way, you deal with him", and for at least a year or 18 months I was left to pay his monthly spend while he's in custody. And every time I raised it with Sandy White he

1 would say, "Don't worry about it, all of these things will
2 be, you'll be reimbursed for at the end. We'll get all of
3 this sorted out at the end".

4
5 MR WINNEKE: So were these visits, and if we can just focus
6 on [REDACTED], we'll just deal generally with the others, but
7 were they for a legal purpose? Were you going out, for
8 example, to discuss matters which are raised in his brief
9 of evidence or take instructions from him or are they for a
10 different purpose?

11
12 MS GOBBO: Um, without being date specific probably a
13 little bit of both.

14
15 MR WINNEKE: How many times do you reckon - - -

16
17 MS GOBBO: As in taking - - -

18
19 MR WINNEKE: Sorry, go on.

20
21 MS GOBBO: So all I was going to say was depending upon
22 what, what particular point he was up to, as in whether he
23 was waiting for another brief of evidence to be served or
24 waiting for, um, some hearing date to come up, there may
25 have been times when it was, I was specifically there to
26 ask him about A, B or C, or to give him information about
27 whatever was going to happen in court or whatever brief
28 he's got, but there was certainly times when I was there
29 really as a hand holder for Victoria Police.

30
31 MR WINNEKE: So effectively you're trying to run a legal
32 practice and, what, you get a call from a member of the
33 Police Force saying, "Look, can you go out and hold [REDACTED]
34 hand or calm him down" or something like that?

35
36 MS GOBBO: Yes, or it's more, it was more, um, all coming
37 from [REDACTED] ringing me from prison and saying, "Can you come
38 and speak to me" and whoever it was, I can't, I just can't
39 remember whether it was Nigel L'Estrange or - there was
40 another police officer who was Nigel's partner, I just - -
41 -

42
43 MR WINNEKE: Would they go with you to the prison?

44
45 MS GOBBO: Sorry. No. No, no. No, no. But it was - I
46 never, there was never a difficulty in going to a prison,
47 um, at any particular time to see people like him.

1
2 MR WINNEKE: Did you feel as if you got special treatment,
3 if you like, to get in and see these people?
4
5 MS GOBBO: No, not special treatment because I never, I had
6 never, um, misbehaved or done anything inappropriate in any
7 time I visited the prison.
8
9 MR WINNEKE: No, I'm not suggesting that.
10
11 MS GOBBO: However - - -
12
13 MR WINNEKE: I'm just wondering whether it was made easier
14 for you to get in and see these people.
15
16 MS GOBBO: No, I wouldn't say, I wouldn't say getting in
17 was easier but certainly getting access to these, to people
18 like him was easier because they were in, like either
19 [REDACTED] Unit and those units you normally have
20 to give a [REDACTED] notice and at the time of a
21 visit they had [REDACTED] to bring
22 that person out for you to be able to see them.
23
24 MR WINNEKE: Yes.
25
26 MS GOBBO: I mean my answer would probably, to your
27 question is probably maybe, maybe yes, without me knowing
28 what strings they'd pulled behind my back.
29
30 MR WINNEKE: Yes, I follow. What about [REDACTED], did
31 you go and see him?
32
33 MS GOBBO: On one, one occasion I can remember.
34
35 MR WINNEKE: Yes.
36
37 MS GOBBO: And that was - but I think that came about
38 partly, partly that was [REDACTED] request.
39
40 MR WINNEKE: Partly. What was the other part?
41
42 MS GOBBO: I can remember talking to - I've got a vague
43 recollection of talking to - I can't even remember who,
44 some police officer, about him. But it was - - -
45
46 MR WINNEKE: What about, do you remember?
47

1 MS GOBBO: Um, well presumably it would have been about him
2 assisting them in some way, shape or form.

3

4 MR WINNEKE: Do you remember the name of that police
5 officer?

6

7 MS GOBBO: Um, sorry, not off, sorry, Chris, not off the
8 top of my head.

9

10 MR WINNEKE: That's all right.

11

12 MS GOBBO: If I had a list of - if I had my, a list of
13 police officers who were in Purana then, I would probably
14 be able to, it would probably jog my memory. I just, I
15 haven't thought about specific names other than - - -

16

17 MR WINNEKE: What about, does the name Trichias - - -

18

19 MS GOBBO: Some of them I've already mentioned to you
20 today.

21

22 MR WINNEKE: Does the name Trichias ring a bell?

23

24 MS GOBBO: Yes, yes, yes, Peter Trichias, yes.

25

26 MR WINNEKE: So it might have been Peter Trichias who you
27 had a chat to about [REDACTED]?

28

29 MS GOBBO: Yes, yes, because Peter Trichias - Peter
30 Trichias, I go a long way back because he raided my house
31 in 1992.

32

33 MR WINNEKE: Right, yes, Trichias. Right. So you think
34 you might have had a discussion with Trichias about [REDACTED]
35 and it was in part that that led to you going out to
36 see [REDACTED] and also because of something that [REDACTED]
37 said?

38

39 MS GOBBO: Yes, yes.

40

41 MR WINNEKE: Do you recall what it was - it was in
42 relation, was it, to [REDACTED] assisting? Do you recall
43 what he told you more specifically?

44

45 MS GOBBO: Um, not off the top of my head but there would
46 probably be, there'd probably be notes of that which, which
47 my solicitors have.

1
2 MR WINNEKE: Which solicitors? That your current
3 solicitors have, I'm sorry, yes, of course.
4
5 MS GOBBO: Yes. Correct, yes.
6
7 MR WINNEKE: At that stage you hadn't acted for [REDACTED]
8 I take it, or had you?
9
10 MS GOBBO: No, no, I hadn't. Apparently I'd met him -
11 that's when I saw him, he said that he had met me years
12 earlier and I couldn't remember that, but apparently I had
13 met him in the context of acting for [REDACTED]. That
14 was years earlier.
15
16 MR WINNEKE: [REDACTED] ?
17
18 MS GOBBO: Because he was a body guard. Yes, because he
19 apparently was a body guard for [REDACTED]
[REDACTED] I'd first met him.
21
22 MR WINNEKE: Yes, I follow.
23
24 MS GOBBO: I couldn't specifically recall that.
25
26 MR WINNEKE: Do you know what matter that was in relation
27 to, that is [REDACTED], what he was - was that in relation
28 to Briars?
29
30 MS GOBBO: Yes, yes, it would have been.
31
32 MR WINNEKE: Where was it, where did you see [REDACTED], was it
33 - do you remember which prison?
34
35 MS GOBBO: It was [REDACTED] Prison and I think it was, I'm
36 pretty sure it was the [REDACTED] Unit, which was the [REDACTED]
37 [REDACTED] unit, not dissimilar to [REDACTED] [REDACTED] Barwon.
38
39 MR WINNEKE: Do you know whether he'd already at that stage
40 agreed to provide assistance to the Briars Task Force when
41 you went to see him?
42
43 MS GOBBO: Um, sorry, I can't - I'm not sure. Not sure.
44
45 MR WINNEKE: Do you know when it was?
46
47 MS GOBBO: When I saw him?

1
2 MR WINNEKE: Yes. Or would you have a note of that if you
3 don't recall?
4
5 MS GOBBO: No, it - it would have to have been - I thought
6 it was after [REDACTED] was arrested, so it would have had to
7 have been, um, after 2005 or 2006. It was definitely after
8 [REDACTED] got arrested.
9
10 MR WINNEKE: Yes, so [REDACTED] was in custody and it was
11 certainly after that?
12
13 MS GOBBO: Yes.
14
15 MR WINNEKE: Okay. So the feeling was that - so that was,
16 your feeling was it was certainly in part, at least, at the
17 request of Trichias that you go and see him, correct?
18
19 MS GOBBO: Yes.
20
21 MR WINNEKE: In relation to [REDACTED], your impression was
22 that Victoria Police wanted you to in effect hold his hand
23 and provide support for him, that would be fair to say?
24
25 MS GOBBO: Correct, yes.
26
27 MR WINNEKE: And clearly with [REDACTED] there was a
28 sort of a hand holding process as well and - would you
29 agree with that?
30
31 MS GOBBO: Yes.
32
33 MR WINNEKE: And you felt that you were doing the bidding,
34 at least to some extent, of Victoria Police in going out
35 and making sure that he was comfortable with what was going
36 on, with [REDACTED]
37
38 MS GOBBO: Correct, yes.
39
40 MR WINNEKE: Any other people aside from those three?
41
42 MS GOBBO: Um, so there was a little bit of [REDACTED]
43 before I got sick.
44
45 MR WINNEKE: Yes.
46
47 MS GOBBO: I didn't see him that many times. I had a

1 couple of visits with him. Sorry, I'm just trying to think
2 if there's anybody else.

3

4 MR WINNEKE: So we've got [REDACTED], [REDACTED], [REDACTED], [REDACTED].
5 Look, think about that. If you can think of
6 others obviously it's something else that we might want to
7 ask you questions about.

8

9 COMMISSIONER: Nicola, Commissioner McMurdo here. Could I
10 ask you, was the purpose of this - - -

11

12 MS GOBBO: Yes.

13

14 COMMISSIONER: - - - did you understand the police were
15 asking you to do this just to make sure they didn't get
16 cold feet, that they continued to assist the police, is
17 that the purpose of it? Was that part of the purpose of
18 it?

19

20 MS GOBBO: Yes, more or less. To keep them happy. To keep
21 - yes, to keep them happy.

22

23 COMMISSIONER: When you say keep them happy, that is
24 happy with the arrangement they entered into with the
25 police to assist?

26

27 MS GOBBO: Correct.

28

29 COMMISSIONER: Thank you.

30

31 MS GOBBO: Yes. And when I raised things like, like basic
32 things that prisoners wanted, which was access to more
33 visits and more - and contact visits, generally they got
34 those things arranged.

35

36 COMMISSIONER: Right. So you were an informal advocate
37 with the police for their, to make things more comfortable
38 for them?

39

40 MS GOBBO: Yes.

41

42 COMMISSIONER: Thank you.

43

44 MR WINNEKE: I mean I gather - one of the things that
45 you've said in your letter to Fontana was that certainly
46 insofar as [REDACTED] was concerned you were instrumental
47 in, in effect, assisting the dam wall to be cracked by

1 getting him to turn on Williams and make, you know, get
2 statements made?

3

4 MS GOBBO: Well that was - um, I don't, I mean I probably -
5 had I known that that letter would end up being as widely
6 distributed as it has been, perhaps I would have used a
7 different expression, but the reality is that, that, um,
8 [REDACTED] was being used - I mean he was the, he was the
9 way the dam wall broke basically, or had a crack in it,
10 because up until that point nobody involved in any
11 underworld or gangland murder had agreed to give evidence
12 against anybody or implicate anybody and there was a lot of
13 - a lot of pressure was being brought to bear on - - -

14

15 MR [REDACTED] Gobbo Solicitor Hello, have we lost Ms Gobbo?

16

17 COMMISSIONER: Hello? Are you there Nicola?

18

19 MR NATHWANI: Commissioner, I think we've lost the
20 connection to Ms Gobbo.

21

22 COMMISSIONER: All right then. We'll try and reconnect,
23 have a break and try and reconnect? See what the problem
24 is?

25

26 MR [REDACTED] Gobbo Solicitor Yes. So do you want to, say, have a break for,
27 say ten minutes, if you'd like. I've just got a text to
28 say that it's dropped out from her.

29

30 COMMISSIONER: Right.

31

32 MR [REDACTED] Gobbo Solicitor So will we try and - - -

33

34 COMMISSIONER: And she can have a break too and have a
35 comfort break and a stretch and so forth and we'll resume
36 in ten minutes.

37

38 MR [REDACTED] Gobbo Solicitor Yes.

39

40 MR NATHWANI: Commissioner, can we just check with her as
41 well - obviously she was due to end [REDACTED] and
42 we're close to that, so we just want to check that the
43 arrangements are still okay for her to carry on.

44

45 COMMISSIONER: Sure, of course. I understand. But even
46 if we just can resume for five minutes just to tidy off a
47 few loose ends, that would be better than nothing and then

1 talk about where we go from here.

2

3 MR NATHWANI: Okay.

4

5 COMMISSIONER: Thank you.

6

7 MR [Gobbo Solicitor]: So we'll try and dial back at 11.55.

8

9 MR RAPKE: That's fine, Mr [Gobbo Solicitor]. It's Howard speaking.

10 You call through to the number you rang earlier and we'll

11 do the same as we did then.

12

13 MR [Gobbo Solicitor]: Will do. Thanks Howard.

14

15 MR RAPKE: Thanks Mr [Gobbo Solicitor]. Cheers, bye.

16

17 (Short adjournment.)

18

19 COMMISSIONER: Hello.

20

21 MR [Gobbo Solicitor]: Hello, it's Mr [Gobbo Solicitor] speaking again.

22

23 COMMISSIONER: Yes, Mr [Gobbo Solicitor], Commissioner McMurdo speaking.

24

25 MR [Gobbo Solicitor]: Yes, Thank you Commissioner. I'll see if I can
26 patch Nicola Gobbo back in.

27

28 COMMISSIONER: Thanks very much.

29

30 MR [Gobbo Solicitor]: Nicola, do we still have you?

31

32 MS GOBBO: Yes, I'm back. I'm here.

33

34 MR [Gobbo Solicitor]: Commissioner.

35

36 COMMISSIONER: Thank you, MR [Gobbo Solicitor]. Thank you Ms Gobbo.
37 How are you placed time wise, Ms Gobbo?

38

39 MS GOBBO: No, I'm going okay. [REDACTED]
40 [REDACTED]

41

42 COMMISSIONER: Everything is under control. So just to
43 give us an idea, how long do you think you might be able to
44 continue talking?

45

46 MS GOBBO: Look I've just swallowed a painkiller so I can
47 keep going for as long as [REDACTED]

1
2 COMMISSIONER: Okay. We'll continue and you let us know if
3 you need another break or you need to wind up. We'll
4 probably appreciate a few minutes to allow us to wind up so
5 we can have a discussion with you and Mr Gobbo Solicitor as to where
6 we go from here, because obviously we've got to give some
7 consideration to that. But in that case I'll hand back to
8 Mr Winneke.

9
10 MS GOBBO: Can I - - -

11
12 COMMISSIONER: Yes, yes.

13
14 MS GOBBO: Can I just say, look, I don't - I've got, you
15 know, as much as - and I appreciate my memory being
16 prompted because there's, you know, some of the things that
17 you've asked this morning I haven't even, they haven't even
18 come up in the context of the lead up to the most recent
19 litigation. Um, that's because they weren't necessarily
20 relevant to that but it's prompted my memory to think about
21 a lot of detail that I haven't thought about for a long
22 time.

23
24 COMMISSIONER: Yes.

25
26 MS GOBBO: And no doubt after we hang up I'll think about
27 this over the course of today. My biggest, um, my biggest
28 constraint is that I am effectively trapped where I am and
29 I have, um, ironically - let me be frank. I have

[REDACTED]

[REDACTED] I'm happy to
3 help in any way that I can because there's a lot of
4 background in terms of how police dealt with informers
5 before my time and the way they, I think they mishandled or
6 openly exposed people that they shouldn't have because of
7 the processes and the procedures that they followed that
8 might be of assistance to you.

9
10 COMMISSIONER: Yes, it certainly would be in respect of our
11 later Terms of Reference.

12
13 MS GOBBO: Yes.

14
15 COMMISSIONER: We are very concerned for your welfare [REDACTED]
16 [REDACTED] We have been led to believe that
17 Victoria Police were doing everything they could to assist

18 [REDACTED]
19 [REDACTED]
20
21 MS GOBBO: No, I think - I'll be perfectly honest with you,

[REDACTED]
[REDACTED]
[REDACTED]

26 MR [REDACTED] Gobbo Solicitor : Nicola, can I just jump in there?

27
28 MS GOBBO: Yes.

29
30 MR [REDACTED] Gobbo Solicitor : There are still, unfortunately, some legal
31 constraints about the extent to which we can - - -

32
33 MS GOBBO: That's why, that's why I'm not saying any more
34 than what I've said. I understand that.

35
36 MR [REDACTED] Gobbo Solicitor : So I can certainly deal with Howard Rapke,
37 Commissioner, to, you know, discuss practical arrangements
38 and how we might just best facilitate further discussions
39 with Nicola.

40
41 COMMISSIONER: That's fine, but if the Commission can do
42 anything to encourage [REDACTED] to assist, we're
43 happy to do so, and [REDACTED]

[REDACTED]
[REDACTED]

46
47 MR [REDACTED] Gobbo Solicitor : Yes, I understand.

1
2 COMMISSIONER: To some extent.

3
4 MS GOBBO: I'm - look, I'm just, I'm just - look, I'm, I, I
5 have, I have, um, a physical reaction to [REDACTED]
[REDACTED] insofar as I have a panic attack and it makes me
7 feel like I'm going to vomit when I'm around them and I
8 feel like - you know, I'm [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] But that's another topic I
16 guess for another day.

17
18 COMMISSIONER: Yes. Look, we'll certainly liaise with your
19 lawyer and if there's anything the Commission can help to
20 improve your circumstances in this way we'll certainly
21 support that. The question I guess is where to from here?
22 I mean one of the reasons that I was keen to have you swear
23 or affirm was simply because when this evidence is compared
24 to evidence given by police officers on oath or on
25 affirmation it's going to be said, well, you wouldn't
26 accept Ms Gobbo's evidence because it's not sworn. So at
27 some point we would like to get some sworn evidence from
28 you if it's at all possible.

29
30 MS GOBBO: Yes.

31
32 COMMISSIONER: It's very important.

33
34 MS GOBBO: Yes.

35
36 COMMISSIONER: And also it gives you protection if you're
37 giving evidence under the Act as a witness which you don't
38 have if you're just making statements.

39
40 MS GOBBO: Correct, yes.

41
42 COMMISSIONER: Giving an unsworn statement. So there are
43 reasons why we want to do it that way when we can. So
44 where do we go from here? It would be useful, I guess, you
45 get the transcript from here. It would be very good if at
46 some point you can let us know what - when I say some
47 point, the Commission has very strict time lines. We're

1 supposed to report on the first Term of Reference about the
2 number of cases affected by 1 July. So we are really
3 running out of time and so we really would appreciate,
4 knowing how difficult it is for you, for you to do all you
5 could to provide us with a statement, in assistance with
6 your lawyers would be helpful. We can give you copies of
7 documents that you need. What we could then do is in a
8 private session, the statement could be produced and that
9 then later has the protection of the Inquiries Act for you,
10 and then we could perhaps have, ask some more questions
11 specifically based then on the statement produced. So that
12 would be a good way forward for us. But if that's not
13 possible - - -

14 MS GOBBO: Yes.

15 COMMISSIONER: - - - we can continue in these informal
16 sessions but they are of less use, really, to you and to
17 the Commission.

18 MS GOBBO: Look, I'm in your hands. I don't - I'm happy to
19 try and help in any way that I can.

20 COMMISSIONER: So going forward, and perhaps Mr Gobbo Solicitor
21 might also speak to this, Nicola, it might be good that we
22 can use the transcript from today as the basis of some sort
23 of statement, combined with the letter that we sent at the
24 end of February - - -

25 MS GOBBO: Yes.

26 COMMISSIONER: - - - covering the issues and do a
27 chronological statement of your relationship with police
28 since the 1993 raid on your premises in Rathdowne Street,
29 Carlton when you were at university and forward and, you
30 know, putting in what you want to say about how there were
31 not proper - you know, the mistakes and mistreatments made
32 from your perspective, but in particular by Victoria
33 Police, whatever you want to say. Now as to the later
34 Terms of Reference as to the best way forward for VicPol
35 dealing with informers and so forth, we can deal with that
36 in a subsequent statement because we don't have the same
37 time pressures there. That's not due until 1 December.

38 MS GOBBO: Yes, yes.

39 COMMISSIONER: But the important one for us initially is

1 your dealings with Victoria Police and the number of cases
2 that were affected. So if you can answer some more
3 questions now that our counsel assisting has got for you
4 now, that will help because we can get that and perhaps
5 that can help go into the statement that you prepare, but I
6 think maybe the best way forward, and I'll ask MR Gobbo Solicitor to
7 speak to this in a minute, is then to, after today's
8 hearing, to look to preparing a statement in a week or so
9 or ten days.

10
11 MR WINNEKE: It may be - - -

12
13 COMMISSIONER: I know these are tight time frames but
14 they're tight time frames that we're under as well. So
15 within - as soon as possible with us preparing whatever,
16 giving you whatever documents you need. Mr Gobbo Solicitor will be
17 able to get you the documents perhaps that you need from
18 your, from the material that's [REDACTED]
19 and just doing the best you can and if you can't remember
20 specifically you just say you can't remember specifically,
21 but some information is going to be better than none, so -
22 - -

23
24 MS GOBBO: Yes, yes.

25
26 COMMISSIONER: So I'll be interested to hear what you have
27 to say and what Mr Gobbo Solicitor has to say with that proposal.

28
29 MR Gobbo Solicitor: Yes, Commissioner. I mean in principle we
30 certainly are trying to assist in the most efficient and
31 effective and timely way, and the only constraint really is
32 logistics and getting to see relevant material and making
33 sure that Ms Gobbo's got a fair opportunity to look at
34 documents and help to remind her of the relevant chronology
35 and course of events and the things that are relevant for
36 you to look at. So I'm very happy to be dealing further
37 with Howard Rapke, as we have been, in order to just
38 facilitate how that goes. We do have the laptop [REDACTED]
39 [REDACTED] We're still not sure of the extent to
40 which there are going to be challenges in getting material
41 off that and what that material is and how we sort it, but
42 we certainly are now attending to that as expeditiously as
43 we can. I guess my - I think it's probably got to be a bit
44 iterative between us and the Commission to just work out
45 what is the most efficient process and whether or not
46 another conversation along these lines would be of
47 assistance to you to map out the territory or whether the

1 sort of onus should shift to us to assist with the drafting
2 of a statement and just, if so, as I say the logistical
3 questions around that.

4

5 COMMISSIONER: It seems from what Ms Gobbo said that a
6 priority is really to get some arrangement in place with
7 [REDACTED] that actually allows her to assist with the
8 preparation of the statement and her assistance to the
9 Commission. That is, some proper help from [REDACTED]
10 [REDACTED] so that she can have some hours each day
11 attending to this.

12

13 MR [REDACTED] Gobbo Solicitor Yes.

14

15 MS GOBBO: At the moment all I can do is do it, [REDACTED]
16 [REDACTED] which I'm
17 happy to do, and early [REDACTED] are, [REDACTED]
18 [REDACTED] I have no difficulty getting up - I mean I'm
19 not sleeping properly anyway so doing this early in the
20 morning with you and this, I'm more than happy to do, and
21 the more, in fact the more my memory is prompted the
22 better, probably the more switched on I'll be if that makes
23 sense.

24

25 COMMISSIONER: In principle can we work towards aiming for
26 a statement to be provided covering the matters in Terms of
27 Reference 1 and perhaps 2 and with a view to it being
28 produced at a private hearing in say two weeks? Because we
29 really can't let it go much longer than that if we're going
30 to meet the time frames and our Terms of Reference. So can
31 we aim for that? And we'll do all we can do to assist
32 Victoria Police giving proper assistance to Ms Gobbo and
33 also in providing any statements we think or material that
34 we think might be relevant in helping her jog her memory
35 and we'll use the material from today as well, aiming to
36 give you a skeleton for a statement, a skeleton of
37 questions for a statement.

38

39 MR NATHWANI: Commissioner, that sounds appropriate and one
40 my main concerns for Nicola is having all that material as
41 soon as possible because we will have to look at it as our
42 team, because obviously she can't look at it all the time
43 and we will probably have more time to do that. And so if
44 we can get that material, plus the transcript from this
45 hearing or this conversation as soon as possible, including
46 much of it, as is apparent from Mr Winneke's questions, he
47 has material or has seen material to give him the

1 chronology that's far more detailed than the letter of 27
2 February asking for subjects, and any of that material that
3 you can make available to us directly, so it doesn't have
4 to come via Victoria Police, which takes some time, would
5 be of assistance and can only help in getting us that
6 statement to you in two weeks' time.

7
8 MR RAPKE: Can I suggest, sorry, Mr [Gobbo Solicitor], it's Howard Rapke
9 speaking - can I suggest this as a process. We work up a
10 list of the questions we want to address and get together a
11 collation of the documents which we'd like to effectively
12 put to Ms Gobbo, get that to you, Mr [Gobbo Solicitor], to convey as may
13 be possible to Ms Gobbo and that would assist the process
14 the Commissioner is seeking to put in place. I think
15 that's quite doable.

16
17 MR [Gobbo Solicitor]: Yes, that sounds fine, Howard.

18
19 COMMISSIONER: And remember too that a lot of the documents
20 that might assist are documents that you have too following

21 [REDACTED]
22
23 MR [Gobbo Solicitor]: Yes. As I say, we're at the moment unclear
24 about what we do have from that visit, but we'll certainly
25 be endeavouring to get on top of that as expeditiously as
26 we can. I would say that we don't have any documents
27 relating to the 1993 or 1995 period.

28
29 COMMISSIONER: Sure.

30
31 MR [Gobbo Solicitor]: At least not documents we've seen yet, and as
32 Ms Gobbo said, she had no idea that she was recorded in
33 some police record or other as being an informant at those
34 points in time.

35
36 COMMISSIONER: Yes. It won't take you long to deal with
37 that then, will it?

38
39 MR [Gobbo Solicitor]: Well we'd be particularly interested to see
40 whether there are police documents or other documents that
41 do suggest that she was recorded as an informant at that
42 period and, if so, in what context. That would obviously
43 assist for us to address that.

44
45 COMMISSIONER: Yes, okay. We'll all get on with that after
46 today's proceedings and we'll liaise with you as to a date
47 for a private hearing which we can do by telephone if

1 that's the most convenient way again.

2

3 MR [REDACTED]: Yes.

4

5 COMMISSIONER: It didn't work out too badly quality wise,
6 so it's probably the most convenient to Ms Gobbo. So
7 assuming that's the most convenient we can do that by way
8 of a private hearing in two weeks. We'll aim to do that
9 and negotiate with you as to the date.

10

11 MR [REDACTED]: Sure.

12

13 MR RAPKE: MR [REDACTED], it's Howard again. Is it at all
14 possible at that time we could do it by way of some form of
15 secure video link, rather than phone conference? Is that a
16 viable alternative? I know we can talk about this off
17 line, so to speak, but if that's something you could think
18 about as to whether that might at all be possible by way of
19 some sort of video link or Skype link.

20

21 MR [REDACTED]: Yes, we can explore that, Howard.

22

23 COMMISSIONER: A lot might depend on security I guess.

24

25 MR RAPKE: Indeed, I'm very conscious of that,
26 Commissioner.

27

28 MR [REDACTED]: That's correct. Correct.

29

30 COMMISSIONER: Ms Gobbo, are you happy with the discussion
31 as to how we're going to proceed?

32

33 MS GOBBO: Yes, yes. I, look I'm - my preference would be
34 to be able to do this in person because it makes it so much
35 easier for so many reasons but I understand that's
36 inherently difficult. The only thing I would say about the
37 prospect of the video link is there must be a way, I'm sure
38 that, Commissioner, you would be able to arrange or put in
39 place a way for that to be arranged that doesn't involve
40 Victoria Police because I simply do not, I do not trust
41 that they would keep, they would keep it confidential.

42

[REDACTED], so I

44 don't trust that they wouldn't then be saying things back
45 to my former handlers, if that makes sense.

46

47 COMMISSIONER: I understand your concerns. I think we have

1 a difficulty until [REDACTED]

[REDACTED]

[REDACTED] Mr Gobbo Solicitor

[REDACTED]

[REDACTED]

[REDACTED]

16

17 MR Gobbo Solicitor : Yes, correct.

18

19 COMMISSIONER: So can I let you and the solicitor
20 assisting, Mr Rapke, discuss those things but certainly the
21 Commission would be, would obviously prefer that Ms Gobbo
22 gave her evidence in person.

23

24 MR Gobbo Solicitor : Yes.

25

26 COMMISSIONER: But the trouble is that if we don't do
27 whatever we can do the best we can do in the time frame, we
28 might end up not being assisted by her version of events at
29 all before we have to report and that I'm sure, would be a
30 shame.

31

32 MR Gobbo Solicitor : Yes, I understand, Commissioner.

33

34 COMMISSIONER: So something is better than nothing.

35

36 MR Gobbo Solicitor : Yes.

37

38 COMMISSIONER: And it's just a question of working out
39 what we can do in the time frame but we really have to hear
40 from her before Easter to meet the time frame and that
41 means giving other people natural justice as well. So
42 after the private hearing then there'll be other steps
43 forward that would have to be taken.

44

45 MR Gobbo Solicitor : Yes, I understand.

46

47 COMMISSIONER: So that's the time frame we're under and if

1 we can't do it, well then we just don't have the benefit of
2 her input, which would be a real shame I think, not only
3 for the Commission and for the criminal justice system but
4 also for Ms Gobbo.

5
6 MR RAPKE: Commissioner - it's Howard speaking, Mr Gobbo Solicitor.
7 Perhaps you and I can talk about this off line about
8 whether or not we'll be able to do something in respect of
9 meeting in person versus the other ways of doing things via
10 a video link or phone conference and see what might be
11 possible but we won't take time up at this stage.

12
13 MR Gobbo Solicitor: Sure.

14
15 COMMISSIONER: All right then. So at this stage if we
16 could just - we'll continue with some questioning if that's
17 all right, Ms Gobbo, and you let us know if you're getting
18 tired or you have other calls on your time and we need to
19 end it. But while you're able to I would be very happy to
20 continue Mr Winneke's questions if you're happy with that?

21
22 MS GOBBO: It's the most stimulating conversation I've had
23 in months and months.

24
25 COMMISSIONER: Very good. All right then. I'll let
26 Mr Winneke continue. Thank you.

27
28 MS GOBBO: Okay.

29
30 MR WINNEKE: Now, just - we're interested, obviously we're
31 interested in the conduct of the police, that's the second
32 Term of Reference. As I said to you at the outset the
33 first Term of Reference is the number of cases affected.

34
35 MS GOBBO: Yes.

36
37 MR WINNEKE: At the moment we've got the decision of
38 Ginnane's and we've got the decision of the Court of Appeal
39 and obviously the comments of the High Court.

40
41 MS GOBBO: Yes.

42
43 MR WINNEKE: Now, putting those to one side, we've got
44 statements, for example, in your letter to Fontana where
45 you've said as far as you know 386 people were arrested
46 because of the information that you provided. Now, that's
47 all together removed from cases that have been affected

1 because it may well be that those cases haven't been
2 affected. But that's something that we've got to look
3 into. Can I ask you about that figure, that 386 people.
4 We know that you were asked about that in the litigation in
5 the Supreme Court.

6
7 MS GOBBO: Yes.

8
9 MR WINNEKE: That's a figure that you came up with. How
10 did you come to that figure?

11
12 MS GOBBO: So I, um, I started on the basis of saying, just
13 to give you an example - - -

14
15 COMMISSIONER: Sorry, could you just speak maybe a bit
16 closer to the phone, please, we're just having trouble
17 hearing you.

18
19 MS GOBBO: Sorry. How's that, better?

20
21 COMMISSIONER: Yes, much better, thank you.

22
23 MS GOBBO: Um, so I started with the number of people
24 arrested in relation to the, I call it the Rob Karam, the
25 largest ecstasy importation because that was, I think there
26 was 36 or 37 co-accused in total.

27
28 MR WINNEKE: Yes.

29
30 MS GOBBO: And then I went through each, I call them crew
31 of people, like the Mokbel crew, the Williams crew, people
32 connected with Mick Gatto and then added in - there was an
33 article that was published in the Herald Sun, I can't
34 remember exactly when but it was an article that was, um -
35 it talked about the amount of money that had been, um,
36 assets that had been seized and properties restrained by
37 the Purana Task Force.

38
39 MR WINNEKE: Yes.

40
41 MS GOBBO: And in that article there was a reference to X
42 number of people being arrested. I used that figure,
43 because almost all of that came from - well, either was
44 directly or indirectly referable to me. Um, that's
45 basically how I came up with that number.

46
47 MR WINNEKE: Did you make a list of it somewhere? Did you

1 record the names or is it just basically adding numbers
2 together?

3

4 MS GOBBO: It was adding numbers together and going
5 through, um, going through my fee book because my fee book
6 had - everyone I acted for was billed or, sorry, I take
7 that back, everyone I acted for was billed some part of -
8 it may not have been, the figure they were billed may not
9 have been referable to the amount of time or the hours that
10 I put in but at least it gave, jogged my memory to the
11 number of people.

12

13 MR WINNEKE: So if you had, obviously if you had access to
14 your fee book you'd be able to, in effect, go through the
15 same process and - - -

16

17 MS GOBBO: Correct, yes.

18

19 MR WINNEKE: - - - provide the names. That would be of
20 great use. Look I take it you'd say, look - - -

21

22 MS GOBBO: And also - - -

23

24 MR WINNEKE: Go on.

25

26 MS GOBBO: Sorry, also there was - so there were a lot of
27 times that I provided information that wasn't necessarily
28 specific to a person, for example, some crook would tell me
29 that they were aware of the location of an amphetamine lab
30 or a pill press and I would relay that to one of my
31 handlers and then I would get some feedback that - I mean,
32 I acquired a 100 per cent strike rate as in terms of
33 everything that I said I'd give to them was, it turned out
34 to be 100 per cent accurate. So part of that, coming up
35 with that figure, was, um, knowing that I had told them,
36 um, locations of labs, locations of money, guns, drugs and,
37 um, giving, getting, giving a rough estimate or an
38 approximation of the number of people (indistinct), there
39 were particular pieces of information that were, as I say,
40 not relevant to a name of a person but relevant to an
41 address or to a location.

42

43 MR WINNEKE: So if you had names of people who were
44 arrested and other information you'd be able to say, "Look,
45 in my view that person was arrested, looking back now,
46 because of that piece of information that was provided and
47 that led to the investigation and the arrest of that

1 person", I mean is that feasible?

2

3 MS GOBBO: Correct.

4

5 MR WINNEKE: So, for example - I mean if we take the
6 obvious example of Karam, so you add 36 or 37 - - -

7

8 MS GOBBO: Yep.

9

10 MR WINNEKE: - - - co-accused. I mean the question that
11 you would need to then ask yourself in terms of making your
12 statement, and perhaps ask yourself now is, well how could
13 that information have led to the arrest of those people?
14 Are you able to say off the top of your head?

15

16 MS GOBBO: Well I can only say that I know that some part
17 of the information that I provided was utilised in order
18 to, for example - sorry, I presume was used to obtain a
19 search warrant, um, or a warrant to seize property, but the
20 trickling down effect meant that, that I had contributed to
21 those 37 people, albeit that in reality it might have been
22 me - like, for example, I never knew Pat Barbaro until he
23 was arrested. I didn't have a clue who he was or even that
24 he existed and it's now said, it's now said that I'm
25 somehow responsible for him being arrested because
26 information that I've provided led to that group of people
27 being arrested if that makes sense.

28

29 MR WINNEKE: Do you have any idea about what that
30 information was? I mean obviously there's talk about a
31 bill of lading and so forth.

32

33 MS GOBBO: Well it wasn't just that, that was, that was at
34 some point, that was kind of - that wasn't the first bit of
35 information in relation to that group of people.

36

37 MR WINNEKE: Yes.

38

39 MS GOBBO: There was a lot of, there were a lot of things
40 that Karam was talking about, um, and it was in the context
41 of me appearing for him as David Grace's junior for the 5
42 million pill importation. So that trial ran for about 11
43 weeks and during that period of time, um, I would see him
44 before court, quite often at - sometimes over lunch, not
45 always, usually after court. In the way, I suppose the way
46 David Grace operated, because he was the acting solicitor
47 as well as the QC, he would basically leave it to me

1 morning and night to run over the transcript and get
2 instructions relevant to whatever the next day in court
3 was, so that meant that I spent a lot of time in Karam's
4 presence and, you know, Karam was, would openly have three
5 or four mobile phones with him, he would be giving people,
6 giving other criminals instructions about things to do,
7 places to go in front of me and as time went on he would
8 brag about, "Oh there's a shipment coming in today.
9 There's 100 kilos of cocaine sitting on a wharf" and then
10 he would give some details. So I would be conveying that
11 specific information, usually within the hour, by phone to
12 a handler, and like I can recall at one stage **Sandy White**
13 saying to me, "There's five shipments that we've
14 seized so far but he's got no idea that they've actually
15 been seized" because it's been kept completely out of, um,
16 out of the news or out of - all he knows is that they've
17 gone missing or they've been stopped. He just doesn't know
18 the detail of anything as in he's not going to be charged
19 with anything. So that's a long way of me saying I'm not
20 entirely sure of - I can't be sure that that information I
21 provided was either, led, what led to the person being
22 arrested completely or only in part or it just was the last
23 piece in the jigsaw that jogged them. I don't know.

24
25 MR WINNEKE: All right. So in relation to that, those 36
26 or 37, that information, in effect the source of that
27 information was Karam and that information then is provided
28 to the handler.

29
30 MS GOBBO: Yes.

31
32 MR WINNEKE: Does that encapsulate, I mean was there
33 information that you got elsewhere or was it only Karam?

34
35 MS GOBBO: No, no, it would be Karam and, and sometimes,
36 um, things that, um, his little crew of people said in
37 front of me, like Tony Sergi or, um - I can't think of
38 their specific names without, without my memory being
39 jogged.

40
41 MR WINNEKE: Yes.

42
43 MS GOBBO: I mean Karam would always have a crew, I would
44 call them, I would call them imbeciles because he had this
45 group of hangers on around him that he could use to go and
46 get a telephone that wasn't registered in anyone's name or
47 deliver a document or people that he would pay to do, um,

1 to do things that he wasn't prepared to do because it was
2 too risky.

3
4 MR WINNEKE: Yes, I follow. So - - -

5
6 MS GOBBO: There was a lot of, there were a lot of days
7 where I would have spent anywhere between one to three
8 hours on the phone to a handler going through whatever I
9 had heard or seen in precise details, slowly enough for
10 them to be writing it down.

11
12 MR WINNEKE: Yes. That information, I mean from you, did
13 it only go to your handler or were you providing it to
14 other police outside of the handler regime?

15
16 MS GOBBO: No, just to handlers.

17
18 MR WINNEKE: So indeed that, the figure that you've come up
19 with, the 386 odd people, does that purely relate to
20 information that you've provided via the SDU or is it
21 information that you've provided outside of the SDU to, for
22 example, members of Purana or Petra or anything like that?

23
24 MS GOBBO: No, it's - that's SDU, um - no, it's - yeah, no,
25 it's SDU.

26
27 MR WINNEKE: Okay.

28
29 COMMISSIONER: Can I just ask this, it just relates to
30 people who were convicted in the end, not only those who
31 were arrested? Because it's the convictions, I guess, that
32 are of importance to us.

33
34 MS GOBBO: No, it relates to people who have been - so they
35 may not have been convicted themselves, but it may have led
36 to properties being, um, restrained or seized.

37
38 COMMISSIONER: Confiscated, yes.

39
40 MS GOBBO: I meant to - when you asked me about [REDACTED]
41 before, about when I first - whatever the question was
42 about how I first dealt with him or, sorry, about why I
43 spoke to him, what I went to prison to talk to him about,
44 one of the things that I had to go and see him about was
45 the, um, the threat to charge [REDACTED] with obtaining
46 financial advantage by deception and the seizure of
47 property, and that was one of the other powers that Purana

1 either got or used which was, it's kind of a way to disrupt
2 what was going on. A lot of these criminals had houses and
3 cars and assets in their wife's or girlfriend's names so
4 one of the tactics employed by Jim O'Brien was to charge as
5 many people as he could with obtaining financial advantage
6 by deception or obtaining loans by deception which then
7 enabled under the Confiscation Act for all these people's
8 properties to be restrained and then it enabled, I guess it
9 enabled police to put pressure on any, the husband or the
10 male to plead guilty to, on the basis that they would then
11 withdraw the charge against their wife.

12
13 MR WINNEKE: You said that arose or that occurred to you in
14 the context of going to see [REDACTED] So would you go and
15 convey that information to [REDACTED] "Look, if such and such
16 happens well then the police will do this or won't do
17 that"?

18
19 MS GOBBO: Correct. Correct, yes.

20
21 MR WINNEKE: Okay.

22
23 MS GOBBO: That was certainly the case for [REDACTED] and
24 then - - -

25
26 MR WINNEKE: What was the situation then - - -

27
28 MS GOBBO: - - - it arose - so they charged, um, [REDACTED] name
29 was [REDACTED] and they charged [REDACTED]
[REDACTED] because a lot of them used the same [REDACTED]
31 and they were all - they were called [REDACTED] where
32 you basically don't have to provide a lot of information
33 and the same, it was the same scenario repeated for [REDACTED]
34 [REDACTED] Horthy Mokbel's wife, Milad Mokbel's wife, probably
35 others as well. And the same tactic was employed by
36 Purana, which was, "Either you plead guilty and we'll
37 withdraw the charges against your better half. If you
38 don't plead guilty then we'll proceed and she can go to
39 gaol as well", which is exactly what happened with Milad's
40 wife Renee.

41
42 MR WINNEKE: Right. Do you know, was it a particular
43 mortgage broker or was this just any low doc mortgage
44 broker?

45
46 MS GOBBO: No, there was one in particular. I didn't act
47 for that, I didn't act for him and I can't recall his name,

1 but there was one that, um, a lot of them used and it was
2 common knowledge that if you wanted a loan, irrespective of
3 the fact that you had no meaningful income, he was the guy
4 to go to.

5
6 MR WINNEKE: Do you know where he was?

7
8 MS GOBBO: Um, I'm pretty sure he was, um, identified in
9 [REDACTED] - sorry, her [REDACTED] name was [REDACTED] with
10 [REDACTED] I'm pretty sure he was identified in her brief
11 because the same guy was used by (indistinct words). And
12 then of course there was Kamel or Karl Khoder because he
13 was another, he wasn't the broker that did the [REDACTED]
14 loan, for example, but Khoder was a, he was a cocaine
15 addict [REDACTED]
[REDACTED] but he was facilitating false loans all
17 over Melbourne at that time prolifically.

18
19 MR WINNEKE: With the mortgage broker, the low doc mortgage
20 broker, the specific person that you're referring to.

21
22 MS GOBBO: Yes.

23
24 MR WINNEKE: I mean was that something that the police were
25 aware of and were content for him to continue to provide
26 those loans or - - -

27
28 MS GOBBO: Yes, yes.

29
30 MR WINNEKE: So it suited their purpose to let - - -

31
32 MS GOBBO: Yes, look even Karl Khoder, after they arrested
33 and charged him they didn't put him out of business. He
34 continued to be doing loans for people.

35
36 MR WINNEKE: Okay, just to come back. We don't want to go
37 on forever but just to come back to this list so as we can
38 get some assistance.

39
40 MS GOBBO: Yes.

41
42 MR WINNEKE: As you now know, it's now said that you were
43 registered in 1995 and then again registered in 1999.

44
45 MS GOBBO: Not to my, not to my knowledge.

46
47 MR WINNEKE: Yes. Now clearly in 1995 you weren't a legal

1 practitioner, you weren't registered as a legal
2 practitioner until 97, did your article clerkship at
3 Molomby's. Is the Commission going to have to be going
4 back to the period 1995 through to 2003 and looking at a
5 lot of cases back then as well do you think?

6
7 MS GOBBO: No. No, there's nothing from then. I don't
8 know, I do not know - I don't know how anyone could have -
9 look, as I said before, I think with 95, whatever they did
10 to me then, um, not to my knowledge and I wasn't even
11 practising then.

12
13 MR WINNEKE: Yes.

14
15 MS GOBBO: And in 99, I mean 99 I could only think that
16 that could be when, um, Detective Sergeant Wayne Strawhorn
17 tried to get me to inform on **Solicitor 1**. That's the
18 only thing I could think of.

19
20 MR WINNEKE: What happened with that? Can you explain
21 that?

22
23 MS GOBBO: No, sorry, it was - I actually thought it was
24 earlier than 99 but maybe it was 1999.

25
26 MR WINNEKE: To give you the dates, we know that you were
27 admitted to practice - firstly, you started your articles
28 in around March of 96 with George Stogdale.

29
30 MS GOBBO: Yes.

31
32 MR WINNEKE: At Molomby's.

33
34 MS GOBBO: Yep.

35
36 MR WINNEKE: You go through 96, you get to 97, you're
37 admitted to practice I think on - I think your certificate
38 is 4 or 7 April 97.

39
40 MS GOBBO: Yep.

41
42 MR WINNEKE: Now as I understand it you didn't continue
43 having done your articles and you went and worked for **Solicitor 1**,
44 is that right?

45
46 MS GOBBO: Correct, yes.

47

1 MR WINNEKE: How did that come about, just out of
2 interest, that you left Molomby's and went to work at Solicitor
3 1's?

4
5 MS GOBBO: Well Molomby's had a policy of - back then they
6 had, they hired a number of articled clerks but they only
7 kept one on at the end of articles, so it was like a
8 competition from day one.

9
10 MR WINNEKE: Yes.

11
12 MS GOBBO: And it was, I was rotated through insurance
13 law, um, estates and probate law, nothing that was of any
14 interest to me.

15
16 MR WINNEKE: Nothing particularly exciting there.

17
18 MS GOBBO: No. In the course of my time at Melbourne
19 University I had met a group of girls who were, they just
20 happened to be Jewish and they were the introduction to Alex
21 Lewenberg.

22
23 MR WINNEKE: Right.

24
25 MS GOBBO: And towards the end of articles they were girls
26 that I - we ended up becoming the editors of Farrago while we
27 were at Melbourne University.

28
29 MR WINNEKE: Yes.

30
31 MS GOBBO: And I stayed close, I stayed close to them and
32 one of them said to me, "Look, we know Alex, he does
33 criminal defence work if that's what you're interested in.
34 He probably doesn't have a job but at least you can go and
35 see him and he might have some ideas for where you could
36 apply for a job at". And so - so they came up with - told
37 me to ring him. I rang him, made a time to see him, and
38 literally went there thinking he might have some
39 suggestions on where to go and he offered me a job on the
40 spot. So that's how that happened.

41
42 MR WINNEKE: So that would have been around sort of, I
43 suppose, April or shortly after you were admitted I
44 suppose, is that right? April 97?

45
46 MS GOBBO: Yes - look it could have been a few, could have
47 been a month before because I went straight from, straight
from articles, the end of articles to working for Alex.

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MR WINNEKE: Yes. So clearly working for Alex. He's got, or I assume back then he had some reasonably significant clients, probably a lot of drug work I assume?

MS GOBBO: Yes, and that's how I came to, that's how I came to be, I guess, a known quantity before coming to the Bar because I had, through Alex I'd met people like John Higgs and Horty Mokbel and Tony Mokbel and I got the opportunity to instruct people like Robert Richter and other, um - I mean Alex knew Lillian, the late Lillian Lieder, Ian Mott. So I kind of, I guess when I went to the Bar I was, um, known by some heavy weight criminals before I could appreciate - - -

MR WINNEKE: Before we get - yes, sorry.

MS GOBBO: Jeff Croucher. I probably didn't appreciate just how heavy some of them were.

MR WINNEKE: You also came to know, I assume, some of the police who were involved investigating those criminals largely, or a lot of them in the Drug Squad I assume?

MS GOBBO: Yes, yes. Correct, yes. And that's, so that's why, that's what leads me to think at one stage Wayne Strawhorn - this would be probably some time in 98, um - - -

MR WINNEKE: Yes. I might be able to jog your memory. There was an operation called Operation [REDACTED] does that ring a bell, in which [REDACTED] was arrested? Does that ring a bell?

MS GOBBO: Yes. Yes, I don't remember the operation name but it was [REDACTED] and [REDACTED].

MR WINNEKE: Yes. And [REDACTED].

MS GOBBO: Yes, [REDACTED]. [REDACTED].

MR WINNEKE: Yes, not the other [REDACTED].

MS GOBBO: Yes, yep. Yep. Um - - -

MR WINNEKE: Was Strawhorn the informant in that matter, or an informer?

1
2 MS GOBBO: He was either an informant or he was the boss of
3 whoever the informant was.
4
5 MR WINNEKE: Right.
6
7 MS GOBBO: So at some point, at some point he pressured me
8 to - he said that, um, Solicitor 1 was laundering money and was,
9 um, was - Strawhorn suggested that he was a co-conspirator
10 with all of these criminals.
11
12 MR WINNEKE: Yes.
13
14 MS GOBBO: And he was specifically laundering money for
15 [REDACTED] and for John Higgs and I think it was the
16 Black Uhlans at the time or some other bikie gang.
17
18 MR WINNEKE: Was sacting for those people, for the - -
19 -
20
21 MS GOBBO: Yes, yes. Yes, yes. And Solicitor 1 saw no reason to,
22 he saw no issue with acting for every single person. You
23 know, when a crew of people got arrested like [REDACTED] and
24 [REDACTED] and [REDACTED] that whole crew got arrested, Solicitor 1 saw
25 no reason why he couldn't act for the entire group. Saw no
26 conflict as far as he was concerned and that drove the
27 police insane. So it was in that context I was approached
28 by Strawhorn and asked to [REDACTED]
[REDACTED]. So in that conflict Strawhorn put
30 pressure on me to assist him.
31
32 MR WINNEKE: How did he do that?
33
34 MS GOBBO: So he, um - - -
35
36 MR WINNEKE: How did he do that?
37
38 MS GOBBO: Well at one stage he, um, he threatened me, um,
39 and he threatened me to the point where I got scared enough
40 to tell Solicitor 1 about it, because I can remember Solicitor 1 writing
41 a letter and prefacing it, as he did in those days, he sent
42 it to the Drug Squad basically saying that Strawhorn, stay
43 away from her and stop (indistinct words) her.
44
45 MR WINNEKE: Yes.
46
47 MS GOBBO: And then at one stage things became so strained

1 that - I can't remember if it was Strawhorn or someone
2 else, but they, whichever police officer it was, would not
3 speak to me over the phone, it had to be in writing. No,
4 it wasn't Strawhorn, it was someone else from the Drug
5 Squad.

6

7 MR WINNEKE: Was it a fellow called Krueger? Does that
8 ring a bell, Krueger?

9

10 MS GOBBO: Yeah, that's him. Yes.

11

12 MR WINNEKE: Yes.

13

14 MS GOBBO: Yes. And so, um - so that's why I think that
15 the 1999 could really be Wayne Strawhorn but, again, not to
16 my knowledge.

17

18 MR WINNEKE: Yes.

19

20 MS GOBBO: Sorry, in answer to your earlier question, no,
21 there would not be anybody to my knowledge that I provided
22 any information about prior to the SDU registration that
23 could possibly have any kind of wrongful conviction.

24

25 MR WINNEKE: Yes, okay. If I could just focus on Strawhorn
26 for a moment.

27

28 MS GOBBO: Yes.

29

30 MR WINNEKE: Do you recall, do you recall going to [REDACTED]
31 with Strawhorn at any time?

32

33 MS GOBBO: Um, yes, in relation to a client of mine called
34 [REDACTED]

35

36

MR WINNEKE: Yes. What was that about, do you recall?

37

38 MS GOBBO: So [REDACTED] was assisting, um - [REDACTED]
39 [REDACTED] not with, not in the same way that I ever
40 encouraged anybody or could be said to have encouraged
41 people in years that followed.

42

43 MR WINNEKE: Yes.

44

45 MS GOBBO: But he became an informer as someone that he was
46 providing information about was somehow, I understood to be
47 a [REDACTED] which is

1 why we went to [REDACTED] and I think I, I remember
2 meeting [REDACTED] and thinking, how bizarre that this was
3 the guy I'd read about and suddenly I'm sitting across the
4 table from him.

5
6 MR WINNEKE: Yes. Was that - - -

7
8 MS GOBBO: And then - - -

9
10 MR WINNEKE: Sorry, go on.

11
12 MS GOBBO: And then as time went on [REDACTED] - I mean he
13 - I never knew exactly what he was doing or what assistance
14 he was providing specifically to police.

15
16 MR WINNEKE: Yes.

17
18 MS GOBBO: All I got told by Wayne Strawhorn, [REDACTED]
[REDACTED], was that when it came time
20 for [REDACTED] to go to court, that Wayne Strawhorn would, back
21 in those days, provide a confidential letter of assistance.

22
23 MR WINNEKE: Yes.

24
25 MS GOBBO: And that it would assist him in terms of his
26 sentencing.

27
28 MR WINNEKE: Yes.

29
30 MS GOBBO: But as time went on Wayne got arrested and ended
31 up going to gaol himself so that resulted [REDACTED]
32 [REDACTED]
33 it was some extraordinary length of time. And at one stage
34 he was reporting on bail at the same police station that
35 [REDACTED] was reporting at.

36
37 MR WINNEKE: Is that right? Yes.

38
39 MS GOBBO: And they were reporting together at [REDACTED]
40 police station from memory, and then I remember doing
41 [REDACTED] plea in the County Court and he did avoid [REDACTED]
42 [REDACTED] sentence but, in fairness to him he had, he
43 had a staggeringly, incredible story of complete
44 rehabilitation. But [REDACTED] might be someone worth speaking
45 to because not all his dealings with Wayne Strawhorn were,
46 to my understanding anyway, appropriate.

47

1 MR WINNEKE: Why do you say - in what way?
2
3 MS GOBBO: I remember, well I remember [REDACTED] saying to me,
4 you know, that he was giving money to Wayne Strawhorn and
5 that he always paid for everything. He didn't ask any
6 questions, he just - [REDACTED] was a very old-fashioned
7 [REDACTED] but you kind of knew if you shook his hand and
8 said "I'll do the right thing" that was good enough for him
9 because I guess with his background if you didn't do the
10 right thing you would get a bullet in your head.
11
12 MR WINNEKE: Just to go back to - - -
13
14 MS GOBBO: And - - -
15
16 MR WINNEKE: Sorry, Nicola.
17
18 MS GOBBO: Yes. That's all right.
19
20 MR WINNEKE: To go back to Strawhorn's dealings with you,
21 he's putting pressure on you, your feeling was he was
22 putting pressure on you to provide information against Solicitor 1
23 I'm just keen to know how he did that. In what
24 way?
25
26 MS GOBBO: Well, I can remember him, um, I can remember
27 having one meeting with him somewhere at South Melbourne, I
28 can't even remember how it came about but him saying,
29 putting pressure on me on the basis of, "Well, you're the
30 one who, if you know what's going on and you do nothing
31 about it that makes you just as guilty as he is". And
32 probably playing on my, my naivety and my, the fact that I
33 was pretty green at the time.
34
35 MR WINNEKE: Green, yes. Did you ever speak to Solicitor 1 about
36 it?
37
38 MS GOBBO: Yes, I did, because Solicitor 1 ended up writing a
39 letter to, sending a fax to Wayne Strawhorn saying
40 basically back off and leave her alone.
41
42 MR WINNEKE: Yes, I follow. That pressure, did that
43 pressure continue into him suggesting that you should go to
44 [REDACTED] or was that in a different context?
45
46 MS GOBBO: No, that was a different context because that
47 was some time, that was some time later on.

1
2 MR WINNEKE: That going to [REDACTED] was some time later on?

3
4 MS GOBBO: Yes.

5
6 MR WINNEKE: Is that right? Yes, okay. Now, what about
7 Jeff Pope in all of this, was he involved at about that
8 time?

9
10 MS GOBBO: So I, I think I met - my recollection is that I
11 met Jeff Pope when I did the, um, the fraud, my fraud
12 investigation at Latrobe University. Um, and that, I
13 think, was - I think that was 1999. Sorry, I'm not sure of
14 the year.

15
16 MR WINNEKE: Are you there?

17
18 MS GOBBO: Yep, sorry. I'm just not sure of the year but I
19 think - my recollection is I met him while I was doing that
20 course.

21
22 MR WINNEKE: This was a course at Latrobe uni, do you say?

23
24 MS GOBBO: Yes, yes, it was a - they ran a, it was a
25 graduate certificate in fraud investigation and it was, it
26 was taught by some, some of the lecturers were police
27 officers and I think that's one that Jeff Pope - or I may
28 have come across him before then but I think I got to know
29 him then and we had an on again/off again fling around
30 that, in that time and then, then I had, I think I may have
31 come across him in the course of time that followed as in
32 me acting for someone that he was the informant for or he
33 was an investigator for.

34
35 MR WINNEKE: Can I - - -

36
37 MS GOBBO: I never - yes.

38
39 MR WINNEKE: I was going to say, it may well be that he was
40 with the asset recovery group. Does that ring a bell?

41
42 MS GOBBO: Um, possibly. Um, yep, I thought he was Fraud
43 Squad but probably, yes.

44
45 MR WINNEKE: Right. Is it the case that - see the
46 evidence, the information that we have seems to suggest
47 that he was the person who was involved in your

1 registration in 99. Now does that - - -
2
3 MS GOBBO: In 99? I don't even - I didn't even know him in
4 (indistinct words) - - -
5
6 MR WINNEKE: So you say you thought you might have been
7 aware of him doing that Fraud Squad course at Latrobe uni
8 qualification.
9
10 MS GOBBO: Yep.
11
12 MR WINNEKE: You said that was in 99, you thought.
13
14 MS GOBBO: I'm just trying to remember what year. I did
15 my, I did, finished a Masters after, straight after
16 articles.
17
18 MR WINNEKE: So was that after going to the Bar or before
19 going to the Bar?
20
21 MS GOBBO: After going to the Bar.
22
23 MR WINNEKE: Right. So you go to the Bar in 98.
24
25 MS GOBBO: Yeah, I think the graduate certificate was 99.
26
27 MR WINNEKE: Right.
28
29 MS GOBBO: I think.
30
31 MR WINNEKE: Yes.
32
33 MS GOBBO: That's why I think, that's my first recollection
34 of meeting Jeff Pope there but it may have been that I'd
35 got to know him then but met him prior to that.
36
37 MR WINNEKE: Yeah, righto.
38
39 MS GOBBO: The Latrobe University course was on, from
40 memory it was one weeknight from 6 until 9 o'clock,
41 something like that, and everyone who was doing that course
42 would go to the lectures and then we would end up at a pub
43 somewhere.
44
45 MR WINNEKE: All right.
46
47 MS GOBBO: And it's in that context that something

1 developed between myself and Jeff that was on and off for a
2 while afterwards but I never knew that he registered me.

3

4 MR WINNEKE: Well, what if it was - I mean, if - I can say
5 this, the information that we've got suggests that you were
6 introduced to Pope by Strawhorn and Krueger, the Drug
7 Squad introduced you to the Asset Recovery Squad in the
8 person of, I think he was Detective Senior Constable Pope
9 at that stage, and it was at around that time that you were
10 registered as an informer in 99, according to records.
11 Now, does that give you any assistance in terms of
12 recollection or does that just not strike a cord with you?

13

14 MS GOBBO: I don't know, I don't remember at all being
15 introduced to Pope in that context, not at all. I mean the
16 best recollection actually I've got is that I started
17 talking to him when everyone introduced themselves at the
18 beginning of that graduate certificate year.

19

20 MR WINNEKE: Right.

21

22 MS GOBBO: And that he had - I can remember him saying
23 something along the lines of, "We've met previously" but
24 again I thought it was Fraud Squad, but it could have been
25 Asset Recovery Squad because, well, not dissimilar, but I
26 don't have any recollection of being introduced to him by
27 anybody.

28

29 MR WINNEKE: Yes. Is there only one Jeff Pope that you
30 knew, I take it, and he then became a reasonably senior
31 member of the Police Force?

32

33 MS GOBBO: Yes. Yes, and I, the first I'd been aware of
34 him having anything to do with being on some Committee of
35 Oversight to do with me was when I read about it in the
36 newspaper.

37

38 MR WINNEKE: And this was much later on, in around 2011 I
39 think it was, is that right?

40

41 MS GOBBO: Yes, correct. Correct.

42

43 MR WINNEKE: All right.

44

45 COMMISSIONER: Can I ask you, Nicola - Commissioner
46 McMurdo - can I ask you whether you recall meeting with
47 Pope and another, probably a more senior police officer,

1 Segrave, at Armadale in 1999?

2

3 MS GOBBO: Sorry, who?

4

5 COMMISSIONER: Segrave was the name of the other police
6 officer and having a meeting with Pope and Segrave in
7 Armadale.

8

9 MS GOBBO: No, not that I - no. Armadale of all places,
10 no. I've got no recollection of that. Segrave, I can't
11 even remember a person by that name.

12

13 MR WINNEKE: Okay. What about - so that suggestion that
14 Strawhorn had in some way pressured you to provide
15 information about Solicitor 1 how long did that
16 pressure continue for, do you recall?

17

18 MS GOBBO: A couple of, a couple of months. But as I say,
19 I can specifically recall Solicitor 1 sending more than one fax
20 to, um, the officer in the - he addressed it in no way that
21 Solicitor 1 would have typos and misspellings in all his
22 documents, to the Officer-in-charge of the Drug Squad
23 basically saying, "This guy is out of control, tell him to
24 stay away from my solicitor".

25

26 MR WINNEKE: Yes. Did you ever speak to - do you recall at
27 that time ever speaking to the NCA, any officer of the NCA?

28

29 MS GOBBO: I might have if it was, if they were the
30 investigating or prosecuting authority for someone that I
31 was acting for. Um, I don't know. I can't specifically
32 think of a name off the top of my head.

33

34 MR WINNEKE: That's okay. Does the name Hynan, Kerryn
35 Hynan ring a bell, H-y-n-a-n?

36

37 MS GOBBO: She might have been Wayne's - was she Wayne
38 Strawhorn's boss at some point? She was - I can't remember
39 how I - she does ring a bell, I just can't remember in what
40 context.

41

42 MR WINNEKE: All right, okay. With respect to Pope, did
43 you ever speak to Jeff Pope about the suggestion that
44 Solicitor 1 had been engaged in money laundering or a fraud
45 of that kind?

46

47 MS GOBBO: No, I think I - I think that conversation was in

1 the presence of, um, it's Wayne Strawhorn and maybe Krueger

2 .

3

4 MR WINNEKE: Yes.

5

6 MS GOBBO: I mean there could have been, there could have
7 been someone else with Wayne Strawhorn.

8

9 MR WINNEKE: All right.

10

11 MS GOBBO: My recollection is I had a conversation with
12 them somewhere in South Melbourne.

13

14 MR WINNEKE: What about the Emerald Hotel? Did you have a
15 meeting with members of the Drug Squad and Jeff Pope at the
16 Emerald Hotel?

17

18 MS GOBBO: Well could have - yes. Because the Emerald
19 Hotel is where they drank. They went there to drink after
20 the course.

21

22 MR WINNEKE: Members of the Drug Squad or police officers
23 at St Kilda, is that where they would drink, is it?

24

25 MS GOBBO: Yes. Yeah, that's my, that's how I first got to
26 know what, what a great menu that the Emerald Hotel had.

27

28 MR WINNEKE: Well it may be suggested that you met with
29 Strawhorn and Kruger and Pope and that you were
30 providing information to Pope and the Asset Recovery Squad
31 in relation to Solicitor 1 and it was in that
32 circumstance that you were registered in 1999.

33

34 MS GOBBO: No, I - they wanted information about him but I,
35 I can remember saying to them, "Even if what you're, even
36 if what you're saying is right" - I mean I, I didn't have
37 access to that, to that material within his office because,
38 um, you know, he had, he had accountants, he had other
39 lawyers and office staff who dealt with trust accounts and
40 so forth. I had nothing to do with any of that.

41

42 MR WINNEKE: Yes, I follow. Do you recall having any other
43 dealings, aside from [REDACTED] and [REDACTED], do you recall
44 when you came to the Bar appearing for people who Strawhorn
45 or any of his colleagues had charged?

46

47 MS GOBBO: Well John Higgs was one.

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MR WINNEKE: Yes. And what was that charge?

MS GOBBO: That was Operation [REDACTED] That was the one where [REDACTED] the informer.

MR WINNEKE: Right.

MS GOBBO: And then there was the break in at the, the break in at the Drug Squad and all the statements got stolen which Wayne Strawhorn believed that Higgs had orchestrated.

MR WINNEKE: So that's Higgs. Do you recall any others, that is cases where Strawhorn or members of the Drug Squad, but those particularly in Strawhorn's team, were involved in charging people that you represented?

MS GOBBO: Um, not specifically but my, if I looked at - I could (indistinct) a list of my, if I looked at my fee book from back then I probably, that would jog my memory as to people.

MR WINNEKE: All right. Perhaps that, rather than ask any questions about that now we'll provide, we'll do our best to provide that to you so you can give us some assistance there. We won't go on for too much longer because I think we've been going for a while [REDACTED]

[REDACTED] but I just do want to ask you a couple of other things if that's okay. If you say no, it's too difficult, I'll pull up stumps.

MS GOBBO: Yes, yes.

MR WINNEKE: Are you happy just to go for a few minutes more?

MS GOBBO: Yes, of course. Yep, yep.

MR WINNEKE: Can I ask you about Dave Waters and Steve Campbell, Saunders and Alexander.

MS GOBBO: Yes.

MR WINNEKE: They're four names obviously that you know pretty well.

1 MS GOBBO: Yes, I do, yep.
2
3 MR WINNEKE: Waters you acted for, is that right?
4
5 MS GOBBO: Um, I, the only time I acted for him was in
6 relation to him being given a summons to appear at - I'm
7 not sure, I can't remember - - -
8
9 MR WINNEKE: A s.56 summons, wasn't it?
10
11 MS GOBBO: Yes, yes. Yes, it was, that's right, yes.
12
13 MR WINNEKE: Subsequently they were charged I think with
14 trafficking in February 2003.
15
16 MS GOBBO: Yes.
17
18 MR WINNEKE: Did you act for them at that stage or not?
19
20 MS GOBBO: No.
21
22 MR WINNEKE: Or any of that them?
23
24 MS GOBBO: No, no, no, I acted for - no, I acted for - I'd
25 acted for ██████████.
26
27 MR WINNEKE: ██████████, yes. He was co-accused and initially
28 he was going to give evidence I think, is that right, and
29 he slipped away?
30
31 MS GOBBO: I think - well he did, he did a plea, gave an
32 undertaking and then after the Hodsons were murdered he was
33 threatened and he backed right away from it.
34
35 MR WINNEKE: Yes. What about in - - -
36
37 MS GOBBO: Sorry, and he murdered, sorry, he murdered ██████████
38 ██████████ in between and got arrested for that. Sorry, I left
39 that bit out.
40
41 MR WINNEKE: Right. Were you ever, did you ever act for
42 any of the people that those officers charged, that is
43 Waters, Campbell, Saunders and Alexander, do you recall
44 that?
45
46 MS GOBBO: No. No, I didn't. No.
47

1 MR WINNEKE: Don't believe so?
2
3 MS GOBBO: No.
4
5 MR WINNEKE: All right. You'd known Steven Campbell I
6 think for a fair while, indeed I think the year you signed
7 the Bar roll you knew him or got to know him?
8
9 MS GOBBO: Yes.
10
11 MR WINNEKE: How did that come about, how did you meet him?
12
13 MS GOBBO: Um, I think I, I think I first met him after
14 doing some - it might have been after a bail application or
15 after - it was not in a social context, it was after
16 leaving a court one day and then he ended up ringing me up
17 and inviting me out subsequent to whatever that, um, that
18 case was, but it was, it was at a time when I was doing a
19 lot of Legal Aid work so I was churning through a lot of, a
20 lot of little cases. It wasn't, it wasn't any of the, it
21 wasn't anyone significant or any of the big things that
22 came later on.
23
24 MR WINNEKE: All right. What squad was he with in 98, do
25 you remember?
26
27 MS GOBBO: Um - - -
28
29 MR WINNEKE: If any?
30
31 MS GOBBO: I'm not sure in - I'm pretty sure eventually he
32 was Armed Offenders.
33
34 COMMISSIONER: Could you just speak a little closer,
35 please, I just didn't catch that last little bit.
36 Eventually with, sorry?
37
38 MS GOBBO: Eventually with - I'm not sure in 1998 but I
39 think he was at the Armed Offenders Squad.
40
41 COMMISSIONER: Thanks.
42
43 MR WINNEKE: Did you know any of the officers at the Armed
44 Offenders Squad?
45
46 MS GOBBO: Quite a few, um, including, including one of
47 them that was charged with the, was it the OPI

1 investigation where their interview rooms were bugged and
2 they were recorded speaking to suspects.

3

4 MR WINNEKE: Do you remember the name?

5

6 MS GOBBO: I can't think of the name of the person. Not
7 off the top of my head but it will come to me. Sorry, I
8 just - I can't remember properly but he ended up, he ended
9 up leaving the Police Force after - I think he resigned or
10 was charged. Um, and then there was one guy at the Armed
11 Offenders Squad who his nickname was [REDACTED], because he did
12 look like [REDACTED]

13

14 MR WINNEKE: Yes.

15

16 MS GOBBO: And I later - when, um, when I was with Sandy White
17 and he changed, he changed handlers on me, he
18 never gave me any warning that he was doing so, he would
19 just - I would just go to meet them and he would say,
20 "Here's such and such and this is who you're talking to
21 now" and there'd be no pre-warning of it or information
22 about who the person was. And at one of these meetings I
23 turn up and he's there and [REDACTED], "This is your new
24 handler" and I remember saying, because at this - I
25 remember thinking this creates a really difficult position
26 because this guy had tried to, um, involve himself sexually
27 with me many years earlier, so I just thought it was
28 inappropriate that he be assigned as a handler.

29

30 COMMISSIONER: Yes, right.

31

32 MR WINNEKE: Can I just ask you, I think we might - we'll
33 probably finish up now but I want to ask you about, you
34 mentioned Trichias back in 1993 being involved in the raid
35 on your house. I think you said 92.

36

37 MS GOBBO: Yes.

38

39 MR WINNEKE: But I think it was 93.

40

41 MS GOBBO: Yes.

42

43 MR WINNEKE: You were, I think, at - in third year of
44 university, second year of university.

45

46 MS GOBBO: Yep, second I think, but yes. Yes.

47

1 MR WINNEKE: There was some person called Wilson who was
2 sharing the house, do you remember him?

3
4 MS GOBBO: Correct, yes.
5

6 MR WINNEKE: Were there any other people living there at
7 that time, do you recall?

8
9 MS GOBBO: Not initially, no. And then after, after
10 (indistinct) moved out then I shared with, um, another law
11 student, Michael - I can't think of his surname but he
12 subsequently left to work on some US presidential campaign
13 never to return.
14

15 MR WINNEKE: What was the nature of the relationship with
16 Wilson, can you answer that?

17
18 MS GOBBO: Well, we - I mean we started out as strictly
19 speaking housemates, as in a shared house. At some point
20 there was, there was a bit of a sexual relationship, but
21 not a, not a de facto boyfriend/girlfriend situation.
22

23 MR WINNEKE: How long did he stay there for?
24

25 MS GOBBO: Um, I can't be sure exactly. I know he couldn't
26 come back after - after the whole being arrested and
27 charged business, obviously I was pretty annoyed with him,
28 um, given when the police pulled a giant bag of amphetamine
29 out of a wall cavity and then tried to say to me that I
30 would end up in Fairlea Women's Prison because my
31 fingerprints would be on it, which I maintain to them and I
32 would say now, that could never have been the case because
33 I didn't even know it was there but they didn't believe me.
34 So he was out and then at some point he, um, he lost his
35 job, had a falling out with his family and came crawling
36 back and needed somewhere to stay.
37

38 MR WINNEKE: Right.
39

40 MS GOBBO: I just, I'm just not sure of exactly what year
41 that was.
42

43 MR WINNEKE: All right. What about Mr Vellios? Does he -
44 Victor Vellios I think his name was.
45

46 MS GOBBO: That was, I think he was, he was a friend of
47 Brian. He was not, he was not living there. He never

1 lived there.

2

3 MR WINNEKE: All right. Now there police officers who were

4 involved in I think that, the search that's been reported I

5 think in the press. Firstly, do you recall the names of

6 any of those police officers, aside from Trichias, who were

7 involved at that stage?

8

9 MS GOBBO: Yeah, only, only Marty Allison because Marty

10 Allison came to feature later on.

11

12 MR WINNEKE: Marty Allison, yes.

13

14 MS GOBBO: Yes.

15

16 MR WINNEKE: Do you have any idea how that raid came about?

17

18 MS GOBBO: Um, I don't, I don't know in the sense that I

19 was at, I was at university one day and the police came

20 knocking on the door and said to me I needed to come home

21 because they had a search warrant to execute. So I'm

22 assuming it was - somehow they knew what he was up to or

23 someone, someone told the police what he was doing. It

24 wasn't from me, but - I can be sure of that.

25

26 MR WINNEKE: You mentioned Marty Allison and he figured

27 later on?

28

29 MS GOBBO: Yep.

30

31 MR WINNEKE: What was his, what was the unit he was then

32 attached to later on?

33

34 MS GOBBO: I think it was - well he was at the Drug Squad

35 later on because he was one of the police officers in, um,

36 in Tony Mokbel's, um, brief of evidence, the brief of

37 evidence.

38

39 MR WINNEKE: Right. When you say he was in the brief of

40 evidence, how do you mean, in what way?

41

42 MS GOBBO: Well he was, I'm sure he was a Sergeant at the

43 Drug Squad.

44

45 MR WINNEKE: Yes.

46

47 MS GOBBO: In years later when I came across him because I

1 can remember thinking well there's a name I haven't seen
2 for a long time. He was a thief in 1993, I wonder if he's
3 still a thief now?

4
5 MR WINNEKE: Right. What about Trevor Ashton?

6
7 MS GOBBO: Yes, that rings a bell. He was, I think he was
8 the, he may have been a Sergeant at the time.

9
10 MR WINNEKE: Yes. Did you have any ongoing connections
11 with him in any way, do you recall? Contact?

12
13 MS GOBBO: No, I don't think so. I can just - no, I can
14 just, I can remember dealing with Marty Allison years later
15 but not Ashton.

16
17 MR WINNEKE: And Tim Argall obviously is a name that you
18 know?

19
20 MS GOBBO: Yes, he - and he's featured later on because he
21 was, he turned out to be, ironically, a very dear friend of
22 Paul Dale's.

23
24 MR WINNEKE: Do you recall having any contact with Tim
25 Argall back in 95, 96?

26
27 MS GOBBO: Well when I - when I read in the paper that I
28 was registered in 95 I, my only thought is that it could
29 only be as a result of me seeking the help of police to get
30 Brian Wilson out of the house and in that context I did
31 speak to, um, to Tim Argall and - I can't remember the name
32 of the, another police officer, but it was him and someone
33 else. Because by that stage Wilson was a, I won't say very
34 violent but he was prone to the kind of violence that
35 people are prone to when they're using drugs.

36
37 MR WINNEKE: Was that in 93 or later on in 95?

38
39 MS GOBBO: No, it was 95, it wasn't - 93 he was nothing
40 like that, it was 95. I thought I read that - - -

41
42 MR WINNEKE: And you say that's when he came back to, came
43 back to - - -

44
45 MS GOBBO: Yes, yes.

46
47 MR WINNEKE: Because he'd had trouble at home and so forth.

1
2 MS GOBBO: Yes.
3
4 MR WINNEKE: Did he then move back into your - - -
5
6 MS GOBBO: My recollection is - yeah, well probably,
7 probably my stupidity in saying you can stay for a little,
8 a little while, and then I couldn't get rid of him.
9 Because when I read that I was an informer in 95 I could
10 only think that it was, it was - the only contact I think I
11 had with police was at a time when I was studying and
12 working at two different hospitality venues. The only
13 contact I had with police was to do with him so that must
14 be what it was.
15
16 MR WINNEKE: What was he up to in those days, Wilson?
17
18 MS GOBBO: Um, back to drug trafficking.
19
20 MR WINNEKE: Right. And what about weapons?
21
22 MS GOBBO: Um, he may have been - well, I may have had
23 concerns about firearms back then. I don't specifically
24 remember that now, but he was running, look, he was running
25 with, he was running with a crew that at the time I didn't
26 realise who they were but later on it became apparent that
27 they were some of the heavy hitters involved in the
28 nightclub industry who were really people that held the
29 liquor licences on behalf of organised criminals.
30
31 COMMISSIONER: Get a bit closer, thank you.
32
33 MR WINNEKE: Say that again, I just missed that, they were
34 people who were what?
35
36 MS GOBBO: They were, they were people who were, you know -
37 I mean I call them heavy hitters in the nightclub industry.
38
39 MR WINNEKE: Yes.
40
41 MS GOBBO: You know, they were the people that held the
42 licences on behalf of well-known organised crime figures.
43
44 MR WINNEKE: Is that how you came to know him, through
45 nightclubs?
46
47 MS GOBBO: Wilson?

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MR WINNEKE: Yes.

MS GOBBO: No, not at all, it was, um, far less, far less -
so more innocuous than that. Um, I was reporting on, um -
INXS had their first ever rock concert at Melbourne
University.

MR WINNEKE: Right.

MS GOBBO: They came back to do a final, a final concert in
the Melbourne University Student Union. Brian Wilson was
in charge of the after hours security for any event where
it was after hours and alcohol was involved.

MR WINNEKE: Yes.

MS GOBBO: And in the context of me doing an interview with
Michael Hutchence, he was a security (indistinct) risk and
it started from there.

MR WINNEKE: Yes, I follow. And you asked him, you asked
him to move into your house?

MS GOBBO: Well, it was more that I, I was, um, I needed
someone to help pay the mortgage.

MR WINNEKE: Yes, I follow.

MS GOBBO: And I had no idea that he was, as Marty Allison
described him later on, a hardened speed trafficker.

MR WINNEKE: Yes, right. Do you know, I mean, look, do you
know how - it's not a matter of great consequence but do
you know how the police came to be aware that this fellow,
Wilson, was trafficking out of your house in 93?

MS GOBBO: No idea. Um, I can categorically say it wasn't
me because I didn't know myself.

MR WINNEKE: Yes.

MS GOBBO: Um, it may have been - I don't know, it may have
been his supplier. It's certainly something that he, he
was hell-bent on trying to work out after he was arrested,
which is the common theme for everybody who gets arrested.

1 MR WINNEKE: They want to know how they came to be put in?

2

3 MS GOBBO: Yes, and they also want to be able to point the
4 finger at someone if there is an informer involved and I
5 don't recall it being a significant thing or me even -

6 probably alerted me being - I didn't have an appreciation
7 of how things worked at that point in time.

8

9 MR WINNEKE: Yes.

10

11 MS GOBBO: In years to come when the police arrested
12 people, now they would have those big drug arrests and
13 there'd be somewhere between six and ten people in the
14 Custody Centre and the police would be really proud of
15 themselves that they, um, they had utilised some informer
16 or some source and they had thought that they would manage
17 to keep that person out of the hand-up brief and
18 confidential, but it would take the people in the Custody
19 Centre about thirty seconds to work out what the common
20 denominator was.

21

22 MR WINNEKE: Yes. When did you find out that he was a
23 fairly significant drug trafficker?

24

25 MS GOBBO: When I got arrested.

26

27 MR WINNEKE: Right. Later it appears that he's moving in
28 circles with a fellow called Gavin, Gavin someone or other.
29 Do you have any recollection of who that person was?

30

31 MS GOBBO: No, only that I - I mean I recall meeting him a
32 couple of times. Um, but I don't regard him as potentially
33 - um, I don't regard him as a criminal, I just regarded him
34 as a waste of space basically.

35

36 MR WINNEKE: Was this Gavin or Wilson?

37

38 MS GOBBO: No, Gavin.

39

40 MR WINNEKE: Yes, righto.

41

42 MS GOBBO: Gavin. As in the guy didn't appear to work,
43 didn't appear to do anything.

44

45 MR WINNEKE: Yes.

46

47 MS GOBBO: But I didn't, I didn't have a lot to do with

1 him.

2

3 MR WINNEKE: All right. Now it seems that - so when he
4 moves back in about mid-95, there's another arrest or
5 another raid at the house. Do you recall that occurring?

6

7 MS GOBBO: I don't recall another search warrant. Not at
8 all. I think he was arrested but I don't recall there
9 being a warrant executed, no.

10

11 MR WINNEKE: Okay. In any event, there's no suggestion
12 that you were there but do you recall him being arrested
13 again in 95?

14

15 MS GOBBO: Yes.

16

17 MR WINNEKE: Yes.

18

19 MS GOBBO: Yes, he was.

20

21 MR WINNEKE: And at that stage you said, I think you said
22 for - you were trying to get this fellow out of your place
23 in 95. After he came back were you trying to then get him
24 out?

25

26 MS GOBBO: Yes. Yes, I remember - I remember him, um, him
27 being violent on one occasion and that is what led me to
28 ring the police.

29

30 MR WINNEKE: Violent towards you?

31

32 MS GOBBO: Yes.

33

34 MR WINNEKE: Yes, okay. And you contacted, would it be
35 fair to say that you contacted Tim Argall then?

36

37 MS GOBBO: Yes.

38

39 MR WINNEKE: Would that be right?

40

41 MS GOBBO: Yes, it would have been either him or, um - no,
42 I think it was him. Or it would have been one of those
43 that I'd met in the, from the original dealing I had with
44 them.

45

46 MR WINNEKE: I understand that you had, at least a
47 friendship with Argall, perhaps with intimacy involved at

1 some stage for what that's worth. Is that right?

2

3 MS GOBBO: Yeah, as time, as time went on, um, and I think,
4 I think - I mean I wouldn't even, I wouldn't say any kind
5 of ongoing relationship. It was more, um, it was more
6 drunken stupidity on my part a couple of times.

7

8 MR WINNEKE: Yes.

9

10 MS GOBBO: But where - I think he carried a candle for me
11 in - he had a lot more feeling for me because he admitted
12 it in years to come, that I ever could have, that I ever
13 (indistinct) where he was concerned.

14

15 MR WINNEKE: Okay. In any event there was, in order to get
16 him out did you try and, well at one stage did you
17 introduce ██████████ to see if this fellow Wilson
18 could be trapped engaging in criminal conduct or caught
19 engaging in criminal conduct? Do you recall anything like
20 that happening?

21

22 MS GOBBO: I don't recall doing that. I recall, I recall
23 police speaking to me about that but I don't recall
24 actually doing it.

25

26 MR WINNEKE: You don't recall it occurring. All right,
27 okay. Look there are plenty of other questions that we've
28 got but I don't - I think we might - perhaps we might wind
29 it up at this stage.

30

31 COMMISSIONER: Yes, yes. There's just - back in 93 when
32 you were charged, do you remember if you were initially
33 charged with trafficking?

34

35 MS GOBBO: Um, I don't recall whether I was charged or I
36 was threatened with it. Um, I may have been, I may have
37 been, based upon the quantity of drugs found in the house.
38 I can remember talking to my then solicitor, Peter
39 Morrissey, and him explaining the law about, you know,
40 drugs being found on premises that are within your custody
41 and control. Um, but it was kind of, it didn't, it didn't
42 really go anywhere because, um, because the quantity of
43 amphetamine that was found quite literally had nothing to
44 do with me and wasn't connected to me, um, and it was my
45 own, my own probably honesty or stupidity in participating
46 in a recorded interview where I got asked if I tried - I
47 knew what cannabis was and, "Yes, I've tried it". "Have

1 you ever tried amphetamine? Yes, I have." So there was
2 possessing charges for those drugs.

3

4 COMMISSIONER: Just going back to the questions you were
5 asked about your relationship with Pope.

6

7 MS GOBBO: Yes.

8

9 COMMISSIONER: Were you aware that at some point he went
10 overseas on a study tour about the use of police informers?

11

12 MS GOBBO: No. That's the first time I've heard that.

13

14 COMMISSIONER: So you didn't, you certainly didn't travel
15 overseas with him at any point?

16

17 MS GOBBO: No. No, I've never gone anywhere with him.

18

19 COMMISSIONER: No, that's all right. That's all right.
20 You had a stroke, some serious health problems and a stroke
21 in the last decade.

22

23 MS GOBBO: Yep (indistinct).

24

25 COMMISSIONER: Have you had any memory problems as a
26 result of that, long-term or short-term?

27

28 MS GOBBO: No, not - no. I'm not ever - it happened in
29 2004 that I - it's kind of, it's almost like it's wiped out
30 as in - which I'm told by my neurologist is not unusual,
31 but my main deficit at the time was inability to speak and
32 left side affected and - I think it's called transient
33 memory loss which is where, um, I might not have a specific
34 memory of something but if my memory is prompted it will
35 probably come, it will probably come to me. So there was a
36 bit of 2004 that's murky but generally it's okay.

37

38 COMMISSIONER: Right. All right then, thank you. Well,
39 it's very helpful, we do appreciate you making the effort
40 to speak to us in the difficult circumstances you're in at
41 the moment. It's been quite a long morning for everybody,
42 I'm sure you're very tired now too. So we might end the
43 phone call, the interview, and we'll make plans to continue
44 as we discussed earlier and hopefully we'll have a private
45 hearing of the Commission which will proceed fairly
46 similarly to today but with a more organised statement,
47 hopefully from you, at that point. All right then.

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MS GOBBO: Thank you.

COMMISSIONER: Thanks very much Ms Gobbo. Thank you
MR **Gobbo Solicitor** Mr Rapke will be in touch with you to make
arrangements for the next session.

MR **Gobbo Solicitor** Fine, Thank you Commissioner.

COMMISSIONER: Thank you.

MR NATHWANI: Thank you.

COMMISSIONER: End the call.
