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2 Do you know in the proceeding days, that is the three days
3 after your arrest, did you have further contact with Mr
4 Ahec?---Yes I did.

5 Was that in the presence of police?---Um, at some times it was
6 and other times - other times it wasn't, no.

7 Those proceeding days, they were the days in which you were
8 assisting police in their inquiries, is that right?

9 ---That's correct, yes.

10 So when you saw Mr Ahec, he was also doing the same as you to a
11 certain extent?---No. He was basically sitting in a
12 lock-up himself.

13 Do you recall him telling you, when you were sitting in that
14 cell, did you speak to him at that time at any stage?

15 ---Yes.

16 Did he tell you "Look, I'm sitting here because I'm helping the
17 police, I'm providing some information to them"?

18 ---Absolutely not.

19 At that point on your arrest, you were spoken to by a person
20 called Detective Sergeant Dale Flynn, is that right?

21 ---Yes.

22 You've known Mr Flynn or Detective Flynn over many years, have
23 you not?---Yes.

24 In relation to your acquaintance with him, that had occurred
25 earlier around about 2002, 2003, is that right?---Well,
26 he was - he was there at the arrest of the - he wasn't
27 the actual informant but he was present at the arrest of
28 the first laboratory in 2002 or 2001 at - at the Pascoe
29 Vale lab and was also present for the - wasn't the -
30 wasn't the informant but he was also present at the - the
31 arrest of the lab in 2003.

1 in custody, so it would very well have something to do
2 with a lady.

3 Did she say, look, I'm also representing Mr Milad Mokbel?

4 ---No, she never said that to me at all.

5 You were aware of it?---I don't think she was representing him
6 at that point.

7 Are you saying you weren't aware of it or are you saying - - -?

8 ---I already knew she wasn't representing Mr Mokbel at
9 that point. Maybe she'd represented him in the past but
10 not - not right then I don't believe she would.

11 What about Mr Horthy Mokbel?---Once again, I believe she
12 represented these people in the past but I'm quite -
13 quite certain that she wasn't - there's a possibility, I
14 did not know what her, you know, confidentiality between
15 her and her clients are but I don't know of any pending -
16 pending court cases on Horthy Mokbel at that time, so she
17 wasn't - couldn't have been representing him then.

18 You didn't have any concerns about speaking to Ms Gobbo about
19 your position and your situation?---Absolutely I did. I
20 feared for her as well.

21 So you feared for her?---Yes.

22 And that fear was because you knew that she represented the
23 Mokbel family, is that right?---Yes. And the fact that
24 she had seen me in custody and now that her life was in
25 danger for the fact that she didn't alert the Mokbels
26 that I was - [REDACTED] She
27 said nothing, she stood - she stood firm by me and I
28 believe that put her life at risk.

29 Is that why, at some point in time that we'll get to the
30 transcript, you refer Mr [REDACTED] to her?---Um, well at
31 that point I made it clear to her that - well [REDACTED],

1 to my knowledge, didn't know any of the members of the
2 Mokbel family.

3 You agree you referred Mr PII [REDACTED] to your barrister, do you
4 not?---Yes, in that phone call I do, yes.

5 Was that something that you had arranged between your barrister
6 and yourself?---No.

7 How did that come about? Was that something that [REDACTED]
8 had suggested to you?---No. It's something that just
9 came to mind, I was to talk about - the conversation with
10 PII [REDACTED] was about outstanding moneys owed to him and I
11 maybe wanted him to understand that I could get the money
12 to him via my solicitor. And I mentioned Nicola Gobbo.

13 I might just locate that, Your Honour, it might be - just bear
14 with me. If I could just ask you this question, at that
15 stage when you were speaking to Mr PII [REDACTED] that's from
16 prison is it not?---That's from sorry?

17 That is from prison you speak to - - -?---That's from -
18 actually that was made from [REDACTED]

19 You were asked - when I get it but I can recall it - to provide
20 the contact number of Ms Gobbo?---Um, I can't recall if
21 that was the case. No. I don't remember if I gave it to
22 him, I don't know.

23 We'll get to that in a moment but I suggest to you that you did
24 provide the number to Mr PII [REDACTED] of Ms Gobbo's mobile
25 phone?---It's a possibility but I don't recall that but
26 it's a possibility I might have done that, yeah.

27 You say that you were concerned about Ms Gobbo and her safety,
28 is that right?---Yes.

29 And you say that I think you mentioned that her life was
30 possibly in danger, is that right?---Yes.

31 So you, in the call to Mr PII [REDACTED] provide her mobile number,

1 about it. Like I said, it's all done with [REDACTED]
2 [REDACTED] and at that point Mr [REDACTED] not the kind
3 of person who's - who could bring - I don't believe could
4 give Ms Gobbo any harm.

5 Did you discuss with [REDACTED] that you were going to - did you
6 say that you called, there was a miss call, you couldn't
7 get in contact with him, you left a message with Mr
8 [REDACTED] is that right?---That is correct, yes.

9 And so this was a [REDACTED] contact with him?---Yes. M'mm, yes -
10 yes.

11 A [REDACTED] contact where you say, I think you used the term
12 [REDACTED]?---Yes.

13 [REDACTED]
14 [REDACTED]
15 [REDACTED] a phone call and speak to him and see what it's
16 about.

17 You'd told [REDACTED] what it's about, hadn't you?---I told [REDACTED]
18 [REDACTED] what it was about, yes, I just let him do the
19 talking on the other end of the phone and I responded the
20 best way I knew how.

21 And you told [REDACTED] did you not, that this person wants
22 moneys, he's after his moneys?---Yes.

23 And he's [REDACTED]?---That is correct, yes.

24 He's [REDACTED]?---Yes, that's what [REDACTED]
25 told me.

26 And you told [REDACTED] that and [REDACTED] knew, did [REDACTED] not?---Yes.

27 Did you discuss with [REDACTED], well look, I'm going to mention
28 Nicola, I'm going to say I'm going to try and get the
29 moneys through her?---I didn't mention to [REDACTED]
30 Nicola, no, I didn't mention that.

31 Page 675, Your Honour, of the depositions here. It starts off

1 - I know you don't have it there, ^{Mr Cooper} but I can
2 read out some parts, the parts that might help you in
3 your memory of this occasion. [REDACTED]

4 [REDACTED] I think it's taped, is that right?---Yes.

5 How was that taped, do you know how that occurred?---I believe

6 [REDACTED]

7 And you say you were in [REDACTED], is that right?

8 ---That's correct, yes.

9 So you were taken out of your cell and placed in the interview
10 room or some other location?---No, the same - the
11 interview room, yes.

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 And then you commence to have a conversation with a person by
19 the name of ^{PII} [REDACTED]?---That's correct.

20 I'm just wondering, Your Honour, I know there's audio of this
21 telephone call, it might be more - - -

22 HIS HONOUR: We'll adjourn now and come back at five past two.

23 MR PENA-REES: Thank you, Your Honour.

24 HIS HONOUR: Members of the jury, we'll adjourn now, if you
25 could come back to start at five past two, thanks.

26 (At 12.50 pm the jury left the court.)

27 HIS HONOUR: Turn ^{Mr Cooper} off.

28 <(THE WITNESS WITHDREW)>

29 Just so I've got this right, according to the
30 transcript, Ms Gobbo's present when this phone call is
31 made.

1 MR PENA-REES: I might just wait, Your Honour, until the
2 copies come back and use one of those, if I may, Your
3 Honour, so I've got my reference copy.

4 HIS HONOUR: Mine is just highlighted, I'm not sure if the
5 highlighter will come up.

6 MR PENA-REES: It probably will, Your Honour, I think it's a
7 colour overhead - - -

8 HIS HONOUR: Think of some more questions.

9 MR PENA-REES: Yes. In relation to that conversation which
10 you didn't properly hear but we'll put up the transcript
11 of it when I ask you some specific questions about it but
12 in the meantime, ^{Mr Cooper} can I ask you this, in
13 relation to your reference to your barrister, Ms Nicola
14 Gobbo, do you say that [REDACTED]

15 [REDACTED] to refer to her in this conversation?---Um, I
16 really can't recall whether I spoke to [REDACTED] prior to
17 making that phone call that we would use - that I would
18 use Nicolas as a person of - to assist ^{PII} [REDACTED] in getting
19 his money. I really can't recall if it was something I
20 decided to do on my own, I'm not - I'm not sure. I think
21 I might have entered into discussion with [REDACTED]

22 [REDACTED] that you're referring to, who are they?-- [REDACTED]

23 and, I think, [REDACTED]

24 You may not have heard this but in this telephone conversation
25 and when we get the transcript I'll bring it up if you
26 like, you provide Ms Gobbo's mobile number, did you hear
27 that?---That is correct, yeah I heard that part, yes.

28 I take it that you had discussed that aspect of speaking to ^{PII} [REDACTED]

29 ^{PII} [REDACTED] with [REDACTED], the provision of her number?

30 ---Um, I can't recall whether I did or I didn't, to be
31 quite honest. I know I did have a discussion with Nicola

1 Sure about that?---Well, she might have given the money to the
2 owners as part - as the fact that she organised it, but
3 I'm sure I - I had given her the money, to give to them.
4 When did you give her the money, ^{Mr Cooper} '---Weeks before, I
5 believe.
6 Weeks before?---Yep.
7 Was that on another social occasion?---Yeah - it might have
8 been in her office.
9 How much did you give her?---I gave her - I could have given it
10 to her over a period of time, I think about \$5,000.
11 You gave her \$5,000 in her office. Where was her office at the
12 time you say you gave it to her?---Above the Wheat
13 Restaurant.
14 So that's above the restaurant to which your party was at?
15 ---Yes.
16 That 5,000, how did you get that \$5,000?---From - either
17 gambling ventures of proceeds of crime.
18 Ms Gobbo knew about where you mainly got your finances from
19 through your dealings in the drug trade, is that right?
20 ---I mean it's pretty bad that you've got to vilify a - a
21 barrister yourself. I mean, the bottom line is, she -
22 she knew what I told her. I told her I got those moneys
23 from gambling and she believed me.
24 You are, in front of this jury, indicating that you're going to
25 protect Ms Gobbo, is that right?---It's not going to
26 protect Ms Gobbo, but you should know better than to
27 vilify another barrister.
28 That's not the answer to my question. Are you saying that you
29 will not say anything about your relationship with Ms
30 Gobbo?---I'm not going to say anything that's going to be
31 untoward about that person, no.

1 Was it prior to your [PII] party he'd beaten them, or?---No.

2 Had he been charged with that prior to your [PII] party?

3 ---I can't say.

4 You never discussed it with him?---No.

5 Mr [PII], who's that?---He's [PII]

6 [PII] who I've grown to become a
7 friend with over a period - over a number of years, that
8 he's more like a family friend.

9 And you are aware that the allegation is that at the

10 Strathmore, Lloyd Street - - -?---Yes, I borrowed his
11 gun, yes.

12 It's also said by a number of police that Mr [PII] was
13 present at Strathmore assisting you in the building of
14 the extension and so forth?---Mr [PII] was?

15 Yes?---I don't recall that.

16 There was another person at [PII] - is there a person
17 by the name of Pasquale Barbaro?---Pat wasn't there.

18 If I mention Vinnie Barbaro, you say he wasn't there?---No,
19 neither of them.

20 Was there a Shane Moran?---No, he wasn't there.

21 Do you know a ^{Mr Thomas} [PII] ---Yes, he wasn't there.

22 Do you know a fellow by the name of Jacque?---He wasn't there.

23 Who is that person I'm referring to?---Mr Jaquel Hutch.

24 He wasn't there?---These people I had a falling out with back
25 in 2003.

26 So apart from [PII] in [PII] 2006, other social contact
27 you had with Ms Gobbo prior to that?---Yes, we would go
28 out for drinks, m'mm, I would meet her in the city on
29 occasions. We would talk about my upcoming (indistinct)
30 for the Rye matters and we would have dinner at the
31 Arrivederci restaurant in Carlton and, m'mm, everything

1 Mr Cooper had been working co-operatively in relation to
2 putting in place a mechanism to which they could create a
3 circumstance for Mr Cooper which was fortunate in
4 relation to upcoming events in relation to his - - -
5 HIS HONOUR: Are you saying they've collaborated in - - -
6 MR PENA-REES: Yes, there was a collaboration - - -
7 HIS HONOUR: Him concocting statements against people so he
8 could get a lesser gaol sentence.
9 MR PENA-REES: And I am also - I'll highlight it now for my
10 friend is this - I'll be highlighting too that he was
11 also aware of Ms Gobbo's co-operation with police.
12 HIS HONOUR: What's the basis for the allegation though?
13 MR PENA-REES: The allegation is this, is that the concoction
14 of information that was to be supplied to police was for
15 both their advantages.
16 HIS HONOUR: But what's the basis for saying there was that
17 concoction?
18 MR PENA-REES: Because - - -
19 HIS HONOUR: Apart from the fact that they were friends and she
20 was his barrister and so on.
21 MR PENA-REES: Well it goes more than that, Your Honour. The
22 question will be asked of Mr Cooper that he knew that Ms
23 Gobbo was working with the police in relation to certain
24 matters involving the Mokbels. I have to explore the
25 circumstances of the relationship - - -
26 HIS HONOUR: Have you got any material upon which you put the
27 allegation that he and Ms Gobbo were, in effect,
28 concocting statements against people that were false so
29 he could get a lesser gaol sentence?
30 MR PENA-REES: The information I have, Your Honour, is -
31 obviously it's out there in the media - - -

1 they're wrong he comes back and you go back to work on
2 that statement?---Well, what happened over that period of
3 time was to - to - I had them early in the piece and then
4 toward the end of those three weeks or two and a half
5 weeks in [REDACTED], um, everything was - the truth
6 was divulged as best as I could recall it.

7 Best as you can recall it?---Yes.

8 How many times during the two and a half weeks that you were in
9 [REDACTED] were you told that your co-operation
10 is essential to the Victoria Police investigation?

11 ---Essential.

12 Essential?---I think that was never referred to me as
13 essential.

14 What word do you say was used to you?---Um, I = ever mentioned
15 but I knew that Barry knew what I was doing and what I
16 believed was going on and that was it, thee was nothing
17 ever said that, you know, kudos for you or anything like
18 that, no. It was just a - that was required.

19 You may not have understood my question and I apologise about
20 that, what I'm saying is the police mentioned to you in
21 May that your evidence was very important in the
22 investigation that they were conducting, is that right?
23 ---Yes.

24 And without your information, it would be a difficult task for
25 the Victoria Police to prove certain things, is that
26 right?---I believe - I believe I had that - I was of that
27 opinion, yes.

28 So you - I don't know about your opinion, you were told that,
29 were you not?---No, that wasn't the case, I wasn't - I
30 can't recall those conversations, I just knew that in
31 order for me to - to - to get the assistance I needed, I

1 HIS HONOUR: We'll see you back at 2.15, ^{Mr Cooper} ---Thank
2 you, Your Honour.

3 <(THE WITNESS WITHDREW)

4 HIS HONOUR: How are we going, Mr Pena-Rees?

5 MR PENA-REES: We should get there, Your Honour. I'm coming to
6 the end of my questions.

7 HIS HONOUR: The denouement.

8 MR PENA-REES: There are a few.

9 HIS HONOUR: Are you going to be long, Mr Champion?

10 MR CHAMPION: Yes, Your Honour. It might take a little time.

11 In fact, I'm not sure my learned friend's going to be -
12 whether it's really the rest of the afternoon or how it's
13 going to be, but our next witnesses are going to be video
14 linked so we need to put in place those arrangements.

15 I understand that arrangement's been made for
16 tomorrow morning for PII
17 However, I've indicated to my learned friend that,
18 subject to how the rest of the cross-examination goes, I
19 may ask Your Honour for some time before I re-examine
20 this witness. There are some issues that he has raised
21 in the course of cross-examination which come as some
22 surprise about which I really do need to take some
23 instructions but I don't want to do that until he's
24 finished, in case that changes and I don't choose to do
25 that. The other part of that is what I foreshadowed that
26 I may ask Your Honour to do is relax the order for
27 witnesses order so that I can discuss some of the
28 evidence that's transpired in this court with some police
29 officers, at least one of whom will be a witness in this
30 case. It's awkward because of some of the issues that
31 have been raised, particularly in respect of Ms Gobbo and