

**Witness F\_20120810\_B**

DETECTIVE INSPECTOR O'CONNOR: Time is now 11.15, Friday the 10th of - 10th of August 2012. Detective Inspector John O'Connor about to ring Nicola Gobbo on her mobile phone.

(PHONE RINGS)

MS GOBBO: Hello.

DETECTIVE INSPECTOR O'CONNOR: Nic, John O'Connor.

MS GOBBO: Hi, how are you?

DETECTIVE INSPECTOR O'CONNOR: Good. Yourself?

WITNESS F: Had better days.

DETECTIVE INSPECTOR O'CONNOR: Have you?

WITNESS F: Had better - - -

DETECTIVE INSPECTOR O'CONNOR: How - - -

WITNESS F: - - - weeks, actually.

DETECTIVE INSPECTOR O'CONNOR: How's your health?

WITNESS F: I've got a new drug which is helping me to stay calm.

DETECTIVE INSPECTOR O'CONNOR: That's good. How's your leg?

WITNESS F: Yeah.

DETECTIVE INSPECTOR O'CONNOR: How's your leg going?

WITNESS F: Yeah, the leg's good. No - no new holes that I can see just yet.

DETECTIVE INSPECTOR O'CONNOR: And the surgeon did a good job. Did he?

WITNESS F: Yeah, yeah, he did. No, it looks - - -

DETECTIVE INSPECTOR O'CONNOR: Good.

WITNESS F: It looks - look, it's just another scar to add to my other 17.

DETECTIVE INSPECTOR O'CONNOR: Yeah. Not - - -

WITNESS F: But I'm - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: - - - all right.

DETECTIVE INSPECTOR O'CONNOR: But you - - -

WITNESS F: Yeah, look, I don't think about it that much, what your legs look like. It's not like I'm some kind of

model, for God's sake. Who cares?

DETECTIVE INSPECTOR O'CONNOR: No, I can - I can join you there. I'm not one myself so - - -

WITNESS F: No, I don't - I'm not fussed about those types of things. John, I'm reason - the reason I wanted to speak to you was two things.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: One was - I don't know - I presume you're aware of my significant involvement with Operation Briars?

DETECTIVE INSPECTOR O'CONNOR: The - which operation?

WITNESS F: Briars.

DETECTIVE INSPECTOR O'CONNOR: Briars, yeah. You'll have to give me a quick overview. I'm probably aware of - - -

WITNESS F: Well, when - you know how most of what I did was giving information rather than actually being tasked to do anything?

DETECTIVE INSPECTOR O'CONNOR: Yeah. This is when you - - -

WITNESS F: Yeah.

DETECTIVE INSPECTOR O'CONNOR: - - - had to relay - - -

WITNESS F: Over - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: Over the - over the years - I'm saying in - just as a general proposition, most of what I did was information rather than actually being tasked to do something.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: But Operation Briars was the exception to that. And there are a number of occasions when [REDACTED] asked me to convey certain things to Dave Waters and - - -

DETECTIVE INSPECTOR O'CONNOR: Who - - -

WITNESS F: ..... that - - -

DETECTIVE INSPECTOR O'CONNOR: Sorry, who - who asked you?

WITNESS F: [REDACTED]

DETECTIVE INSPECTOR O'CONNOR: [REDACTED] yeah, oh, yeah, yeah.

WITNESS F: [REDACTED] not - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: - - - [REDACTED]

DETECTIVE INSPECTOR O'CONNOR: Sorry, [REDACTED] to take stuff to

who?

WITNESS F: To - to - to convey certain information to - to  
Docket Waters.

DETECTIVE INSPECTOR O'CONNOR: Oh, yeah, Docket Waters, yeah.

WITNESS F: Yep. And then as far as I understand from [REDACTED]  
whatever the - there's certain things on occasions he was  
asking me to raise or to tell Dave Waters - - -

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: - - - then resulted in Waters saying or doing  
things that then lead to some kind of evidence against  
him in relation to the vampire murder.

DETECTIVE INSPECTOR O'CONNOR: The - yeah, whatever the  
.....

WITNESS F: Chartres-Abbott.

DETECTIVE INSPECTOR O'CONNOR: Chartres-Abbott, yep.

WITNESS F: Yeah.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: And - and they looked - and look, John, I don't  
know - you know, if you tell me to go and tell Joe Blow  
A, B, and C, I don't know the significance of why I'm

telling them A, B, and C.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: What it means in terms of the investigation, I don't know. I just get asked to say something and I go and do it.

DETECTIVE INSPECTOR O'CONNOR: Yeah, yeah, yep.

WITNESS F: And - and that's what happened over time with Operation Briars.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: What I'm concerned about now is I had left it on the basis that the draft statement - nothing ever happened in relation to finalising it.

DETECTIVE INSPECTOR O'CONNOR: So you - so you've - - -

WITNESS F: .....

DETECTIVE INSPECTOR O'CONNOR: - - - made a - you - you made a draft statement. Did ya?

WITNESS F: Yeah, to Ron Iddles. And it was left on the basis that a number of dates needed to be checked by the investigators and they were gunna get back to me. But nothing ever - you know, nothing ever happened in relation to that. And that wasn't part of any settlement

or anything else. So I just wonder where things are at with that. And - and secondly - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: - - - now that people have been charged with it and there'll be a prosecution and there'll be subpoenas, am I in some danger of - or can someone make sure please that I don't get exposed to any kind of extra danger?

DETECTIVE INSPECTOR O'CONNOR: Yeah, all right. Well, I'll - I don't - I don't know much about Briars except what I've read in the papers so - and I - they've obviously charged some bloke.

WITNESS F: Yeah, they charged the - they charged Mark Perry. Mark Perry is the guy that's hiding in Thailand.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: And he is the guy that ordered the murder, but - and [REDACTED], who he's actually ..... for, is the guy who did the murder, physically did the murder.

DETECTIVE INSPECTOR O'CONNOR: Right.

WITNESS F: And the guy that's fronting court this morning is also involved in the planning of it.

DETECTIVE INSPECTOR O'CONNOR: All right.

WITNESS F: So - and look, I - and I'm not asking you and nor -  
frankly, nor do I care if these people are deciding to  
assist police or whatever. All I wanna know is, you  
know, when I last spoke to Ron Iddles it was kind of up  
in the air as to whether - it was Ron Iddles and  
Steve - - -

DETECTIVE INSPECTOR O'CONNOR: .....

WITNESS F: - - - Waddell from the ESD.

DETECTIVE INSPECTOR O'CONNOR: Oh, yeah. When was - - -

WITNESS F: And it - - -

DETECTIVE INSPECTOR O'CONNOR: - - - that?

WITNESS F: - - - was - this - - -

DETECTIVE INSPECTOR O'CONNOR: Was that - - -

WITNESS F: - - - was July - not - oh, sorry, May 2010.

DETECTIVE INSPECTOR O'CONNOR: O.K.

WITNESS F: Or May 2009. May - no, May 2009.

DETECTIVE INSPECTOR O'CONNOR: May 2009, all right, yeah.

WITNESS F: Yep. And it was - it's quite a lengthy draft  
statement but I just - you know, at - Dave said at the



time, look, we're a long way off being able to actually charge anyone. But - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: And - and now all of a sudden it's happened. I just wanna know what my position is.

DETECTIVE INSPECTOR O'CONNOR: Yeah, yeah, all right. I'll - I'll - I - I - well, I haven't got the answers, Nicola, so I'll - - -

WITNESS F: No, no, no, I - - -

DETECTIVE INSPECTOR O'CONNOR: No.

WITNESS F: I didn't think you would. But this is something that only you can find out from - you know, from the relevant people. The other thing I wanted to alert - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: - - - you to is - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah, O.K., yeah.

WITNESS F: - - - in relation to Paul Dale.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: I found out as of yesterday - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: - - - that he has retained a team of lawyers at a -  
at a cost of \$12,600 per day for his trial starting on  
the 16th of September.

DETECTIVE INSPECTOR O'CONNOR: What's his trial for?

WITNESS F: This is the ACC charges.

DETECTIVE INSPECTOR O'CONNOR: O.K., yeah.

WITNESS F: And when he had his committal in November last year  
he was crying poor and he had a really cheap junior  
barrister. Like, you know, 500 buck a day job.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: Now as of - as of last week he's retained a QC, a  
junior, and a solicitor at a total cost of 12 and a half  
grand a day.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: So - - -

DETECTIVE INSPECTOR O'CONNOR: When's his - - -

WITNESS F: - - - maybe he's decided - - -

DETECTIVE INSPECTOR O'CONNOR: When's his - - -

WITNESS F: - - - to use up the drug money that he stole, I dunno.

DETECTIVE INSPECTOR O'CONNOR: When's his trial?

WITNESS F: Anyway, the - - -

DETECTIVE INSPECTOR O'CONNOR: When's - - -

WITNESS F: .....

DETECTIVE INSPECTOR O'CONNOR: - - - his trial, Nicola?

WITNESS F: Pardon?

DETECTIVE INSPECTOR O'CONNOR: When's the trial, in September?

WITNESS F: September the 16th.

DETECTIVE INSPECTOR O'CONNOR: 15th, yep.

WITNESS F: And don't worry, John, I intend to be there.

DETECTIVE INSPECTOR O'CONNOR: Do you?

WITNESS F: I am not gunna - I tell you this, that - this is what I needed to tell you - two things - hang on, sorry, can hear the lawnmower's pretty loud. The QC that he has retained to act for him is Paul Holdenson QC.

DETECTIVE INSPECTOR O'CONNOR: Paul Hollison?

WITNESS F: Yep.

DETECTIVE INSPECTOR O'CONNOR: Don't know him, yeah.

WITNESS F: Yeah, so do I. You know why I know him, John?

DETECTIVE INSPECTOR O'CONNOR: No, I don't know him so - - -

WITNESS F: No, I said you know why I know him?

DETECTIVE INSPECTOR O'CONNOR: Why?

WITNESS F: Because he acted for me in relation to Paul Dale.

DETECTIVE INSPECTOR O'CONNOR: Oh.

WITNESS F: He gave me advice. He was retained to act for me through a solicitor, I paid him a lot of money and he acted for me last year in relation to this very issue. It is a fucking outrage that he's now acting for Dale.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: I have rung the Commonwealth DPP this morning and told them - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah?

WITNESS F: - - - he - he ought not be involved in acting for Dale. And I'm gunna put a formal complaint into the Victorian Bar about him. It's just wrong.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: And the other thing is that at the committal last year they - the - the prosecution called Detective Senior Sergeant Tim Argall to give evidence for the prosecution. Part of his evidence - and I only know this from a mate of mine who's a journalist because no-one else tells me anything.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: But part of Senior Sergeant Tim Argall's evidence is that he came to see me on a couple of occasions with Paul Dale - - -

DETECTIVE INSPECTOR O'CONNOR: Who?

WITNESS F: - - - and that - - -

DETECTIVE INSPECTOR O'CONNOR: Yeah, Argall, yeah.

WITNESS F: Yep. And that those - and that those meetings were legally professionally privileged and they related to legal matters. That is utter garbage. It is a complete and utter lie, total perjury.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: And I'm not gunna - I - I can tell you this, John, I am not gunna sit back in three weeks' time when this trial starts and that kind of evidence is given in the supreme court and then reported in the newspaper.

DETECTIVE INSPECTOR O'CONNOR: Mm. This - it'll get some press, yep.

WITNESS F: It's gunna get a massive amount of press.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: And I'm not gunna have it reported in the media, a senior sergeant like him giving evidence and saying, yeah, well, you know, she did the wrong thing 'cause it was all legally privileged and we - we went and saw her to get legal advice.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: Because the Victorian Bar's considering taking action against me because of the fact that they say they're concerned about the - at least the media reporting of the fact that I haven't acted properly. Because if they - if - if there's any suggestion that - you know, that I was acting for Dale or I gave him advice and I've then, you know, spoken to the police about what he told me - - -

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: - - - they say I've acted inappropriately and breached privilege. Now, nothing's - nothing's further from the truth. But, of course, all they've got to go on is what's in the media and what's reported, which is Dale saying, she was acting for me, it's all privileged, and Tim Argyle who's a current Senior Sergeant serving member who says the same thing. And I will not let that be said and - - -

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: - - - not have my say about it.

DETECTIVE INSPECTOR O'CONNOR: Yeah. Well, that's a matter - that's - yeah, that's a matter for you. And thanks for ringing me but - - -

WITNESS F: I know. And I'm just letting you - - -

DETECTIVE INSPECTOR O'CONNOR: No, no.

WITNESS F: - - - I've - I've - - -

DETECTIVE INSPECTOR O'CONNOR: I appreciate you - - -

WITNESS F: - - - told the - - -

DETECTIVE INSPECTOR O'CONNOR: I appreciate - - -

WITNESS F: No, I'm - - -

DETECTIVE INSPECTOR O'CONNOR: - - - that you do.

WITNESS F: - - - just letting you know I've told the Commonwealth DPP that - that if they proceed down the path of calling a witness that I am - I said to them, not only am I saying to you that he's perjured himself - I said, I have written to the chief commissioner of police and told him that in writing.

DETECTIVE INSPECTOR O'CONNOR: Mm.

WITNESS F: And they said, what response did you get? I said, nothing, no response. Of course they - he doesn't bother to respond to me about things like that.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: They said, when was the letter? I said, way - six months ago.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: But I said, if - if you call that man and he gives that evidence, I will be standing on the steps of the supreme court having my say. Because I'm not gunna let this happen to me again.

DETECTIVE INSPECTOR O'CONNOR: Yeah. Well, that - that's - that's something for you. I'll - I'll come back to you - - -



WITNESS F: But you - and I did also say to them, you - you people reassess the position in terms of danger to me. Because the bottom line is my view hasn't changed. Call me to give evidence. I'll - I'm not gunna - I - John, as scared as I am, I'm not gunna sit back and let this bloke get away with murder.

DETECTIVE INSPECTOR O'CONNOR: Mm, yeah. Well, what - I'll - I'll make some inquiries in relation to the Operation Briars stuff. But in relation to the Dale matter, well, that's - thanks for telling me that but that's a - a matter for you to - to - if you so choose to do that. But I'll - are you - you're a - - -

WITNESS F: I'm only - listen, I'm only letting you know because - - -

DETECTIVE INSPECTOR O'CONNOR: No, no, I appreciate you - - -

WITNESS F: - - - my - - -

DETECTIVE INSPECTOR O'CONNOR: - - - letting me know.

WITNESS F: - - - because my safety is your responsibility. Or not yours personally, but your organisation's. And, yeah, they - they said, we'll make a decision, but the DPP makes the decision based on what Victoria Police are telling them, that's what they told me this morning. So they need to know, and I'm just letting you know as a courtesy that's my position. I am not gunna have this

happen to me all over the media and let a serving member tell lies in the supreme court and get away with it. He's done it once, I've complained to Victoria Police about it, nothing's happened. I'm not gunna let it happen again.

DETECTIVE INSPECTOR O'CONNOR: Yeah. Can I come back to you next week, Nicola?

WITNESS F: Yeah, of course.

DETECTIVE INSPECTOR O'CONNOR: Yeah.

WITNESS F: Of course.

DETECTIVE INSPECTOR O'CONNOR: All right. Have a good weekend.

WITNESS F: I'm painting, John.

DETECTIVE INSPECTOR O'CONNOR: Oh. Well, it can't be - well, I - I suppose - what, inside or outside?

WITNESS F: Both.

DETECTIVE INSPECTOR O'CONNOR: Oh. Well - - -

WITNESS F: Both.

DETECTIVE INSPECTOR O'CONNOR: Well - - -

WITNESS F: I tell you what, it's not a - it's not a bad thing

to do for - - -

DETECTIVE INSPECTOR O'CONNOR: Quite therapeutical.

WITNESS F: - - - for - yeah, it is really therapeutic.

DETECTIVE INSPECTOR O'CONNOR: Therapeutic, sorry, not  
therapeutical. Therapeutic, yeah. So, yeah, well,  
in - - -

WITNESS F: I won't be able to wash my hair tomorrow 'cause I  
can't move my arms up above my shoulders for five minutes  
.....

DETECTIVE INSPECTOR O'CONNOR: Yeah. Well, enjoy the painting  
and I'll - I'll give you a call next week.

WITNESS F: Yeah, that'd be great. Thanks very much.

DETECTIVE INSPECTOR O'CONNOR: Take care, see you, bye-bye.

WITNESS F: O.K., see ya.

END OF CALL

DETECTIVE INSPECTOR O'CONNOR: Time is now 11.28 pm. End  
recording.

END OF RECORDING