

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

NAME: Nicola GOBBO

STATES:

My name is Nicola GOBBO. I am a barrister.

I first met Paul DALE sometime in 2002. He was then a Detective Sergeant at the MDID and I was a barrister. My first dealings with him were on the basis of me representing people who had been charged with drug offences either by him or members of his crew. I may have met him prior to 2002, as he reminded me that I met him in relation to Operation LORIMER, as at one stage I acted for Bendali DEBS. I am unable to specifically recall meeting or speaking to him in relation to that investigation/prosecution.

Until late September 2003 when the burglary was committed on the house in Oakleigh (which was under investigation in Operation GALOP), my dealings with Paul were entirely to do with court cases in which I was involved.

I first met Terry HODSON when I appeared for his son Andrew HODSON at his bail application over drug charges in early 2002. Andrew had been referred to me via Tony MOKBEL. Terry attended the County Court for Andrew's bail application which is where I first met him.

During 2002 I represented numerous accused who had been charged with drug offences in relation to their bail applications and subsequent prosecutions. It became apparent to me from clients' instructions that Terry HODSON was involved in their investigations and offending in the capacity of a police informer. At that time it was widely known within the circle of lawyers acting for the offenders charged as a result of Terry HODSON being a Police informer, and by the accused themselves, that Terry HODSON was a Police informer.

After Terry HODSON was arrested for the Operation GALOP burglary, it is my belief that he was interviewed and released without being charged. After Terry's release, Andrew called me and asked me to meet him and his father at the Celtic Club in the city. I believe this meeting occurred on 1 October 2003. We had a general

discussion in relation to the allegations Terry faced and I believe Terry informed me that DALE was involved in the burglary. I have located a file note dated 1 October 2003 from the meeting at the Celtic Club, a copy of which I have provided to investigators. In that file note Terry HODSON told me that DALE was involved in the burglary and also asked me to pass on a message to DALE.

In October 2003 after the Operation GALOP burglary, but before Paul was arrested and charged with the burglary, Paul called me and invited me out for a drink. I have checked my 2003 diary and have a note on 9 October stating "Paul DALE O'Connells". I believe from this diary entry it was 9 October 2003 that I went to O'Connells for drinks with Paul. We met at O'Connells Hotel in South Melbourne. I was on my guard as I hadn't been out with Paul socially previously and I was unsure what the purpose of Paul's invitation for drinks was; I knew that Paul was aware that I had been contacted by the target of that investigation and his co-accused (as Paul was in fact the member who facilitated the accused contacting a lawyer on the night of their arrest). On that night we drank together. My meeting with Paul was entirely social.

On one other occasion after the O'Connells Hotel night but before the date of his suspension I met Paul at O'Connells Hotel for a cup of coffee during the day. I believe that it was before I went to Thailand. I left Australia on the evening of 16 October 2003. Paul told me that he was going to make a note in his diary of meeting with me, in case he was ever asked about the purpose of meeting me. I don't know why he said that or wanted to make a note, but he was by that stage suspicious of being under surveillance by Police over the Operation GALOP burglary.

I recall that sometime around that initial meeting with Terry and Andrew I received a call from Peter DESANTO. DESANTO called me to discuss Terry making a statement to ESD. I don't really know what the purpose of DESANTO's call was.

After the first meeting I had with Terry and Andrew at the Celtic Club, I had a further two or three meetings with Terry. I recall Andrew was present on at least one other occasion. Terry believed he would be charged with the burglary and drug offences and he sought advice about making a bail application if he was charged as well as his options as an accused. At one of those meetings we discussed issues specific to

any future bail application. Terry also mentioned to me that he wanted to meet with Paul DALE. He wanted to meet Paul because he said he regarded Paul as "a friend" and he wanted to make sure Paul was alright. I told Terry that I would speak to Paul on his behalf and facilitate a meeting between them if he wanted me to arrange one. I did not actually arrange any meeting between Terry and Paul. I can't recall now exactly why I didn't arrange a meeting. It may have been because Terry was subsequently arrested and I hadn't been able to arrange the meeting before hand, or, because Terry didn't ultimately instruct me to facilitate the meeting. At one of my meetings with Terry he asked me to pass on a message to Paul that everything would be alright. I passed that message on to Paul. I can't remember whether I passed the message on to Paul on the phone or in person and exactly when I did it. Terry also told me during one of our meetings that he had lied to Police during his initial record of interview. He also told me that on the night of the burglary he had parked a BMW several blocks away near a school and that Police had found either a beanie or a balaclava in the boot of his car and I think he also mentioned a gun being found. He also told me that he and Paul had had a discussion sometime prior to the burglary about planning to commit the burglary together. I am unsure at which of the subsequent meetings I had with Terry it was that we discussed these issues. Terry sought advice about making a statement to ESD and we discussed the issues surrounding making a statement. I didn't know whether Terry had made a statement to ESD at that time, as he did not specifically tell me, however I recall that I arranged for him to attend ESD at the World Trade Centre Police complex.

I am unable to recall the date but on an occasion after the Operation GALOP burglary but prior to Paul's arrest (for the burglary), Paul spoke to me and was desperate to find out whether Terry had made a statement implicating Paul in the burglary. I didn't know and I told Paul this. I did not inform Paul about my contact with ESD on Terry's behalf.

I first met Carl WILLIAMS sometime in late 2002 or early 2003. I met him through Tony MOKBEL who became a client of mine in early 2002. I appeared for Carl in a bail variation in late December 2003 and I also represented him at a Committal Mention following his arrest on a charge of threatening to kill a police officer, Stuart BATESON. I don't believe I have actually represented Carl on any other date. On some occasions when I would meet with Tony, Carl would be present. Carl referred

people that he knew to me, to act for them. One of the people for whom I appeared was Carl's father George. By early 2004 I was briefed to appear for George WILLIAMS in relation to his drug manufacturing charges and I had a lot more contact with Carl then as he was often present with his father when I had conferences with George.

On the morning of 5 December 2003 Paul was arrested over the Operation GALOP burglary. Paul rang me on the morning of his arrest, asking me to act for him. I told him that I would contact Tony HARGRAVES, because Paul needed a solicitor at that point in time and not a barrister. Paul asked me to come and see him in the Custody Centre; I attended upon him there and informed him that I may be unable to act for him because of a conflict of interest. The reason for this was that by that time I had appeared for as well as given advice to other accused who had been charged with the Operation GALOP offences and I had also given legal advice to Terry HODSON in relation to his arrest. I contacted Tony HARGRAVES and subsequently Tony became Paul's solicitor.

A couple of days after Paul's arrest Paul called me from Port Phillip prison. Paul wanted to know whether I could appear for him at his proposed bail application. On Sunday 14 December 2003 I went to Port Phillip prison and visited Paul. He specifically requested that I appear for him at his bail application and I advised him that I could not. Paul gave me some hand written notes which I subsequently provided to Tony HARGRAVES. During that visit Paul mentioned to me that Carl WILLIAMS' daughter Dakota was being christened that day. Paul asked if I was going to the christening party and I told him that I was going later that day. Paul told me that if he was not in jail he would have gone to the christening and he didn't care what the Police thought. This was the only occasion where I have spoken to Paul in a strictly professional capacity and provided him with legal advice.

Paul subsequently made a bail application and was granted bail. It was sometime shortly before Christmas 2003. I didn't attend his bail application. After he was released on bail he rang me to say thankyou for seeing him in custody and asked me if I was intending to bill him for the visit. I told him not to worry about it. Paul also invited me to a party at his house to celebrate his release from prison. I didn't go to the party.

In 2004 prior to HODSON's murder Paul and I went out for dinner on two or three occasions. On these occasions Paul and I had dinner alone. On a couple of other occasions, we went out for drinks. On those occasions there were other people who were friends of Paul's present. I remember Tim ARGALL was present on at least one occasion and also other Police officers named Steve BEANLAND and Denis LINEHAN. During those occasions when Paul and I were drinking, Paul would ask me questions about what was happening with the accused charged in relation to the Operation GALOP investigation. I can remember that Paul on one occasion asked me whether Azzam AHMED had made a statement to the police about the theft of money and/or drugs during the burglary. I told him that AHMED had not.

My understanding of the relationship between Carl WILLIAMS and Paul DALE changed over time. In my initial dealings with Paul over the various bail applications when Paul was still at the MDID I don't think I even knew that he and Carl had a relationship. I subsequently became aware that they had some form of relationship as I became aware that [REDACTED] was known to both Carl and Paul and [REDACTED] with which [REDACTED]. I don't know whether I was told that Paul and Carl [REDACTED] or if that was the impression that I had. I subsequently [REDACTED] that Paul had given information to Carl about a drug lab in Rye, which was Operation MATCHLESS. My understanding was that Carl was involved in supplying the chemicals to that lab and that Paul had tipped Carl off that the lab was under investigation by the Police. I am uncertain as to precisely when [REDACTED]

[REDACTED] told me that. At the time I saw Paul at Port Phillip Prison, I believe I had some knowledge of an association between Carl and Paul. I did not know the specifics of their relationship, but I suspected it was a corrupt relationship because there was no other reason that I was aware of for Paul and Carl to associate together. Based on my [REDACTED] with [REDACTED] I am able to say that I do not think I learned about Paul telling Carl about Operation MATCHLESS from [REDACTED] until after the HODSON murders.

During the second half of 2003, Carl [REDACTED] and Tony all from time to time spoke to me individually about things that they had heard regarding Police investigations. I didn't know at the time who they were getting their information from but it was obvious that

a Police member was providing information to them about Police investigations. I don't know whether it was the same Police member speaking to Carl, [REDACTED] Tony, or if they were speaking to different members.

Azzam AHMED was granted bail on the Operation GALOP charges on 22 December 2003. At some time around late February or March 2004 AHMED gave me mobile phones to use to communicate with him. He gave me more than one phone and over time between his release on bail and his subsequent arrest in August 2004 he gave me several different phones. AHMED gave me phones in order that he could communicate with me without fear of the calls being intercepted by Police. AHMED was using phones in names other than his own. I don't know specifically what name or names the phones were registered in and I don't know what the phone numbers were. I never connected any of the phones, he just gave them to me. I believe that AHMED had access to these phones through someone he knew who had a phone shop. I don't believe that either the phones I was using or AHMED was using were registered legitimately to him. It was a situation where AHMED would give me a phone and I would use it and then AHMED would give me another phone and take the other one back to his contact at a phone shop. There were occasions when I might have one phone from AHMED and some other times I may have had two phones from AHMED at the same time.

The Police have asked me if I know a place called "Mojo's Pizza" in Port Melbourne. I am familiar with this shop and on occasions I would have ordered pizzas from there on the phone. The Police have asked me whether I know a place called the "R Bar Restaurant". The "R Bar Restaurant" is in Beach Road, Port Melbourne and I have been there several times. I have no specific memory of calling the "R Bar", but it is quite likely that I have called there on occasions. The Police have asked me whether I know a person named Stephen CAMPBELL. Stephen is a person I know and have called on occasions. I have called him on both his mobile phone and on his home phone. I may have used the phones AHMED gave me to call these people and places.

Sometime after AHMED provided me with these mobile phones, but before the HODSON's were murdered Paul asked me whether I had access to another mobile phone that he could contact me on. He was becoming increasingly paranoid about

Police surveillance and he wanted to talk to me on a phone that was not intercepted. Paul asked me this in person. By the time that Paul asked me this I had received the phones from AHMED and I assumed they wouldn't be intercepted. I gave Paul the phone numbers for the phones that AHMED had given me. It was a situation that I would update Paul with a phone number each time AHMED changed the mobile phone he gave to me. I knew that Paul had more than one phone. Paul provided me with a mobile number for me to call him on. I can't remember whether he told me the number or SMS messaged it to me. I assumed the phone number Paul wanted me to communicate with him on was in a name that couldn't be readily linked to him. Paul also had more than one mobile phone number which I communicated with him on, but I believe he didn't use more than one phone at a time. What I mean by this is that he had one phone number and then swapped it for a new phone number periodically. I think that most of my communication with him was via SMS. Most of the communications I had with Paul on those phones related to Paul asking about the Operation GALOP situation, in particular what AHMED and Abbey HAYNES were saying and whether they had made statements and also what evidence had or hadn't been served in their Briefs of Evidence. Communications also related to what was being said about whether money and/or drugs had been stolen during the Operation GALOP burglary. Paul also wanted to know how widely known it was that HODSON was an informer. He also wanted to know what rumours were getting around regarding the leaked IRs which related to HODSON. Paul denied any involvement in the leaking of those IRs to me. Paul also asked me on occasions how Carl was and to pass on his regards to Carl.

The Police have played me a recording of a telephone call. The Police have informed me that the call occurred on 27 February 2004 at 9.14 p.m. I believe it was an incoming call. I recognise the voices of Carl WILLIAMS and myself. I have checked my 2004 diary and I have a note on that day that I had arranged to meet Paul for a drink at 7.00 p.m. The note in my diary has a line through it. I'm not sure if the line through the note means there was a change in time from 7.00 p.m. I don't think the line means the meeting was cancelled, because in that case I would have completely scribbled out the entry.

The Police have played me a recording of a telephone call. The Police have informed me that the call occurred on 27 February 2004 at 10.54 p.m. I believe the

call was an incoming call. I recognise the voices of Carl WILLIAMS, myself and Paul DALE. It is my belief that Paul and I were out having drinks together on that night. Having listened to this second call it is my belief that the comment I made to Carl in the earlier call that Carl was supposed to catch up with his "other advisor" is a reference to Paul DALE. It would appear that I was mindful of not saying Paul's name on Carl's phone, as Carl always assumed his phone was being intercepted. The reason I have referred to Paul as Carl's "other advisor" is because by that time I was aware of Carl and Paul having some form of relationship, which in my view was inappropriate.

The Police have played me a recording of a telephone call. The Police have informed me that the call occurred on 2 May 2004 at 9.37 p.m. I recognise the voices of Paul DALE and George WILLIAMS.

The Police have played me a recording of a telephone call. The Police have informed me that the call occurred on 2 May 2004 at 10.41 p.m. I recognise the voices of Paul DALE and George WILLIAMS.

I have checked my 2004 diary and I have a note on 2 May 2004 "Depot Paul". I have been to the Depot with Paul DALE on one occasion. I recall that on that day he had been to the football, I think at the MCG. I remember that on that date he sent me a lot of SMS messages and also called me late in the afternoon. He was drunk and at a pub somewhere in Richmond and because he was drunk he couldn't tell me exactly where he was. I went to Richmond and located him at a pub. It was a pub on a corner a few blocks away from the Depot, which was located on the corner of Swan Street and Cremorne Street. I don't know the name of the pub where I collected him but I could find it again if I drove past it. I parked my car and went into the pub and met Paul and then we drove to the Depot. I can't remember how long we stayed at the Depot for but I drove him home.

The Police have played me a recording of a telephone call. The Police have informed me that the call occurred on 4 May 2004 at 4.51 p.m. I believe it was a call I received. I recognise the voices of Carl WILLIAMS and myself. During that call we arrange to meet the following day.

On 5 May 2004 I met with Carl WILLIAMS and George WILLIAMS. I have checked my 2004 diary and on 5 May I have a note "1 p.m. Carl and George W". I believe the meeting took place in a coffee shop next door to the County Court called Café Martini. I had previously met Carl and George there on numerous occasions.

Having refreshed my memory by listening to the calls I have referred to above, and also by reading the diary entries referred to above, I can say that during the meeting I had with Carl and George WILLIAMS on 5 May 2004 I told Carl that Paul wanted Carl to contact him to arrange to meet with him. I can not recall specifically, but I believe that Paul had asked me to pass a message on to Carl to contact Paul, while we were at the Depot on 2 May 2004. The meeting took place with Carl and George on 5 May 2004 for a number of other legal reasons and me passing the message on to Carl (to contact Paul) was incidental to the meeting. I have no specific memory of providing Carl with an address or a phone number for Paul on that date. I recall telling Carl on one occasion that Paul was working in the western suburbs somewhere, digging trenches on a building site, but I'm not sure whether I told Carl this at that meeting. I did not know why Paul wanted to meet Carl and it wasn't my business to ask.

Sometime in the week before the murder of the HODSON's, Paul called me and invited me to go to Bendigo with him for that weekend. He told me he was going to Bendigo with a group of friends, but he didn't say specifically who was going. I declined his invitation.

I first became aware that Terry and Christine HODSON had been murdered on Sunday evening, 15 May 2004 when I received a call from Andrew at approximately 6.10 p.m. Andrew told me that his parents had been murdered. He told me he was at his parent's house. He told me he had tried to call solicitor James VALOS unsuccessfully and then called me. He asked me whether I had a phone number for Peter DESANTO. I called DESANTO to get his permission to give his mobile number to Andrew. I think I then called Andrew back and gave him DESANTO's mobile number.

When Paul was arrested and questioned after the HODSON murders, Paul did not call me for advice. I spoke to him within a few weeks of his arrest, but I can't be more

specific with the date. Paul professed his innocence but never specifically sought legal advice.

I also bumped into Paul whilst on holidays in Bali by sheer chance on one occasion. I believe it was in March 2005. Paul was with his wife and son and I was with my sister. We had dinner as a group.

On Sunday 30 November 2008 I received an SMS from Paul asking to catch up. He indicated to me that he was in Melbourne. I responded that I was unavailable on that day. Paul replied that he would be in Melbourne for a party the following weekend. Paul subsequently arranged to meet me on Sunday 7 December 2008. On Sunday 7 December 2008, I met with Detective Senior Sergeant Shane O'CONNELL and Detective Senior Constable Cameron DAVEY from the Petra Taskforce. I was handed covert recording devices by O'CONNELL which I activated in the presence of O'CONNELL and DAVEY. I then left and drove to the corner of Richardson Street and Victoria Avenue, Albert Park where I met Paul at a coffee shop. We sat at a table and spoke outside. After I had spoken to Paul for some time, his wife Ditty arrived and joined us, along with their children. At the end of the conversation with Paul I left and drove back to O'CONNELL and DAVEY where I deactivated the covert recording devices in their presence and returned the devices to O'CONNELL. I have listened to a copy of the recorded conversation and I can identify the voices of Paul DALE, his wife Ditty and myself. The recording I have listened to is an accurate recording of the entire conversation I had with Paul on that day. At no time during this meeting and also in the SMS messages to arrange the meeting was it my opinion that the purpose of the meeting was for me to provide any legal advice to Paul. In fact it became apparent to me after the meeting that Paul wanted to meet me to inform me that he had been questioned at an ACC hearing and to inquire whether or not I had been summonsed to a hearing, or to inform me that I might be summonsed, and if I was questioned to be consistent with what he told the hearing.

I have never been briefed by any solicitor to act for Paul DALE. I attended upon him at the Custody Centre and Port Phillip prison at his request to inform him that I could not act for him and that he needed to retain a solicitor. I have never received any legal retainer from Paul DALE, directly nor from any solicitor on his behalf.

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

Nicola GOBBO

Statement taken and signature witnessed by me at an undisclosed location on
at

Cameron DAVEY
Detective Senior Constable 29012

I hereby acknowledge that this statement is true and correct and I make it in the belief that a person making a false statement in the circumstances is liable to the penalties of perjury.

Nicola GOBBO

Acknowledgment taken and signature witnessed by me at an undisclosed location
on at

Cameron DAVEY
Detective Senior Constable 29012

Non-PDF and Non-Image File

Document ID: VPL.0002.0001.0924

Page Number: 12

Page Label: TXT

File Name: VPL.0002.0001.0924.txt