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ROYAL COMMISSION INTO THE MANAGEMENT  
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Thursday, 22 August 2019

Led by Commissioner:           The Honourable Margaret McMurdo AC

Also Present

Counsel Assisting:	Mr C. Winneke QC Mr A. Woods Ms M. Tittensor
Counsel for Victoria Police	Ms R. Enbom Ms K. Argiropoulos
Counsel for State of Victoria	Mr T. Goodwin
Counsel for Nicola Gobbo	Mr P. Collinson QC Mr R. Nathwani
Counsel for DPP/SPP	Mr Jeffrey
Counsel for CDP	Ms C. Fitzgerald
Counsel for Police Handlers	Mr G. Chettle Ms L. Thies
Counsel for John Higgs	Ms C. Dwyer
Counsel for Faruk Orman	Ms S. Wallace
Counsel for Pasquale Barbaro	Mr C. Wareham
Counsel for AFP	Ms I. Minnett

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09:37:53 1 COMMISSIONER: Yes, I note the appearances are largely as  
09:37:56 2 for yesterday, save that we have Ms Fitzgerald for the CDP  
09:38:09 3 this morning. Otherwise I think - and for the DPP I've got  
09:38:14 4 Mr Jeffrey, is that right?

09:38:16 5  
09:38:17 6 MR JEFFREY: Yes.

09:38:17 7  
09:38:17 8 COMMISSIONER: Yes, all right then. I think the  
09:38:19 9 transcription services are working now. Everything's ready  
09:38:22 10 to go? Yes. Mr Collinson.

09:38:25 11  
09:38:26 12 MR COLLINSON: Commissioner, can I just mention,  
09:38:29 13 potentially by way of encouragement, that I can almost  
09:38:34 14 guarantee I'll finish with this witness tomorrow. The  
09:38:38 15 topics that I'll be doing today with this witness include  
09:38:42 16 finishing off [REDACTED]. I take it we're in private  
09:38:46 17 session at the moment, are we?

09:38:46 18  
09:38:47 19 COMMISSIONER: Yes, we're continuing in private session  
09:38:50 20 with the orders made yesterday afternoon still in place.

09:38:52 21  
09:38:53 22 MR COLLINSON: Yes. I'm not saying I'll necessarily take  
09:38:55 23 the whole of tomorrow but I think it's the case that I'd be  
09:38:59 24 going into tomorrow. The topics after [REDACTED] are the  
09:39:05 25 story about the risk to Ms Gobbo's life over the period of  
09:39:10 26 being an informer, her health over that period, the Dale  
09:39:14 27 story and OPI. Those are the main matters.

09:39:14 28  
09:39:21 29 Commissioner, I have absorbed your comment yesterday  
09:39:27 30 and taken it on board. I have to say, however, that with  
09:39:33 31 each of these stories they are, of course, very complex and  
09:39:37 32 we feel for our part that sometimes a certain slant has  
09:39:41 33 been put on events with which we would disagree and we feel  
09:39:44 34 it's necessary to go through the stories and we're also  
09:39:50 35 minded to go through those stories on a warts and all basis  
09:39:55 36 because it's quite obvious that Ms Gobbo hasn't covered  
09:39:58 37 herself in glory with these stories as well. I don't want  
09:40:03 38 to add to those submissions at the moment but I'm  
09:40:07 39 endeavouring to avoid documents that Mr Winneke has already  
09:40:11 40 gone to but there are a lot that he hasn't.

09:40:11 41  
09:40:14 42 COMMISSIONER: Yes. Yes, there's a huge amount of  
09:40:16 43 documentation. But the story's already been partly told so  
09:40:21 44 if you are able to précis it as you go through that would  
09:40:27 45 be greatly appreciated. For the sake of this witness and  
09:40:29 46 for the sake of the progress of the Commission it would be  
09:40:32 47 very good if we could finish with him this week.

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09:40:37 1 Mr Chettle says there's no chance.  
09:40:40 2  
09:40:40 3 MR COLLINSON: There's just no chance. I think I'm hearing  
09:40:41 4 three to four days from my learned friend Mr Chettle as his  
09:40:45 5 estimate. It needs to be borne in mind, of course,  
09:40:49 6 Commissioner, that counsel assisting has been 14 days with  
09:40:53 7 this witness.  
8  
09:40:54 9 COMMISSIONER: Yes, I think that was in the hope that  
09:40:56 10 perhaps others might be shorter because it was fairly  
09:40:59 11 comprehensive.  
09:41:00 12  
09:41:01 13 MR COLLINSON: Yes. Certain themes have been run or  
09:41:02 14 explored, to be fair.  
15  
09:41:04 16 COMMISSIONER: All right. Let's just get on with it then.  
09:41:06 17  
09:41:07 18 MR COLLINSON: Yes, let's just get on with it.  
09:41:09 19  
09:41:11 20 <SANDY WHITE, recalled:  
09:41:15 21  
09:41:16 22 MR COLLINSON: Mr White, can I ask you please to go to  
09:41:20 23 p.231, which is ICR 25. You'll see that [REDACTED] says at  
09:41:47 24 about point 2 he's been very, he's very worried that he's  
09:41:53 25 been followed by the police earlier today, first words  
09:41:56 26 were, "We're fucking burnt", do you see that?---Yes.  
27  
09:41:59 28 And then there's a story where it would appear that  
09:42:03 29 [REDACTED] - some police cars were in fact surveilling  
09:42:09 30 [REDACTED], no doubt as part of this exercise in pursuing  
09:42:13 31 the [REDACTED] You remember that?---Yes.  
32  
09:42:18 33 Over the page at 232 at point 5 you can see recorded there  
09:42:25 34 that Ms Gobbo became very stressed about this situation and  
09:42:30 35 somewhat exasperated that the police had somewhat  
09:42:35 36 incompetently exposed themselves in their cars, do you see  
09:42:40 37 that?---I do. Yes.  
38  
09:42:48 39 Then over at 233 do you see at point 8 of the page Ms Gobbo  
09:42:53 40 starts to speculate that [REDACTED] may be busy because he's  
09:42:58 41 looking for a new [REDACTED] for [REDACTED]?---Yes.  
42  
09:43:13 43 Then over at 243 you'll see at the foot of the page that it  
09:43:27 44 says at about point 8 that [REDACTED] was going to that  
09:43:31 45 particular location to spend the day [REDACTED] so it would  
09:43:34 46 appear he was in fact [REDACTED] ---Yes.  
47

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09:43:39 1 Then in the last two lines there's some information that  
09:43:44 2 Ms Gobbo had garnered apparently from him which assisted in  
09:43:50 3 locating where [REDACTED] was?---Yes, that's right.  
4

09:44:08 5 Over at 244 at point 7 of the page about this time [REDACTED]  
09:44:19 6 appears to have been located and Ms Gobbo, if one looks at  
09:44:24 7 point 6 of the page, is starting to feel, as she says it,  
09:44:29 8 sick from disclosing that location and communicates that to  
09:44:38 9 the handler?---I'm not sure [REDACTED] had actually been  
09:44:45 10 located.  
11

09:44:46 12 Yes, okay. Over at 245, point 9 of the page, again  
09:44:50 13 Ms Gobbo expresses that she feels sick, guilty and stressed  
09:44:56 14 over what she has said and I think she seems to understand  
09:45:02 15 that information she has disclosed has at least assisted  
09:45:07 16 the police to locate [REDACTED]---Can you direct me to  
09:45:14 17 whereabouts on that page again?  
18

09:45:16 19 Yes, point 9 on p.245?---Yes.  
20

09:45:30 21 Then over the page, 246, do you see at point 5 of the page,  
09:45:35 22 12.01, more expressions of guilt from Ms Gobbo?---Yes.  
23

09:45:43 24 At point 6 of the page, somewhat - well at the same time  
09:45:52 25 [REDACTED] is saying things like [REDACTED] to Ms Gobbo,  
09:45:57 26 which no doubt makes her feel even worse, do you see  
09:45:59 27 that?---Yes.  
28

09:46:03 29 Page 247, point 6 of the page, more expressions of guilt  
09:46:13 30 from Ms Gobbo?---Yes.  
31

09:46:20 32 Is this something you recollect at all around this time?  
09:46:24 33 There seem to be a lot of references in the ICRs to  
09:46:27 34 Ms Gobbo suddenly feeling pretty awful about the course of  
09:46:31 35 conduct in which she's engaged which is about to lead to  
09:46:36 36 the arrest of [REDACTED] Does that come back to you at  
09:46:39 37 all?---It does in a general sense.  
38

09:46:43 39 I think it might have even been there was some suspicion,  
09:46:47 40 wasn't there, that those expressions of guilt by Ms Gobbo  
09:46:53 41 caused some suspicions by the police that perhaps she  
09:46:58 42 wasn't willing to fully assist by disclosing the location  
09:47:02 43 of [REDACTED] on an earlier occasion, is that something you  
09:47:05 44 recollect?---No.  
45

09:47:11 46 Then at p.248, I think that's shaded in grey, but at point  
09:47:24 47 3 that's the occasion when [REDACTED] is in fact

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09:47:28 1 identified?---Yes.  
2  
09:47:41 3 Going to p.250, can I take you to point 4 of the page  
09:47:53 4 there. You can see that Ms Gobbo gives some advice that in  
09:48:00 5 order for ██████████ to roll he has to, I don't know whether  
09:48:07 6 there's any inhibition on me continuing to read, but  
09:48:11 7 believe that other ██████████ have also been arrested because  
09:48:14 8 of his fear of them, and also suggests a soft approach. So  
09:48:18 9 she gives advice as to how the police should approach  
09:48:24 10 persuading ██████████ to cooperate with the police?---Yes.  
11  
09:48:30 12 And further down at point 7 you can see that as reported by  
09:48:36 13 Ms Gobbo ██████████ has said that he has ██████████ to make  
09:48:42 14 things right for those relatives he identifies and he had  
09:48:50 15 once said he'd give them a certain sum which he hasn't been  
09:48:54 16 able to do. Then if I could take you to p.258. This is  
09:49:06 17 the day when ██████████ and ██████████ are arrested and they're  
09:49:15 18 arrested at ██████████, aren't they?---Yes, I think so.  
19  
09:49:29 20 You were asked some questions by Mr Winneke about the  
09:49:36 21 attitude that the police took to Ms Gobbo's proposal that  
09:49:42 22 she attend to effectively assist in causing ██████████ to  
09:49:53 23 choose to cooperate with the police and give evidence  
09:49:55 24 against others, remember being asked those  
09:49:59 25 questions?---Yes.  
26  
09:50:01 27 Mr Winneke played you I think quite a long excerpt from an  
09:50:07 28 audio transcript of that subject matter being  
09:50:14 29 discussed?---Yes.  
30  
09:50:23 31 The references I've taken you to disclose, don't they, that  
09:50:29 32 at this time Ms Gobbo had become much more than just a  
09:50:36 33 barrister representing ██████████ she'd effectively become  
09:50:42 34 a close personal friend and, from ██████████'s perspective,  
09:50:49 35 a ██████████, do you agree with that?---Yes, I do.  
36  
09:50:54 37 So what I wanted to suggest to you is it really must have  
09:50:59 38 always been obvious to the implementation of SDU's plan  
09:51:07 39 that Ms Gobbo attend to advise ██████████ in relation to  
09:51:14 40 whether or not he should cooperate with the police?---We  
09:51:20 41 certainly were aware that that was a distinct possibility.  
42  
09:51:25 43 Because given the emotional relationship between ██████████  
09:51:32 44 and Ms Gobbo and her status as a well-known criminal  
09:51:36 45 barrister, also acting for him on another charge, it would  
09:51:45 46 be inevitable, wouldn't it, that he would - well, nothing's  
09:51:49 47 inevitable but there would be very strong prospects of

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09:51:53 1 [REDACTED] accepting Ms Gobbo's advice to cooperate?---Yes.  
2  
09:52:00 3 Do you accept now with the benefit - just to roll back for  
09:52:05 4 a moment. I mean the reality is you've said when coming  
09:52:09 5 along to give evidence and doing your statement you really  
09:52:14 6 hadn't had a look at the written record in the ICRs and  
09:52:17 7 other documents for a long time; is that right?---Yes.  
8  
09:52:23 9 Now Mr Winneke and I have taken you through perhaps  
09:52:25 10 different aspects of the lead-up to the arrest of [REDACTED]  
09:52:29 11 but do you now accept that DSU didn't really raise any  
09:52:38 12 objection to Ms Gobbo attending to give advice to [REDACTED]  
09:52:42 13 as to what he should do following his arrest?---No.  
14  
09:52:46 15 You still say that DSU was raising objections, do you?---I  
09:52:53 16 do. She was well aware we didn't want her to be there and,  
09:52:57 17 as I said, we had discussions, excuses to try and get her  
09:53:00 18 away from it.  
19  
09:53:04 20 Are you able to identify anywhere in the written materials  
09:53:10 21 where that strong advice is given to Ms Gobbo not to attend  
09:53:14 22 at the police station to advise [REDACTED] ---I don't know  
09:53:19 23 where it is in the materials and I'm relying a bit on what  
09:53:24 24 Mr Winneke showed me. There's references in my notes to  
09:53:27 25 realising that that's a possibility and to warning the  
09:53:30 26 investigators about it. There's - I know that I told her  
09:53:34 27 she can't be involved with him and she basically said,  
09:53:37 28 "Whether you like it or not I'm going to do it". But in  
09:53:42 29 relation to where that is, I can't assist you there other  
09:53:47 30 than what Mr Winneke's already brought to my attention.  
31  
09:53:51 32 One can contrast the story pertaining to [REDACTED] to, for  
09:54:01 33 example, Tony Mokbel much later in the story where I can  
09:54:04 34 see throughout the ICRs the SDU basically telling Ms Gobbo  
09:54:10 35 on no account should she act for Tony Mokbel. There's  
09:54:14 36 about - - - ?---Yes.  
37  
09:54:18 38 - - - 10 or 12 or more references, do you recall  
09:54:20 39 that?---Yes.  
40  
09:54:21 41 But Mr Chettle will no doubt take you to them if they exist  
09:54:25 42 in the ICRs. I really can't see anything in the ICRs at  
09:54:29 43 least that records, in the lead-up to Ms Gobbo attending at  
09:54:35 44 the police station, SDU telling her not to. Do you think  
09:54:47 45 it'll be there?---Well it should be there. It may well be  
09:54:54 46 the case that after that occurred we were a lot more  
09:54:57 47 switched on to trying to stop her doing those sort of

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09:55:00 1 things and that's why you see it reinforced a lot more  
09:55:04 2 heavily later.  
3  
09:55:04 4 Yes. Isn't that the reality? The reality of this story, I  
09:55:08 5 suggest, is that no one had this very well planned because  
09:55:13 6 this goes to the fact that Ms Gobbo, as events unfolded,  
09:55:20 7 was much more than just an informer giving information, she  
09:55:23 8 became a legal actor, and the moment she became a legal  
09:55:30 9 actor, in particular advising some of these people who get  
09:55:33 10 arrested as to what to do, in particular to roll against  
09:55:38 11 the Mokbels, immediately her life is at extreme risk. Do  
09:55:42 12 you agree with that?---Certainly the issue of her attending  
09:55:50 13 at the police station when [REDACTED] was arrested presented  
09:55:56 14 huge problems immediately after that, and then she felt she  
09:56:06 15 had to [REDACTED] to [REDACTED] about whether she'd actually  
09:56:10 16 been there on that night and that created a real issue for  
09:56:14 17 us.  
18  
09:56:18 19 To be fair to the police, I think you might have even used  
09:56:23 20 a similar expression, this was really a learning exercise,  
09:56:26 21 wasn't it? You realised by Ms Gobbo turning up on this  
09:56:29 22 particular occasion what a disastrous move that was in  
09:56:35 23 terms of how to use her as an informer?---It certainly  
09:56:41 24 highlighted it but my notes, and I'm sure the evidence I've  
09:56:45 25 already given, shows that we weren't completely ignorant of  
09:56:49 26 that possibility. I think probably we were fairly ignorant  
09:56:55 27 of the fall out to her safety.  
28  
09:56:58 29 Yes?---And how that manifested itself.  
30  
09:57:01 31 Yes. I don't want to suggest it's all your fault.  
09:57:09 32 Ms Gobbo was very familiar with the Mokbels, she ought to  
09:57:12 33 have foreseen that undertaking this role would create this  
09:57:17 34 risk to her, you'd accept that I take it?---She would have  
09:57:26 35 foreseen the risk, yes, I think so.  
36  
09:57:32 37 Again, there doesn't seem to be, prior to the event  
09:57:37 38 occurring, that I can see, any discussion about risk to  
09:57:39 39 Gobbo life as a result of this visit to the police  
09:57:47 40 station?---No, as I said, I don't know that we actually  
09:57:50 41 considered the issue of what it would mean, what the fall  
09:57:59 42 out of her actually getting involved after the arrest and  
09:58:05 43 how that was going to be seen by the Mokbel clan.  
44  
09:58:09 45 Yes. I mean at a general level Ms Gobbo is very  
09:58:15 46 vulnerable, isn't she? If she wants to talk about  
09:58:20 47 something she'll ring up a handler, and we see page after

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09:58:23 1 page of Gobbo saying things, don't we?---Yes.  
2  
09:58:28 3 And I've taken you to some references, for example, where  
09:58:31 4 she expressed not once, but about six or so times, extreme  
09:58:37 5 feelings, or feelings of guilt about the fact that she'd  
09:58:40 6 played this role in [REDACTED], you recall  
09:58:43 7 those?---Yes.  
8  
09:58:45 9 So if anyone had been saying, "Oh, gee, what are we going  
09:58:49 10 to do next, there's this arrest coming up? Should I go  
09:58:54 11 down because there's a risk to my life because it'll be  
09:58:57 12 information that gets out", I suggest you'd just see it in  
09:59:03 13 the ICRs somewhere?---Again, I'm only relying on the  
09:59:06 14 material that Mr Winneke has placed before me but I think  
09:59:09 15 it's pretty clear that we were aware of the risks in terms  
09:59:13 16 of her representing somebody, that she shouldn't have, as a  
09:59:18 17 conflict of interest issue. I don't know at this time what  
09:59:26 18 we were thinking in regards to how that would actually pan  
09:59:30 19 out - as I said, I'm repeating myself - from a safety point  
09:59:35 20 of view, the issues that would arise out of it afterwards.  
09:59:41 21 I would have much preferred she'd gone to Bali when all  
09:59:45 22 this was about to happen.  
23  
09:59:47 24 Yes. Apart from the ICRs, if there were strong warnings to  
09:59:54 25 Gobbo that she should not attend on the arrest of  
09:59:58 26 [REDACTED], you'd expect to see that somewhere in the  
10:00:01 27 transcripts of the audios?---It should be.  
28  
10:00:10 29 So ultimately would you take the position that if there's  
10:00:15 30 nothing in the written record supporting strong warnings to  
10:00:18 31 Gobbo not to attend, that would suggest that those warnings  
10:00:22 32 weren't issued?---No, not necessarily. It would depend on  
10:00:30 33 the handler. Some handlers were better at recording every  
10:00:34 34 detail than others.  
35  
10:00:36 36 Right?---It probably would depend on when contact reports  
10:00:42 37 were prepared, whether they were done contemporaneously or  
10:00:45 38 not. But what I can say is that I'm confident that's  
10:00:51 39 what's in the contact reports is accurate. But in terms of  
10:00:55 40 it covers everything, I don't think I could really say  
10:00:58 41 that.  
42  
10:00:58 43 Yes. If I could take you to 262, point 8. Immediately  
10:01:12 44 after the arrest of [REDACTED] the plan is to - if he will  
10:01:19 45 cooperate with the police - [REDACTED]  
10:02:12 46  
10:02:20 47 Sorry, I'm still unsure about something. I'll have to

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10:02:38 1 do this delphically, sorry about that, Mr White. You're  
10:02:41 2 aware that there's a particular cooperation that [REDACTED]  
10:02:47 3 agrees to shortly after his arrest, do you follow what I'm  
10:02:50 4 raising with you?---Yes. Yes, I do.  
5  
10:02:56 6 The risks that are unfolding for Ms Gobbo are almost  
10:03:04 7 immediate, I suggest, because do you see that before that  
10:03:10 8 species of cooperation, which I'm compelled not to  
10:03:14 9 identify?---Yes.  
10  
10:03:15 11 It just happens that [REDACTED] rings Ms Gobbo, or  
10:03:18 12 sorry - yes, [REDACTED]. Do you see that at  
10:03:29 13 point 8 on p.262?---Yes.  
14  
10:03:32 15 And over at 263, point 3 on 263, Ms Gobbo wants to ring  
10:03:41 16 [REDACTED] to keep up appearances, do you see that?---Yes.  
17  
10:03:45 18 And that was - I think that was the correct decision for  
10:03:48 19 Ms Gobbo, wasn't it, it would be very odd for her not to  
10:03:53 20 respond to a call from [REDACTED]?---Yes.  
21  
10:03:58 22 Particularly because of the species of cooperation that  
10:04:02 23 [REDACTED] was about to embark upon?---Are you saying that  
10:04:13 24 would make it more important she keeps up appearances?  
25  
10:04:16 26 Yes?---Possibly.  
27  
10:04:20 28 Because as events unfolded, maybe Ms Gobbo didn't make this  
10:04:29 29 clear to you before the arrest, but one of her critical  
10:04:35 30 exposures was that as a soldier in the Mokbel Army she was  
10:04:39 31 expected to [REDACTED] if one of the  
10:04:45 32 [REDACTED], correct?---That's right.  
10:04:50 33 That's right.  
34  
10:04:51 35 That's the way they saw the matter, leaving aside what  
10:04:56 36 barristers are supposed to do or not do, that's how they  
10:05:00 37 saw it, wasn't it?---Yes, it was.  
38  
10:05:02 39 And so if [REDACTED] has rung immediately after [REDACTED]  
10:05:10 40 [REDACTED] and Ms Gobbo just doesn't respond, and then it  
10:05:20 41 comes to light later what has happened, then it's going to  
10:05:25 42 look even more suspicious for Ms Gobbo from the point of  
10:05:28 43 view of [REDACTED]?---Yes.  
44  
10:05:32 45 At the bottom of p.263, do you see point 9 of the page,  
10:05:40 46 somewhat astonishingly to my mind, Mr White, immediately  
10:05:45 47 after [REDACTED] of all people, a journalist,

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10:05:51 1 Darren Lunny calls asking about whether a person with that  
10:05:55 2 particular name, and who does that particular work, has  
10:05:58 3 been arrested, do you see that?---Yes.  
4

10:06:06 5 And that person calls Ms Gobbo. Did you ever find out how  
10:06:13 6 Mr Lunny could have possibly had this awareness?---I know  
10:06:19 7 that information was passed on to Jim O'Brien and I see on  
10:06:28 8 the next page there's a reference, "Crime Department  
10:06:33 9 Command to speak to Lunny and request silence in exchange  
10:06:37 10 for exclusive story when arrest made public".  
11

10:06:40 12 Yes?---And I think - my recollection is that one of the  
10:06:42 13 Crime Department officers did actually talk to him along  
10:06:46 14 those lines.  
15

10:06:50 16 That was a very bad event from Ms Gobbo's point of view, I  
10:06:54 17 suggest, because if information like that is spread then it  
10:07:03 18 just increases the risks to her that the Mokbels will  
10:07:10 19 rapidly find out that she was present at the police station  
10:07:14 20 when [REDACTED] was arrested?---That's right.  
21

10:07:17 22 It also raises a doubt, doesn't it, as to whether  
10:07:21 23 information that's conveyed to Purana or that's held within  
10:07:27 24 Purana, specifically the arrest of [REDACTED] can in fact  
10:07:30 25 be kept confidential?---Well it does. Obviously somebody  
10:07:44 26 must have given money for some sort of information.  
27

10:07:46 28 It would have to be logically someone within Purana,  
10:07:50 29 wouldn't it?---No, not necessarily.  
30

10:07:52 31 Well it would have to be a policeman?---It would have to be  
10:07:58 32 somebody from within the Crime Department.  
33

10:08:01 34 Yes?---It might have been higher than Purana. I have  
10:08:04 35 complete confidence in Jim O'Brien and his team in terms of  
10:08:10 36 their integrity and certainly this would have been the last  
10:08:14 37 thing they wanted when they were thinking about whether  
10:08:17 38 they could safely utilise [REDACTED] in the manner that  
10:08:21 39 you're aware of.  
40

10:08:22 41 Yes, all right. On p.265, point 3 of the page - - -  
42

10:08:26 43 COMMISSIONER: Just following up from that. You said it  
10:08:29 44 would have to have been higher. So there would be nobody  
10:08:33 45 lower than the Purana people in VicPol who'd have known  
10:08:38 46 about it?---Well there's all sorts of support services,  
10:08:42 47 Commissioner, and of course any of them I suppose could

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10:08:46 1 have done it. But certainly the Purana team wanted to  
10:08:51 2 utilise ██████████ in a particular way and the last thing  
10:08:55 3 they would have had anything to do with was potentially  
10:08:59 4 compromising that. But I'm simply just saying that above  
10:09:03 5 them is a Crime Department chain of command and I know from  
10:09:10 6 personal experience there's been leaks from within the  
10:09:13 7 Crime Department to the media over the years, plenty of  
10:09:18 8 policemen have had contacts with media. And often times  
10:09:24 9 it's the people at the bottom of the tree who get blamed,  
10:09:26 10 but I don't believe that's always the case.

11  
10:09:28 12 At this time can you remember where the chain went  
10:09:32 13 up?---This particular operation, no. You would have to ask  
10:09:41 14 Detective Inspector O'Brien who he was reporting.

15  
10:09:43 16 All right, thank you.

10:09:44 17  
10:09:44 18 MR COLLINSON: Yes. I mean to flesh that out slightly.  
10:09:47 19 When you have a relatively large arrest operation like that  
10:09:54 20 that occurred at ██████████ being ██████████ by ██████████  
10:10:02 21 and ██████████ you get a large number of police that turn up,  
10:10:07 22 don't you?---Yes.

23  
10:10:08 24 I mean maybe 20, 30?---You would have to talk to Mr O'Brien  
10:10:15 25 about this.

26  
10:10:15 27 Okay?---Because as you're aware there was another stage of  
10:10:20 28 this investigation plan that they had and so he may well  
10:10:24 29 have limited the number of people involved.

30  
10:10:26 31 Yes. But, for example, you bring along - I think there's a  
10:10:30 32 name, isn't there, for the people who carry weapons for the  
10:10:34 33 police, a specialist unit, I've forgotten their name -  
10:10:39 34 Special Operations, SOG, is that right? SOG I think came  
10:10:46 35 along to this event, to the arrest of ██████████?---I'm not  
10:10:50 36 sure.

37  
10:10:51 38 COMMISSIONER: I think that's going to have to be canvassed  
10:10:54 39 with Mr O'Brien.

40  
10:10:56 41 MR COLLINSON: Yes, of course. At p.265 you'll see at  
10:11:01 42 point 3 that ██████████, I won't say what it was, but you  
10:11:07 43 can see in relation to ██████████ that ██████████ engages in  
10:11:11 44 a particular activity there?---Yes.

45  
10:11:18 46 Then at p.266, point 6 of the page, you'll see that there's  
10:11:41 47 a relaying by Ms Gobbo of a discussion she's had with

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10:11:45 1 [REDACTED] who's asked about a particular program. Says  
10:11:48 2 arrest will happen later. Then she says, "Ms Gobbo  
10:11:54 3 explained to him about Gobbo explaining to [REDACTED]  
10:11:57 4 about conflict immediately after arrests. [REDACTED]  
10:12:01 5 understands implications for Ms Gobbo and becomes  
10:12:07 6 emotional". That's because [REDACTED] immediately  
10:12:12 7 apprehends, doesn't he, that the involvement of Ms Gobbo in  
10:12:19 8 advising him at the time of his arrest has created a great  
10:12:23 9 personal risk for Ms Gobbo?---I think that would be right.

10  
10:12:28 11 And what Ms Gobbo is desperately trying to do is to make  
10:12:34 12 [REDACTED] aware of that so that he doesn't communicate it  
10:12:37 13 to [REDACTED]?---That's logical. I'm not sure that you  
10:12:52 14 can take that from that particular sentence but - - -

15  
10:12:57 16 Yes. All right. Then on p.268, ICR 29, you'll see at  
10:13:15 17 point 6 of the page that [REDACTED] has just called Ms Gobbo and  
10:13:27 18 left a message and that causes her to raise whether or not  
10:13:31 19 he's been arrested yet because that's what's intended at  
10:13:36 20 this time, isn't it, that [REDACTED] will be  
10:13:40 21 arrested?---Yes. This occurred over a few days from what I  
10:13:50 22 recall.

23  
10:13:51 24 Yes?---So at this particular point in time I don't know  
10:13:55 25 where the investigators' strategy was.

26  
10:14:00 27 Right. Anyway, if you look at the next line though it  
10:14:03 28 says, "From Operation Purana he has not been arrested yet,  
10:14:08 29 discussed options and decided to have source make a call".  
10:14:12 30 It would seem that the handler spoke to Purana to find out  
10:14:16 31 whether [REDACTED] had yet been arrested?---Yes.

32  
10:14:20 33 And up above do you see at point 3 Ms Gobbo's started to  
10:14:25 34 express concern about [REDACTED] and the confrontation  
10:14:29 35 she expects from him, particularly when he works out that  
10:14:33 36 [REDACTED] was [REDACTED] before?---Yes.

37  
10:14:38 38 And she hadn't told him. The regularity of the calls from  
10:14:49 39 [REDACTED] one sees throughout the ICRs. Can you see a  
10:14:53 40 whole lot of coincidental calls are just happening not just  
10:14:57 41 at the invitation of [REDACTED] and not yet arising out of  
10:15:02 42 the arrest of [REDACTED], he's just, for some other reason,  
10:15:05 43 calling Ms Gobbo at this time. He doesn't know of his  
10:15:11 44 impending of course; does he?---No.

45  
10:15:14 46 Then p.269, I think that this is the occasion when in fact  
10:15:25 47 later in that same day [REDACTED] is arrested. Do you

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10:15:31 1 see it says at point 3 of the page under the 7 pm entry,  
10:15:39 2 "██████ did call the source and she asked to be put on to  
10:15:43 3 the police, they're at his house". Do you see that about  
10:15:47 4 point 3 of the page?---Yes.  
5  
10:15:48 6 And then a little further down you can see such as entries  
10:15:53 7 as about point 7, do you see at 9.45, "██████ called  
10:15:59 8 the source and said she was driving around ██████ as  
10:16:01 9 the police would not let her into the house until they had  
10:16:06 10 finished", do you see that?---Yes.  
11  
10:16:07 12 So ██████ is being arrested and ██████ is calling  
10:16:11 13 Ms Gobbo because Ms Gobbo's their trusted legal advisor, do  
10:16:16 14 you agree with that?---Yes.  
15  
10:16:22 16 Then over at 270 at point 3 of the page. It's at 11.25.  
10:16:36 17 There's a comment, ██████ said, "Tony Bayeh was a dead man".  
10:16:43 18 I'm not quite sure why he says that. But then, "██████  
10:16:46 19 is a dog and soon to be a dead man", do you see  
10:16:52 20 that?---Yes.  
21  
10:16:53 22 Further down at point 3, "█████, then said to the source  
10:16:56 23 that he hoped that she had not had sexual relations with  
10:17:01 24 ██████", and said that in a threatening manner?---Yes.  
25  
10:17:14 26 Did you ever meet ██████?---No.  
27  
10:17:18 28 But from the information you got through the ICRs I suggest  
10:17:23 29 to you it's apparent that he's a very dangerous man?---Yes.  
30  
10:17:27 31 He seems to have taken the view that just if Ms Gobbo had  
10:17:32 32 had sex with ██████, that that in itself would be  
10:17:37 33 something that she shouldn't have done given that he has,  
10:17:42 34 in the suspicion of ██████, played a role in the  
10:17:47 35 arrest of ██████, is that the correct interpretation?---Yes,  
10:17:50 36 I would say so.  
37  
10:17:53 38 Then we go to p.273. At point 2 of the page you'll see  
10:18:14 39 that Ms Gobbo makes a plan to see someone on the Saturday  
10:18:18 40 in prison, about point 3 of the page?---To see someone in  
10:18:31 41 the prison or to see ██████  
42  
10:18:34 43 Yes, ██████---Yes.  
44  
10:18:35 45 And she's going to take him some money, or intends  
10:18:43 46 to?---Yes.  
47

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10:18:45 1 Then over at p.275, down the foot of the page. The threats  
10:18:56 2 start immediately percolating to the surface for Ms Gobbo.  
10:19:01 3 There's a reference there, do you see Cosmo Kyoto?---Yes.  
4  
10:19:09 5 And it continues, "Is Renee and Milad Mokbel's solicitor.  
10:19:14 6 He's says Lanteri is causing grief because he is saying  
10:19:19 7 that Gobbo is as good as a dog and how dare Gobbo look  
10:19:19 8 after [REDACTED] Gobbo will tell Horthy to tell Lanteri to  
10:19:22 9 shut up". Immediately the criminal community seems to be  
10:19:28 10 aware that, leaving aside the more specific question as to  
10:19:33 11 whether Ms Gobbo attended at the police station on the  
10:19:38 12 arrest of [REDACTED] to advise him, they're aware that she's  
10:19:42 13 generally acting for him, yes?---Well they would have known  
10:19:48 14 that she was acting for him for the [REDACTED] matters.  
15  
10:19:52 16 They're angry about - I'm sorry, yes. They're aware, I  
10:19:59 17 suggest they're aware that she's acting for him - well I  
10:20:03 18 suppose it's ambiguous, isn't it, that reference, as to  
10:20:06 19 whether that's a reference to her acting for him on the  
10:20:12 20 [REDACTED] charge or the [REDACTED]?---Yes, and it might have  
10:20:15 21 been a reference just to her generally supporting or being  
10:20:18 22 a friend of his.  
23  
10:20:20 24 Yes. Then over at 276, point 3 of the page, you see the  
10:20:24 25 heading "Horthy Mokbel"?---Yes.  
26  
10:20:27 27 These are all Ms Gobbo reciting conversation she's having  
10:20:31 28 with people, aren't they, that we read here?---Yes.  
29  
10:20:35 30 And then Horthy is starting to ask at the time of that  
10:20:42 31 arrest, "And if Ms Gobbo thinks he was wired up. Ms Gobbo  
10:20:47 32 says doesn't know when he was arrested and probably wired.  
10:20:51 33 There was a fair bit of talk as to why Ms Gobbo was  
10:20:55 34 appearing for [REDACTED] before the family but he didn't ask  
10:20:59 35 Ms Gobbo [REDACTED]". Do you see  
10:21:04 36 that?---Yes.  
37  
10:21:04 38 Ms Gobbo's had to come out of the woodwork and lie to [REDACTED]  
10:21:10 39 by saying to him that she doesn't know when [REDACTED] was  
10:21:16 40 arrested, which obviously isn't the case?---That's right.  
41  
10:21:22 42 Then at 277 there's - at point 6 of the page, do you see  
10:21:35 43 that there's a paragraph commencing, "Has had a few phone  
10:21:39 44 calls", but if you drop down do you see it says about seven  
10:21:44 45 lines down, "[REDACTED] wants Ms Gobbo to act for [REDACTED].  
10:21:48 46 Was told cannot because [REDACTED], which they  
10:21:51 47 understand"?---Yes.

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1  
10:21:52 2 So Ms Gobbo seeks to excuse herself from acting for [REDACTED]  
10:21:59 3 by saying, "I can't do that because [REDACTED]  
10:22:03 4 [REDACTED]" and at this stage the  
10:22:09 5 [REDACTED] accept that. Sorry, do you agree with  
10:22:23 6 that?---Yes.  
7  
10:22:24 8 Maybe you said something. Yes, I'm sorry. Then if I can  
10:22:28 9 take you to p.280, point 3 of the page?---280.  
10  
10:22:38 11 You see the heading "Horty Mokbel"?---Yes.  
12  
10:22:42 13 I won't spend long on this because Mr Winneke went here.  
10:22:45 14 But Horty Mokbel came to Ms Gobbo's office, grabbed her by  
10:22:49 15 the throat and accused her of being a police informer, do  
10:22:55 16 you see that?---Yes.  
17  
10:22:57 18 When he calmed down he accused Ms Gobbo of helping police.  
10:23:01 19 Ms Gobbo doesn't know where this came from. He talked  
10:23:04 20 about something to do with video surveillance. That's a  
10:23:09 21 significant leap, isn't it, that the family - there's  
10:23:14 22 different layers of risk for Ms Gobbo but one risk is  
10:23:17 23 simply to act for [REDACTED], a more specific risk is to  
10:23:22 24 have advised him to roll. But of course being a police  
10:23:26 25 informer is, from the point of view of the Mokbels, the  
10:23:31 26 worst thing that could be levelled against Ms Gobbo?---Yes.  
27  
10:23:45 28 Then over to p.283. At point 2 of the page, "Ms Gobbo told  
10:23:55 29 [REDACTED] re [REDACTED] accusing Ms Gobbo of being an informer and  
10:24:01 30 said has lost some respect for [REDACTED]. [REDACTED] says can  
10:24:05 31 understand this, unless Ms Gobbo knew about [REDACTED] and  
10:24:08 32 didn't advise them", which is exactly what she's done,  
10:24:12 33 correct?---Yes.  
10:24:14 34  
10:24:16 35 [REDACTED] has a very good memory and remembers everything the  
10:24:21 36 police said to him through the arrest process. He's a bit  
10:24:25 37 embarrassed about the manner in which he was arrested",  
10:24:30 38 [REDACTED]. "Also believes he'll be  
10:24:34 39 charged in relation to [REDACTED]." Do you see in the  
10:24:37 40 next line he wants Ms Gobbo to tell his girlfriends not to  
10:24:42 41 write to him gaol. Ms Gobbo seems to undertake secretarial  
10:24:47 42 functions, as well as acting as a barrister?---Yes.  
43  
10:24:59 44 Back at 282, point 7 of the page under "DSU issues", you'll  
10:25:11 45 see Ms Gobbo is sounding depressed, and the handlers formed  
10:25:14 46 the view that that's due to the constant stress of the  
10:25:17 47 [REDACTED] situation. That's a reference, I suggest, to the

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10:25:21 1 risk to Ms Gobbo that [REDACTED] might disclose that  
10:25:25 2 Ms Gobbo advised him at the time of his arrest?---I think  
10:25:33 3 it's a lot broader than that.  
4  
10:25:39 5 Broader in what way?---I don't know that that's  
10:25:44 6 specifically relating to her concern that [REDACTED] might  
10:25:52 7 open up. I think at that stage she just had a constant  
10:25:55 8 concern that they were going to find out she was involved  
10:25:58 9 because, primarily because she hadn't actually rung [REDACTED]  
10:26:02 10 [REDACTED] when she saw [REDACTED] in the police station.  
11  
10:26:07 12 But it's essentially for the same thing, isn't it, she's at  
10:26:10 13 the police station to advise [REDACTED] and from the point  
10:26:13 14 of view of [REDACTED] that's a bad thing, but it's equally  
10:26:16 15 bad that she simply knows of [REDACTED] arrest and hasn't  
10:26:20 16 told them?---That's right.  
17  
10:26:26 18 Page 289. Do you see the heading [REDACTED] towards the  
10:26:39 19 bottom?---Yes.  
20  
10:26:40 21 It says that Ms Gobbo visited [REDACTED] today. He has  
10:26:44 22 heard from somebody identified there that Tony Mokbel has  
10:26:48 23 offered any amount of money to kill [REDACTED] and Ms Gobbo.  
10:26:59 24 That's fairly threatening information, isn't it?---Yes.  
25  
10:27:11 26 Then p.290 at point 6 of the page. There's a reference  
10:27:27 27 [REDACTED] see that?---Yes.  
28  
10:27:31 29 He's one of the people I think also arrested, isn't he,  
10:27:38 30 around this time?---I can't remember. He'd previously been  
10:27:44 31 arrested I think. I can't remember whether he was arrested  
10:27:46 32 on this occasion as well.  
33  
10:27:49 34 I'm not precisely sure of that myself. Someone will assist  
10:27:52 35 me I think. See, "He visits [REDACTED] on Saturday and he  
10:27:57 36 said that Horthy Mokbel may be in contact and is prepared to  
10:28:02 37 pay any amount of money for [REDACTED] to be killed.  
10:28:07 38 Ms Gobbo not specifically mentioned but he said", and  
10:28:09 39 that's Horthy, "Ms Gobbo must have known". So again that's  
10:28:15 40 pretty scary information?---Yes.  
41  
10:28:18 42 And over at 291, about point 3 of the page. "[REDACTED] says  
10:28:23 43 that if Ms Gobbo knew that [REDACTED] was arrested early and  
10:28:27 44 didn't [REDACTED] she will be dealt with. [REDACTED] told  
10:28:38 45 Flynn that he has to cover up", and then mentions some  
10:28:43 46 particular days there. "Dealt with" of course means  
10:28:48 47 probably murdered, doesn't it?---I would think so.

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1  
10:28:57 2 Standing where we are now, things have really gone off the  
10:29:02 3 rails, I suggest, haven't they, with permitting Ms Gobbo to  
10:29:08 4 have anything to do with the arrest of [REDACTED]?---Well,  
10:29:20 5 yes. But I've got a recollection that we had a discussion  
10:29:25 6 with Ms Gobbo where she could have said that she was at the  
10:29:29 7 police station that night on the basis of the fact that she  
10:29:40 8 - I have to get this right, it's a bit complicated. She  
10:29:46 9 could have told [REDACTED] that she didn't know that [REDACTED]  
10:29:50 10 was [REDACTED] [REDACTED]  
11  
10:29:59 12 I think we'll come to that, I think that's a little bit  
10:30:02 13 down the track, isn't it, that plan?---No, well my  
10:30:05 14 recollection is that she - we'd worked out that plan, it  
10:30:09 15 seemed fairly feasible, and then she felt that she had to  
10:30:14 16 lie to [REDACTED] about having any involvement. So that was the  
10:30:18 17 end of that plan. So she'd locked into a position that she  
10:30:21 18 actually was never there.  
19  
10:30:23 20 But - - - ?---Sorry, in answer to your question, the  
10:30:26 21 result's the same. Yes, this created a lot of risk for  
10:30:29 22 her.  
23  
10:30:29 24 But I don't think this plan for Ms Gobbo to say it was  
10:30:35 25 something about [REDACTED] someone other than [REDACTED], I  
10:30:38 26 don't think that was talked about prior to the arrest, was  
10:30:41 27 it?---No.  
28  
10:30:46 29 As the situation worsens for Ms Gobbo going forward, I  
10:30:49 30 think that's a plan that you have a discussion about with  
10:30:55 31 Ms Gobbo?---That's right. If she had have been able to say  
10:31:00 32 that she was there but didn't think she had to ring them,  
10:31:04 33 then a lot of these issues wouldn't have occurred.  
34  
10:31:06 35 Then p.298 at point 2 of the page. You'll see Ms Gobbo is  
10:31:20 36 now saying she's got no one to talk to re her personal  
10:31:24 37 stress, issues being a human source and life generally.  
10:31:33 38 That's at point 2 of the page?---I can see that.  
39  
10:31:39 40 My suggestion to you is that really from about - to the  
10:31:43 41 extent that there's measure of excitement that Ms Gobbo  
10:31:45 42 might feel about her role in being a human source up to  
10:31:49 43 about [REDACTED], 2006 when [REDACTED] is arrested, from here  
10:31:58 44 on for Ms Gobbo it's just an appalling life that she  
10:32:04 45 commences to lead because of her role as a human  
10:32:10 46 source?---Yes.  
47

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10:32:13 1 One can trace, I suggest, the descent of her personal  
10:32:18 2 health from around this time.  
3  
10:32:25 4 COMMISSIONER: Gosh, she'd already had a stroke and so  
10:32:28 5 forth before this point.  
10:32:29 6  
10:32:29 7 MR COLLINSON: Yes. I'm meaning in particular her  
10:32:31 8 psychological health really starts to track down steadily  
10:32:37 9 from around this time, right through to when she ceases to  
10:32:41 10 be a source?---Well, I don't - this certainly created  
10:32:53 11 additional stress in her life, that's pretty obvious. I'm  
10:32:57 12 not in a position to say whether this was the start of a  
10:33:01 13 steadily declining state of her mental health.  
14  
10:33:04 15 Yes. You do know, of course, though that by the time she's  
10:33:09 16 contemplating the absurd course of action of wearing a wire  
10:33:15 17 with Mr Dale, at that time she's talking about  
10:33:19 18 suicide?---Yes.  
19  
10:33:25 20 Prior to the arrest of [REDACTED], effectively she could  
10:33:30 21 have abandoned ship and just reversed out of being a human  
10:33:34 22 source, couldn't she?---Yes.  
23  
10:33:38 24 But once she's gone through this terrible idea of a visit  
10:33:44 25 to the police station to advise [REDACTED], effectively she  
10:33:49 26 becomes trapped, doesn't she, in the human source  
10:33:56 27 role?---No, I don't think that's right.  
28  
10:33:59 29 Put it this - - - ?---As I said in my previous evidence, we  
10:34:05 30 certainly had serious duty of care issues to attend to and  
10:34:09 31 so we had to maintain that relationship with her. But I  
10:34:13 32 wouldn't say she became trapped to the extent she could  
10:34:18 33 have simply not provided us any intelligence but just told  
10:34:22 34 us about ongoing threats.  
35  
10:34:24 36 Yes. I might have overstated it. But from this point she  
10:34:28 37 is permanently at risk in terms of her life, isn't she,  
10:34:36 38 having gone through the events pertaining to the arrest of  
10:34:38 39 [REDACTED]---Yes.  
40  
10:34:47 41 At point 5 of the page on p.298, you'll see in the last  
10:34:51 42 line of that large paragraph, "Ms Gobbo wants to check  
10:34:56 43 [REDACTED] statement and still wants to negotiate the best  
10:34:59 44 position for [REDACTED] as a client regardless of how he got  
10:35:03 45 into that position", do you see that?---Yes.  
46  
10:35:07 47 It is an astonishing set of events, isn't it, that Ms Gobbo

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10:35:12 1 has played a role in getting [REDACTED] arrested but wants  
10:35:20 2 to negotiate the best deal she can for him  
10:35:25 3 nonetheless?---Yes.  
4

10:35:25 5 It's fair to say, isn't it, that that would be linked to  
10:35:29 6 her feelings of guilt that she played this particular role  
10:35:33 7 in putting [REDACTED] in this situation?---That would have  
10:35:39 8 been a factor.  
9

10:35:43 10 If I can go then to p.312, ICR 33. At point 3 of the page  
10:36:06 11 you'll see opposite 6.40, "Called by Ms Gobbo. Ms Gobbo  
10:36:12 12 spent the day with [REDACTED] [REDACTED] again but  
10:36:17 13 resigned to the fact it cannot happen", do you see  
10:36:22 14 that?---Yes.  
15

10:36:29 16 That says something, doesn't it, about the psychological  
10:36:31 17 state of [REDACTED], that he thinks he can [REDACTED] to his  
10:36:35 18 barrister, [REDACTED] to his barrister?---I think it  
10:36:45 19 says more about the personal relationship that he felt he  
10:36:47 20 had with her.  
21

10:36:52 22 I think the evidence discloses, doesn't it, something about  
10:36:55 23 the psychological state of [REDACTED] and some of his  
10:37:00 24 particular difficulties?---I'm not aware at this point in  
10:37:07 25 time that he's got some - did you say psychological  
10:37:13 26 difficulties?  
27

10:37:14 28 Yes?---No, I'm not aware of that.  
29

10:37:16 30 All right. It's in the ICRs but I won't go back to it.  
10:37:20 31 Page 333, point 5 of the page. Do you see the heading "DSU  
10:37:35 32 issue"?---333, yes.  
33

10:37:43 34 It's been helpfully highlighted. But you can see at this  
10:37:46 35 point, this is 17 June of this year now, that "Ms Gobbo's  
10:37:52 36 very nervous and advice was given to her to exercise  
10:37:56 37 extreme caution from now on when dealing with Horty and his  
10:38:00 38 possible mistrust of Ms Gobbo. Ms Gobbo stated her  
10:38:04 39 credibility with Horty is still intact at the end of the  
10:38:07 40 day. Horty thinks that Ms Gobbo is all right as no one has  
10:38:12 41 rolled over". Then if I could take you to 356. You see  
10:38:43 42 the heading [REDACTED]?---Yes.  
43

10:38:48 44 It says at the third line, [REDACTED] may eventually work  
10:38:52 45 it out but at this stage trusts Ms Gobbo implicitly and  
10:38:56 46 wouldn't even consider Ms Gobbo being involved". Ms Gobbo  
10:38:59 47 is worried because she was present when that event occurred

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10:39:07 1 that would have indicated that that event described was  
10:39:11 2 happening at the time. At this point Ms Gobbo is living in  
10:39:17 3 this state of permanent fear really, isn't she, that at  
10:39:23 4 some point [REDACTED] may realise that in fact Ms Gobbo was  
10:39:31 5 undertaking - sorry, I withdraw that. At some point  
10:39:36 6 [REDACTED] might disclose the information that Ms Gobbo was  
10:39:41 7 present when he was arrested?---Yes.

8  
10:39:49 9 I'm not suggesting that anyone, although Horthy has raised a  
10:39:55 10 threat or suggestion that Ms Gobbo is a human source, but  
10:39:58 11 that kind of suggestion hasn't been made by [REDACTED], has  
10:40:00 12 it?---No.

13  
10:40:03 14 Then p.379. Do you see at point 7 of the page - I think  
10:40:29 15 this information - do you see the reference there "from DDI  
10:40:34 16 O'Brien"?---Yes.

17  
10:40:35 18 Does that indicate that this information is coming from him  
10:40:37 19 or from Ms Gobbo?---No, from DDI O'Brien.

20  
10:40:41 21 Yes. It's the case then, isn't it, that around this time,  
10:40:46 22 2 August 2006, Carl Williams writes a letter to the Law  
10:40:51 23 Institute and a judge saying that Ms Gobbo is in a sexual  
10:40:54 24 relationship with [REDACTED] and therefore not a proper  
10:40:58 25 person to act. "Carl also tried to discredit [REDACTED]",  
10:41:07 26 see that?---Yes.

27  
10:41:13 28 To your knowledge, I think I asked you this yesterday, but  
10:41:16 29 am I right to say that to your knowledge that's false and  
10:41:21 30 that Ms Gobbo was never in a sexual relationship with  
10:41:24 31 [REDACTED]---That's correct.

32  
10:41:28 33 But Ms Gobbo obviously becomes aware of this letter from  
10:41:34 34 Carl Williams to the Law Institute, doesn't she?---If you  
10:41:43 35 look further down that entry, the last sentence says,  
10:41:48 36 "Advised re Carl Williams letters as above".

37  
10:41:52 38 Yes, does that mean Ms Gobbo was advised, is that what that  
10:41:56 39 means?---I'm not sure whether she's advising the handler or  
10:42:00 40 the handler's advising her.

41  
10:42:03 42 Yes?---It's most likely to be she's advising the handler.

43  
10:42:07 44 Yes. So one way or another it evidences that Ms Gobbo  
10:42:15 45 becomes aware of the Carl Williams' letter?---Yes.

46  
10:42:18 47 At this point Ms Gobbo is acting for [REDACTED], in other

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10:42:24 1 words - perhaps I'll ask it differently. When Carl  
10:42:27 2 Williams is writing this letter, is it a letter that's  
10:42:30 3 saying that Ms Gobbo's not a proper person to act for  
10:42:36 4 [REDACTED]---I never saw the contents of the letter but I  
10:42:43 5 don't believe she was acting for [REDACTED] at this time and  
10:42:49 6 I can only go by the entry which I'm presuming this is - it  
10:42:57 7 says there Carl also trying to discredit [REDACTED] - - -  
8

10:43:06 9 COMMISSIONER: [REDACTED], thank you, Commissioner. I don't  
10:43:09 10 know whether it's all about that.

10:43:11 11  
10:43:11 12 MR COLLINSON: I think she was acting for [REDACTED] at this  
10:43:14 13 time, because remember I took you to some references that  
10:43:17 14 showed that that was the excuse she adopted for not acting  
10:43:21 15 for [REDACTED]---That's the excuse she adopted but my belief  
10:43:24 16 now is that she didn't represent him after his arrest,  
10:43:30 17 although she did appear at his remand hearing I think.

18  
10:43:33 19 Yes, all right. I go to this because you were taken, and  
10:43:39 20 I'll return to this when I come to the Dale subject matter,  
10:43:43 21 but one of the concerns Ms Gobbo has much later on at the  
10:43:50 22 time of the Dale matter, which I think is more 2008, is  
10:43:55 23 that Carl Williams has prepared a statement which in some  
10:44:00 24 way might say false things about her role or whatever in  
10:44:04 25 relation to the Hodson murders?---Yes.

26  
10:44:10 27 You can see here that Mr Williams has a track record,  
10:44:14 28 doesn't he, of making false statements about  
10:44:18 29 Ms Gobbo?---Yes, he does.

30  
10:44:21 31 Yet funnily enough Carl Williams, as we see in the story,  
10:44:27 32 is not at all resistant to the idea of getting advice from  
10:44:32 33 Ms Gobbo and occasionally rings her up for legal  
10:44:38 34 advice?---That's right. I don't know what was behind this  
10:44:43 35 letter.

36  
10:44:44 37 Yes. That's fine. Then if I could take you, please, to  
10:44:53 38 p.402. Point 7 of the page you'll see the reference to  
10:45:10 39 [REDACTED] a [REDACTED] to source"?---Yes.

40  
10:45:15 41 So in his mind he's continuing this [REDACTED] relationship  
10:45:18 42 with Ms Gobbo, isn't he?---Yes.

43  
10:45:22 44 Then over at 403 you'll see in the last paragraph,  
10:45:30 45 "Ms Gobbo has spoken to Tony Hargreaves at length about  
10:45:34 46 [REDACTED] matter", so I think you or someone else was right  
10:45:38 47 earlier, she drops out of acting for [REDACTED], doesn't

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10:45:42 1 she, and certainly at the level of a solicitor  
10:45:45 2 Mr Hargreaves commences to act for him?---Yes.  
3  
10:45:50 4 It continues, "Transcript not needed due to police  
10:45:53 5 methodologies and the risk of inconsistencies with his  
10:45:55 6 statements". That's a reference, isn't it, to the  
10:46:01 7 transcript of interview of [REDACTED] with the police on his  
10:46:05 8 arrest?---Well at this stage I guess there hasn't been any  
10:46:15 9 court action so it can't be court transcripts, so  
10:46:21 10 presumably it's his record of interview.  
11  
10:46:24 12 Yes. I think it is - - - ?---I'm not sure.  
13  
10:46:27 14 Yes, I think it is, and assuming it is, that reflects  
10:46:32 15 Ms Gobbo's concern, doesn't it, that if the legal advisors  
10:46:38 16 to [REDACTED] obtain a copy of the transcript, it might be  
10:46:43 17 revealed that [REDACTED] asked to speak to Ms Gobbo on his  
10:46:49 18 arrest?---That's true. I don't know that that's a problem  
10:47:01 19 for Tony Hargreaves.  
20  
10:47:04 21 No. The problem would be for Ms Gobbo because once it  
10:47:08 22 starts to get into the public domain in that way it could  
10:47:12 23 easily be information that comes to the attention of the  
10:47:15 24 Mokbels?---Ultimately, yes.  
25  
10:47:18 26 And that's where the risk to Ms Gobbo's life would  
10:47:22 27 come?---Yes.  
28  
10:47:26 29 Page 405, I think you were right to caution me earlier. Do  
10:47:31 30 you see in the last paragraph there's another reference to  
10:47:35 31 the Carl Williams complaint letter to the Ethics Committee  
10:47:39 32 and the Bar Council?---Yes.  
33  
10:47:41 34 And that appears to be objecting to Ms Gobbo acting for  
10:47:47 35 [REDACTED], not [REDACTED]?---Right, yes.  
36  
10:48:03 37 Then if I could take you to p.536. At point 6 of the page  
10:48:39 38 do you see the heading [REDACTED] or [REDACTED]"?---Yes.  
39  
10:48:47 40 [REDACTED] The fifth dot point records, I think it's  
10:48:51 41 correct to say, isn't it, information given by [REDACTED] to  
10:48:56 42 Ms Gobbo that [REDACTED] has stated to [REDACTED] that he wanted to  
10:49:00 43 teach [REDACTED] a lesson?---Yes.  
44  
10:49:04 45 At this point we have Milad in gaol, Tony Mokbel has  
10:49:13 46 disappeared overseas somewhere, and the main Mokbel out of  
10:49:19 47 gaol is Horthy; is that right?---Yes.

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1  
10:49:27 2 So the main threat to Ms Gobbo is from Horthy Mokbel at this  
10:49:34 3 point?---Yes.  
4  
10:49:41 5 Then if I could take you to p.602. At about point 2 of the  
10:50:12 6 page do you see a reference that is in fact [REDACTED] "Got  
10:50:20 7 five or six calls"?---Yes.  
8  
10:50:21 9 So Ms Gobbo is telling the handler, isn't she, that [REDACTED]  
10:50:24 10 [REDACTED] called her five or six times, "Very cross, does not want  
10:50:28 11 to speak to Bateson and he's telling everyone he's not on  
10:50:32 12 speaking terms with Gobbo. [REDACTED] concerned now for  
10:50:41 13 Gobbo's welfare and will not give evidence on drug matters.  
10:50:45 14 Told Gobbo to steer clear of Horthy, very worried". So  
10:50:51 15 either [REDACTED] is concerned about Ms Gobbo's welfare or  
10:50:55 16 she's very worried about her own welfare; is that  
10:51:01 17 right?---It seems to be saying that [REDACTED] is concerned  
10:51:04 18 for her welfare.  
19  
10:51:07 20 Then dropping a line you see the heading [REDACTED], "Has  
10:51:12 21 told that person that the source helped him that night he  
10:51:17 22 was arrested. [REDACTED] would have told [REDACTED] and the  
10:51:22 23 crew". So that's the terrible risk that Ms Gobbo was  
10:51:29 24 worried about has suddenly come to pass, hasn't it?---Yes.  
25  
10:51:34 26 I mean people in gaol have loose lips, lots of things are  
10:51:40 27 said when you're sitting there in gaol to fellow inmates,  
10:51:44 28 and this is one of them that happens to be very threatening  
10:51:47 29 for Ms Gobbo?---Yes. Was [REDACTED] in gaol at that time?  
30  
10:51:58 31 I don't know, but whether or not, whether he's visiting  
10:52:03 32 [REDACTED] or in gaol with him, it appears that [REDACTED]  
10:52:07 33 has given him that information. If I could take you,  
10:52:14 34 please, to 627. You'll see at the foot of the page, about  
10:52:28 35 point 9, you'll see she says, "Last night she had an idea  
10:52:37 36 [REDACTED] was assisting police and is worried over any fall  
10:52:41 37 out. Source worried also but has reached a level of peace  
10:52:45 38 over the issue and will deal with it if and when it  
10:52:48 39 happens. Source feels deep guilt over [REDACTED]'s position  
10:52:54 40 over money and how dependent he is on the calls to her".  
10:52:59 41 Then p.630, point 3 of the page, you'll see discussion by  
10:53:17 42 Ms Gobbo where she says - there's discussion the handler  
10:53:20 43 has with her over her ongoing guilt in relation to  
10:53:23 44 [REDACTED] and there's I think one of the early advices to  
10:53:31 45 see that particular psychologist and arrange an  
10:53:37 46 appointment. Do you see that?---Yes.  
47

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10:53:45 1 Then if I could take you to p.694. This is by now 13 March  
10:54:06 2 2007. You'll see that there's - at point 6 of the page  
10:54:24 3 there's quite a long discussion where Ms Gobbo airs some  
10:54:31 4 thoughts about being discovered as a human source, see that  
10:54:38 5 in the first dot point?---Yes, I do.

6  
10:54:41 7 You can see the next dot point but I won't read it out.  
10:54:45 8 She then raises this issue for her entire relationship with  
10:54:49 9 SDU. Ms Gobbo believes that there is a lot of police that  
10:54:54 10 is aware that she is a human source. General discussion  
10:54:56 11 about that. Discussion of some options. Discuss PII  
10:55:01 12 claims. "Ms Gobbo has not confidence in the security of  
10:55:08 13 the legal system and doesn't want judges and magistrates to  
10:55:11 14 know she is a human source. Ms Gobbo believes it is  
10:55:15 15 difficult to get around because there is an expectation on  
10:55:18 16 behalf of the Mokbels to inform them of these types of  
10:55:21 17 issues". Then at p.721 you'll see at the top of the page  
10:55:45 18 that Ms Gobbo has spoken to [REDACTED] Do you see  
10:55:56 19 that?---Yes.

20  
10:55:58 21 And [REDACTED] has told [REDACTED] that he thinks that  
10:56:05 22 Ms Gobbo is evil, see that?---Yes.

23  
10:56:13 24 I think I'm right to say, aren't I, that at this time  
10:56:18 25 [REDACTED] and [REDACTED] were [REDACTED]?---I  
10:56:21 26 think that is right.

27  
10:56:25 28 So these comments worry Ms Gobbo a lot, don't they, because  
10:56:36 29 if [REDACTED] sees Ms Gobbo in those terms then there's  
10:56:40 30 clearly a much greater risk that he might disclose her role  
10:56:45 31 in advising him in the police station on his arrest?---Yes.

32  
10:56:55 33 And there's some reference to that at p.735?---Can you bear  
10:57:13 34 with me for one second, Mr Collinson?

35  
10:57:18 36 Yes?---I have that.

37  
10:58:00 38 You'll see the heading "Welfare" towards the top of the  
10:58:04 39 page?---Yes.

40  
10:58:04 41 "Ms Gobbo feeling depressed and in tears at times.  
10:58:08 42 Concerned why [REDACTED] is upset and the possible  
10:58:11 43 consequences of [REDACTED] not being on side." That's a  
10:58:16 44 reference, isn't it, to the risk that he might tell the  
10:58:19 45 Mokbels, or anybody, and it comes to the attention of the  
10:58:21 46 Mokbels that she advised him at the time of his  
10:58:27 47 arrest?---Yes.

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1  
10:58:28 2 Lower down at point 7 of the page under the heading  
10:58:31 3 "Solicitor 1", do you see the second dot point, "Ms Gobbo  
10:58:36 4 is concerned about the existence of recordings, i.e.  
10:58:39 5 ██████████ transcripts that will highlight her involvement"?  
10:58:46 6 Do you see that?---Yes.  
7  
10:58:58 8 I won't dwell on this because Mr Winneke went through it,  
10:59:03 9 but there's always a very high risk, isn't there, that the  
10:59:10 10 process of redaction of transcripts for PII won't be  
10:59:15 11 successful and that the transcript will reveal Ms Gobbo was  
10:59:18 12 present at the police station when ██████████ was  
10:59:21 13 arrested?---Yes.  
14  
10:59:24 15 But it doesn't seem that anyone thought about that prior to  
10:59:29 16 the arrest of ██████████?---No, I don't think so.  
17  
10:59:37 18 Then over at 741 it suddenly appears, if one looks at the  
10:59:49 19 heading - well, it's ██████████, about point 3 of the  
10:59:55 20 page. You see it says, ██████████ has stated that he is  
11:00:00 21 looking after Ms Gobbo", then there's a reference to this  
11:00:07 22 ██████████ that Mr Winneke asked you about. Then lower down do  
11:00:12 23 you see it says, ██████████ ██████████ ██████████ called Ms Gobbo  
11:00:19 24 last night and told Ms Gobbo that ██████████ - better  
11:00:26 25 strike that first name I might have mentioned - "doesn't  
11:00:31 26 have any problems with Ms Gobbo". I think that what starts  
11:00:36 27 to emerge, isn't it, is that ██████████ is pretending to  
11:00:44 28 reject Ms Gobbo because if it becomes apparent that, you  
11:00:53 29 know, through her visits to the gaol or telephone calls  
11:00:56 30 that ██████████ might have with Ms Gobbo that there's a  
11:01:00 31 friendly relationship there, that that will be seen  
11:01:04 32 negatively by the Mokbels?---I don't know about that.  
33  
11:01:13 34 You don't have a recollection of that being ██████████'s  
11:01:17 35 plan?---No.  
36  
11:01:33 37 I think it's revealed, Mr White, at the bottom of p.738.  
11:01:46 38 You'll see Detective Sergeant Flynn, if I'm not too far  
11:01:52 39 ahead of you, it's under the heading "SDU management  
11:01:57 40 issues"?---Yes.  
41  
11:01:58 42 You'll see, "Detective Sergeant Flynn has spoken to  
11:02:02 43 ██████████ stated that he was no longer talking  
11:02:06 44 to Ms Gobbo for her own safety. ██████████ stated that he  
11:02:11 45 was aware of the threats being received by Ms Gobbo.  
11:02:17 46 ██████████ was concerned that Ms Gobbo was talking to people  
11:02:21 47 that she should not have been talking to". That really

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11:02:27 1 seemed to be what [REDACTED] was attempting to achieve, do  
11:02:33 2 you see that?---Yes.  
3  
11:02:34 4 Then p.747 - or rather it begins at the bottom of 646. Do  
11:03:03 5 you see there's a reference to Milad's committal  
11:03:06 6 mention?---Yes.  
7  
11:03:09 8 And a discussion that Ms Gobbo has with the handler about  
11:03:13 9 affidavits from Mr Coghlan in sealed envelopes. "3838  
11:03:18 10 concerned about the contents of same being discovered by  
11:03:21 11 the defence", do you see that?---Do I see that? Yes.  
12  
11:03:30 13 Then at the top of the page, 747, "3838 again mentions  
11:03:35 14 concerns about her involvement in the rolling of  
11:03:38 15 [REDACTED]"?---Yes.  
16  
11:03:43 17 At point 5 of the page you'll see references to the  
11:03:51 18 violence that Horthy Mokbel is capable of. "3838 stated  
11:03:54 19 that she wouldn't like to be alone with Horthy when he finds  
11:03:58 20 out that Ms Gobbo saw [REDACTED] on [REDACTED].  
11:04:02 21 Doesn't think there is anything that Ms Gobbo can say that  
11:04:04 22 will save Ms Gobbo. Horthy grabbed Ms Gobbo in street, very  
11:04:10 23 aggressive, veins popping. Very angry re Tony Bayeh.  
11:04:15 24 Horthy has an explosive temper". Then there's some  
11:04:25 25 scenarios being talked about where Gobbo might be able to  
11:04:32 26 try to explain why she didn't [REDACTED] to [REDACTED] that  
11:04:36 27 she was present when [REDACTED] was [REDACTED], and I think  
11:04:40 28 there's a number of these but this one is, "Discuss  
11:04:44 29 possible scenarios re scared of [REDACTED] reaction, for  
11:04:47 30 example. 3838 states [REDACTED] won't care what Gobbo says.  
11:04:53 31 Because he is in custody re [REDACTED] [REDACTED], they  
11:04:56 32 are blaming [REDACTED], therefore they will blame Ms Gobbo".  
11:05:00 33 There seems to be some discussion that a possible excuse  
11:05:03 34 Ms Gobbo might proffer for [REDACTED] of the  
11:05:07 35 [REDACTED] of [REDACTED] is that she was too scared of [REDACTED], is  
11:05:13 36 that what that's saying?---Yes.  
37  
11:05:16 38 I think there were a number of ideas floated around as it  
11:05:20 39 became more and more inevitable that the Mokbels were going  
11:05:23 40 to find out?---That would be right.  
41  
11:05:52 42 I think over the page at 749, at about point 2 of the page  
11:06:11 43 do you see it says, "Discussed further options regarding  
11:06:14 44 the involvement with [REDACTED] Ms Gobbo has indicated  
11:06:19 45 that will consider charging with threats if any made upon  
11:06:22 46 discovery of Ms Gobbo involvement". Is that a suggestion  
11:06:27 47 that Ms Gobbo might bring charges against Horthy arising

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11:06:35 1 from threats made by him if her involvement in [REDACTED]'s  
11:06:40 2 arrest is disclosed?--I think so.  
3  
11:06:43 4 And that seems to be so because that would lead to Mr Horthy  
11:06:50 5 Mokbel being remanded in custody where she might be  
11:06:54 6 safer?---Yes.  
7  
11:06:56 8 Then there's another scenario, "Discussed a possible  
11:07:00 9 response to [REDACTED]. Ms Gobbo made a mistake. Scared by  
11:07:02 10 [REDACTED] reaction and never had the confidence to tell the  
11:07:06 11 entire story". That was never likely to be very  
11:07:09 12 successful, was it, in terms of an explanation from [REDACTED]  
11:07:12 13 perspective?--Sorry, if she was just to say that, "Sorry,  
11:07:25 14 I made a mistake"?  
11:07:26 15  
11:07:27 16 "I'm just too scared of you and what your reaction might  
11:07:31 17 be, so I decided not to let you know of the arrest of  
11:07:35 18 [REDACTED]"?--Yes, that seems to be that's what it's  
11:07:40 19 suggesting.  
20  
11:07:42 21 My proposition was it's an excuse that's unlikely to be  
11:07:44 22 successful in persuading [REDACTED] that Ms Gobbo had acted  
11:07:48 23 appropriately from his point of view?--I think that's  
11:07:50 24 right. I don't think she thought any of these alternative  
11:07:53 25 strategies had any chance of success.  
26  
11:07:58 27 Did Ms Gobbo ever - everyone must have expressed regret  
11:08:07 28 that this gigantic error had been made by her being present  
11:08:12 29 on the arrest of [REDACTED] but I haven't seen a lot of  
11:08:16 30 discussion about that in the ICRs. Do you recollect it  
11:08:20 31 coming up?--Not specifically, no.  
32  
11:08:29 33 If we could go to p.768. You'll see at point 7 of the page  
11:08:50 34 the heading "[REDACTED]", or his real name?--Yes.  
35  
11:08:56 36 And that reflects that "[REDACTED] has now told 3838 that he  
11:09:00 37 is concerned that 3838's life may be in danger as a result  
11:09:05 38 of 3838 assistance provided. No details have been provided  
11:09:08 39 from [REDACTED]". Was the operation - I don't think it's  
11:09:20 40 private particularly - Operation Gosford set up at this  
11:09:24 41 time to seek to protect Ms Gobbo's life?--I'm not sure. I  
11:09:32 42 think Gosford was kicked off on the back of the text  
11:09:38 43 threats that she might have been receiving.  
44  
11:09:42 45 Yes?--Sorry, not that she might have been receiving, that  
11:09:47 46 she was receiving.  
47

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11:09:50 1 Then over at 781?---Sorry, 801?  
2  
11:10:04 3 No, 781. You'll see in the third or fourth dot point,  
11:10:23 4 [REDACTED] has instructed his solicitor to issue a subpoena for  
11:10:26 5 the unedited version of the [REDACTED] statements. [REDACTED]  
11:10:29 6 has stated that he wants to identify all of the informers  
11:10:32 7 involved in his arrest". Do you see 782 at point 4 of the  
11:10:40 8 page? I think I mentioned yesterday that although the SDU  
11:10:49 9 generally avoided giving any kind of unnecessary  
11:10:53 10 information to Ms Gobbo, I think on at least one arrest she  
11:11:00 11 was given some warning in advance and that seems to have  
11:11:03 12 happened here with [REDACTED] doesn't it, because it says at  
11:11:08 13 point 3 of that page, "Discussed 3838 plan for the time  
11:11:12 14 that [REDACTED] is to be arrested, numerous options considered"?  
11:11:19 15 Is that a discussion with Ms Gobbo or something internal to  
11:11:22 16 SDU?---I'm not sure.  
17  
11:11:32 18 Anyway, this is [REDACTED] 2007 and you can see from p.784  
11:11:39 19 that [REDACTED] is arrested the following day. Do you see that  
11:11:56 20 about point 2 of the page under the heading [REDACTED]  
11:12:01 21 [REDACTED]?---Yes.  
22  
11:12:03 23 Is [REDACTED] is his arrest accelerated at all because of any  
11:12:11 24 perceived risk to Ms Gobbo's life?---Not that I can recall.  
11:12:18 25 I can't even remember why [REDACTED] - what he was arrested for.  
26  
11:12:23 27 Right. Then if I could take you to p.789, ICR 74. We're  
11:12:39 28 now in [REDACTED] 2007. You'll see there's a heading "Stephen  
11:12:52 29 Shirrefs"?---Yes.  
30  
11:12:53 31 He was a barrister, I suggest, acting for Milad Mokbel. Do  
11:13:04 32 you recollect that he was a barrister acting for one of the  
11:13:06 33 Mokbels?---I know that Steve Shirrefs was a barrister but I  
11:13:11 34 don't know who he was acting for.  
35  
11:13:14 36 Anyway, you can see from the fifth dot point, "Shirrefs is  
11:13:19 37 now aware" - I won't go on. You'll see that, I won't read  
11:13:24 38 it out, but you'll see that dot point?---Yes.  
39  
11:13:31 40 That's information being conveyed by Ms Gobbo to the  
11:13:35 41 handler?---Yes.  
42  
11:13:37 43 And I suggest to you that's suggesting that the noose is  
11:13:42 44 tightening for Ms Gobbo in terms of her risks because of  
11:13:46 45 the nature of that information?---Yes.  
46  
11:13:55 47 Then over at 791 Mr Winneke took you here, and I won't read

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11:14:06 1 it out because it may be sensitive, do you see at point 7  
11:14:10 2 of the page, you'll see the fourth dot point under the  
11:14:14 3 heading "Horty Mokbel"?---Yes.  
4  
11:14:41 5 At 792 do you see the heading "SDU issues"?---Yes.  
6  
11:14:52 7 It says, "3838 requested a meeting to discuss the  
11:15:00 8 following" - I'll skip to the next one, "doesn't want  
11:15:04 9 another talk fest. 3838 very emotional and resentful  
11:15:08 10 towards police, including SDU. 3838 is unsure about any  
11:15:11 11 possible solution. 3838 believes she is not appreciated by  
11:15:14 12 Purana Task Force. 3838 now has to pretend that the arrest  
11:15:19 13 date of ██████████ is a shock. 3838 never considered these  
11:15:23 14 consequences at the beginning of the relationship. 3838 is  
11:15:27 15 not happy with the current system of handling of  
11:15:33 16 informers". It's starting to get to the point, isn't it,  
11:15:37 17 where Ms Gobbo is realising the terrible consequences of  
11:15:42 18 being present at the time of the arrest of  
11:15:47 19 ██████████?---Yes.  
20  
11:15:49 21 Then at 798, at point 5 of the page, I won't read out the  
11:16:11 22 name of the criminals with whom Ms Gobbo is associating but  
11:16:16 23 you'll see she attends this dinner and if you look at the  
11:16:23 24 fifth dot point, it says, "Carl Williams" and someone else,  
11:16:30 25 "Planned to kill ██████████ after his initial arrest and  
11:16:33 26 remand" and that the particular person was disappointed as  
11:16:40 27 ██████████ was ██████████, do you see that?---Yes.  
28  
11:16:50 29 Carl Williams was, of course, pretty respected by the  
11:16:55 30 police, wasn't he, in terms of an ability to kill people  
11:16:59 31 that he wanted to?---Respect is not the right word - - -  
32  
11:17:04 33 Yes?--- - - - Mr Collinson.  
34  
11:17:05 35 Yes, I didn't mean it in a complimentary way. But he  
11:17:08 36 certainly had the capacity to do that in the eyes of the  
11:17:11 37 police, didn't he?---Yes.  
38  
11:17:16 39 Then p.799, you'll see at point 3 of the page under the  
11:17:32 40 heading "██████████" that ██████████ has stated that he would  
11:17:36 41 lie to protect 3838 involvement with ██████████ and Ms Gobbo  
11:17:51 42 has advised that ██████████ must tell the truth, do you see  
11:17:59 43 that?---Yes.  
44  
11:18:02 45 I think she would know, wouldn't she, as an experienced  
11:18:05 46 barrister, that ██████████ is not going to get anywhere  
11:18:10 47 trying to lie about that subject matter in court, it'll be

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11:18:14 1 exposed?---No, she would know that but presumably that  
11:18:24 2 would be the advice she would give her clients anyway, that  
11:18:27 3 they would tell the truth.

4  
11:18:31 5 Yes. Page 804. This seems to be shaded so I won't read it  
11:18:39 6 out but you'll see the heading [REDACTED] and in  
11:18:45 7 particular you'll see in the first dot point that 3838  
11:18:50 8 expresses a particular concern about a conversation she has  
11:18:53 9 had and then the information that's conveyed in the second  
11:19:00 10 dot point I suggest is fairly alarming from Ms Gobbo's  
11:19:06 11 point of view?---Yes.

12  
11:19:09 13 Although further down it's suggested in the third-last dot  
11:19:17 14 point that perhaps the persons that are being suspected are  
11:19:23 15 not Ms Gobbo. Then 882.

16  
11:19:39 17 COMMISSIONER: Is that 882?

18  
11:19:41 19 MR COLLINSON: Yes, 882. You can again see I think - this  
11:20:02 20 is a meeting that you would have been present at, Mr White.  
11:20:05 21 You can see that from p.876. This is on 5 June 2007, you  
11:20:13 22 can see that, one of these meetings with the handlers that  
11:20:16 23 you generally attend? Actually, I'm sorry, it would seem  
11:20:27 24 that you're not at this particular one if one looks at  
11:20:33 25 about the middle of the page on p.876; is that right?---I  
11:20:44 26 haven't read all of this but it doesn't seem that I'm  
11:20:47 27 present.

28  
11:20:47 29 The reason I say that is one can see listed the police  
11:20:51 30 members who are present at the meeting, can't one, on  
11:20:59 31 p.876?---Yes.

32  
11:21:00 33 Anyway, going to 882, at point 8 of the page, you can see  
11:21:11 34 under the heading "General welfare" that Ms Gobbo is  
11:21:15 35 expressing thoughts and doubts about all of this. She says  
11:21:20 36 she does not really know what she wants from police. She  
11:21:23 37 spent three to four hours thinking about it last night.  
11:21:27 38 Her first motivation at the start was not to see people  
11:21:32 39 taken advantage of by these criminals. Now 20 months later  
11:21:37 40 she does not believe she should bear the brunt of the  
11:21:42 41 complaints from those persons she identifies there. She  
11:21:45 42 believes the police should be managing them better and  
11:21:48 43 keeping them happy. I think it's correct, isn't it, that  
11:21:50 44 over the whole of this period, because each of [REDACTED]  
11:21:55 45 and [REDACTED] posed a threat to Ms Gobbo, in that if they  
11:22:00 46 mentioned her role in advising them about cooperating with  
11:22:05 47 the police her life was at risk from the Mokbels, and for

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11:22:10 1 that reason she spent a lot of her time maintaining contact  
11:22:13 2 with those persons over the period she was an informer, is  
11:22:17 3 that something you recollect?---Yes. Yes, that's exactly  
11:22:23 4 what she did. She wanted to keep her ear to the ground, if  
11:22:30 5 you like.

6  
11:22:30 7 She did it to really protect her own interests as best she  
11:22:34 8 could?---Yes, she did.

9  
11:22:35 10 Indeed, I think when Tony Mokbel is located in Greece and  
11:22:41 11 arrested and she's struggling to fend him off in terms of  
11:22:48 12 lots of telephone calls to her, I think she says a number  
11:22:53 13 of times to the handlers, doesn't she, that it's the same  
11:22:56 14 motivation, that she feels she has to maintain some kind of  
11:23:00 15 contact with Tony Mokbel in order to make her life  
11:23:10 16 safer?---Yes, that's the business as usual theory.

17  
11:23:16 18 Yes?---And also there's no doubt in my mind that she  
11:23:18 19 maintained contact with people out at the prison, but  
11:23:23 20 despite us saying "you should have nothing to do with  
11:23:26 21 them", simply because it enabled her to gather information  
11:23:30 22 about whether she was suspected of being an informer or  
11:23:33 23 working with the police.

24  
11:23:34 25 Yes. In the last dot point in this section it says,  
11:23:37 26 "[REDACTED] is very worried about repercussions coming back  
11:23:44 27 on Ms Gobbo once he gives evidence and how Ms Gobbo was  
11:23:47 28 involved in his rolling. Ms Gobbo has said that it is  
11:23:51 29 important [REDACTED] says the truth about her otherwise the  
11:23:57 30 credibility of the evidence will fall over". See  
11:24:02 31 that?---Yes.

32  
11:24:03 33 I'm not sure if contrary suggestions were put to you by  
11:24:08 34 counsel assisting, but is it your recollection that she  
11:24:11 35 consistently reported back to SDU that she was advising  
11:24:14 36 [REDACTED] to give honest evidence in court?---Yes.

37  
11:24:27 38 If I could take you to p.916 - - -

39  
11:24:30 40 COMMISSIONER: We might have the mid-morning break now.  
11:24:33 41 Yes, we'll have a ten minute break, thanks.

42  
43 (Short adjournment.)

44  
11:46:31 45 COMMISSIONER: Yes Mr Collinson.

11:46:33 46  
11:46:33 47 MR COLLINSON: If the Commissioner pleases. Mr White,

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11:46:36 1 we're on p.916?---Yes.  
11:46:41 2  
11:46:43 3 ICR 84. There's a committal coming up at this time, [REDACTED]  
11:46:54 4 [REDACTED] 2007, and you'll see there's a heading there, a "[REDACTED]  
11:47:04 5 committal"?---Yes.  
11:47:05 6  
11:47:07 7 Ms Gobbo has steadily developing concerns that her role in  
11:47:14 8 relation to the arrest of [REDACTED] will be exposed, doesn't  
11:47:19 9 she?---Yes.  
11:47:20 10  
11:47:21 11 Over at 917 you'll see at the foot of the page again, "[REDACTED]  
11:47:34 12 is doing his best in a wrong headed way to try to protect  
11:47:40 13 Ms Gobbo. He says he's prepared to lie to do that", see  
11:47:49 14 the last three lines?---Yes.  
11:47:51 15  
11:47:51 16 And again, she advises him not to do that?---Yes.  
11:47:55 17  
11:47:57 18 And then p.942. Ms Gobbo at about point 8 of the page,  
11:48:22 19 sorry, point 7 of the page, do you see there's a dot point  
11:48:26 20 there where Ms Gobbo expresses an intention to go down to  
11:48:30 21 [REDACTED] Prison to see [REDACTED] and get him ready for the  
11:48:35 22 committal?---Yes.  
11:48:36 23  
11:48:38 24 That's a completely barmy idea, isn't it, because she  
11:48:42 25 doesn't act for him?---Yes.  
11:48:43 26  
11:48:45 27 And it's also very dangerous for her and that's pointed out  
11:48:50 28 to her by the handler. See that in the next dot  
11:48:54 29 point?---Yes.  
11:48:55 30  
11:48:57 31 Then if I could take you to p.966. You'll see at about  
11:49:16 32 point 3 of the page that Ms Gobbo calls in the afternoon  
11:49:23 33 and do you see in the second dot point it has come out that  
11:49:27 34 she was present at the first arrest of [REDACTED]?---Yes.  
11:49:31 35  
11:49:33 36 And she expresses the view that she's now fucked, which is  
11:49:43 37 slang, if you like, for she's likely to be killed?---Yes.  
11:49:47 38  
11:49:54 39 Is this the committal, I'm not quite sure on this, someone  
11:50:00 40 might know, is this the committal of [REDACTED] or [REDACTED] that this  
11:50:05 41 information comes out at, do you happen to recall?---No.  
11:50:08 42  
11:50:08 43 The record will reveal that I think?---Yes.  
11:50:10 44  
11:50:13 45 And at p.975, you'll see this is part of a meeting - if you  
11:50:31 46 turn back to 971, there's a meeting on 3 July 2007 where  
11:50:38 47 you're in attendance?---Yes.

.22/08/19

5105

WHITE XXN - IN CAMERA

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11:50:45 1  
11:50:45 2 And at 975 there's discussion of the fact as to what  
11:50:56 3 strategy might be deployed to explain the evidence that's  
11:51:00 4 come out. It says in the third dot point, "[REDACTED]  
11:51:07 5 thinks [REDACTED] will be very unhappy when he finds out she has  
11:51:12 6 told [REDACTED] that anything they ask after confirming she  
11:51:15 7 was there on the day is legal professional privilege and he  
11:51:18 8 should not answer", and then there's some discussion  
11:51:31 9 further on about how she's going to come up with a story  
11:51:35 10 for the Mokbels and I think there's some, the third-last  
11:51:45 11 dot point, "I did not know that [REDACTED] was connected to  
11:51:48 12 you, [REDACTED], I did not know you rolled, I only found out  
11:51:53 13 when [REDACTED] threatened me so therefore what am I supposed to  
11:51:58 14 do? I lied so [REDACTED] would not hit me, then could not go  
11:52:03 15 back on what I said, sorry". She's referring there, isn't  
11:52:06 16 she, to the occasion when [REDACTED] came to her chambers and  
11:52:09 17 grabbed her by the throat?---I think so.

11:52:11 18  
11:52:14 19 I think you might have touched on this possibility earlier  
11:52:17 20 in your evidence, but is this the idea that she was going  
11:52:22 21 to come up with an excuse that she didn't tell the Mokbels  
11:52:26 22 because she didn't know that [REDACTED]  
11:52:30 23 was connected to [REDACTED]?---That's right, and I am certain we  
11:52:39 24 spoke about that before she was actually met by [REDACTED] at  
11:52:42 25 that time.

11:52:43 26  
11:52:43 27 But that was?---And that was the excuse she was going to  
11:52:47 28 put in place but I guess she just panicked.

11:52:50 29  
11:52:51 30 Yes. I suppose when someone has you by the throat it's  
11:52:55 31 hard to think clearly, isn't it?---Definitely.

11:52:58 32  
11:52:58 33 If we go then to p.980 you'll see on 4 July 2007 Ms Gobbo  
11:53:13 34 gets a call from a solicitor, Matt Kowalski, who is a  
11:53:17 35 solicitor for Bayeh. Bayeh is a sort of, he's a member of  
11:53:24 36 the Mokbel gang I think, isn't he?---Yes.

11:53:27 37  
11:53:28 38 "The solicitor Kowalski it says was giving Ms Gobbo a heads  
11:53:36 39 up that Bayeh and the co-accused in Milad's committal are  
11:53:39 40 very upset with the transcript that has been produced and  
11:53:39 41 submitted to the court. Bayeh has apparently gone off his  
11:53:43 42 tree and is telling everyone that Ms Gobbo is a dog. The  
11:53:48 43 transcript states in part, 'After having detailed  
11:53:51 44 conversation with your barrister, are you now to make a  
11:53:54 45 statement?' Kowalski said there was no forensic purpose  
11:53:55 46 for them to want the transcript and not a big issue to the  
11:53:57 47 defence but the co-accused and Bayeh especially are very

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11:54:00 1 upset. Ms Gobbo says she is dead in the water with this  
11:54:05 2 getting out, always said she would be". Now, this is the -  
11:54:11 3 Bayeh calls her, if this information is correct, a dog not  
11:54:15 4 of course because she's a human source but because she's  
11:54:18 5 acted against the interests of the Mokbel gang by not  
11:54:22 6 [REDACTED] of [REDACTED] and instead advising him  
11:54:30 7 in the view of Bayeh and others to cooperate with  
11:54:35 8 police?---Yes.

11:54:36 9  
11:54:37 10 So dog has a broader connotation than just someone who is a  
11:54:44 11 human source?---Yes.

11:54:45 12  
11:54:53 13 And then at 986, point 7 under the heading "[REDACTED]  
11:55:03 14 committal", "Went over again with her what the [REDACTED]  
11:55:08 15 interview transcript says in relation to her. She sees two  
11:55:12 16 problems with the interviews. Interview 3, it looks like I  
11:55:18 17 rolled him, I am there and [REDACTED]. [REDACTED]  
11:55:22 18 will never accept any excuse I use because I should have  
11:55:26 19 [REDACTED]. Ms Gobbo says she could try saying I  
11:55:30 20 [REDACTED] because thought the phones were off but there  
11:55:34 21 are always ways to get messages to people. Coupled with  
11:55:34 22 this [REDACTED] spoke to Ms Gobbo on the phone only ten minutes  
11:55:38 23 before", and it refers to the arrest. "She's worried what  
11:55:45 24 [REDACTED] will think all of this." Remember I took you to that  
11:55:49 25 evidence that [REDACTED] in fact coincidentally called after the  
11:55:54 26 arrest of [REDACTED]?---That's right.

11:55:55 27  
11:55:57 28 Then p.991. You'll see at point 2 of the page the heading  
11:56:10 29 "Milad Mokbel"?---Yes.

11:56:13 30  
11:56:17 31 "Milad Mokbel is ringing her about wanting to speak to  
11:56:20 32 prosecution about facilitating a plea. Reminded her that  
11:56:23 33 she needs to distance herself from this. Noted." I don't  
11:56:29 34 know whether you can explain this, but at this point it  
11:56:33 35 doesn't make logical sense that Milad Mokbel would be  
11:56:38 36 wanting Ms Gobbo to act for him given that he must know  
11:56:45 37 about her role in advising [REDACTED], is that right?---I  
11:56:55 38 can't explain it other than to say that perhaps he didn't  
11:56:59 39 know.

11:56:59 40  
11:56:59 41 Yes?---Or didn't want to believe it.

11:57:01 42  
11:57:01 43 And then further down you'll see Horthy also speaks to her  
11:57:05 44 on the phone and speaks to her about normal committal type  
11:57:09 45 questions and was very nice on the phone. See that?---Yes.

11:57:16 46  
11:57:17 47 But then Tony Bayeh, she sees him in the street on the same

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11:57:23 1 day and they exchanged greetings and Bayeh says to her,  
11:57:27 2 "Good to see what dogs do behind your back" and then she  
11:57:32 3 says, "I take it you mean [REDACTED]?" And he says, "I  
11:57:36 4 might be". I think subsequent events show he's not in fact  
11:57:40 5 referring to [REDACTED] but he's referring to Ms Gobbo,  
11:57:44 6 isn't he?---I recall that he was I think the best suspect  
11:57:49 7 for the threats, the SMS threats to her, but I don't think  
11:57:54 8 it was ever proven. I might be wrong about that.

11:57:58 9  
11:58:01 10 But this leads into a series of events where as we know  
11:58:06 11 Ms Gobbo isn't killed, even though eventually the Mokbels  
11:58:15 12 do know of her role with [REDACTED] Are you able to  
11:58:22 13 explain why that didn't happen, or even perhaps an  
11:58:30 14 attempt?---I can attempt. I think there's a lot of  
11:58:36 15 difference between suspecting somebody's an informer and  
11:58:39 16 then having it confirmed.

11:58:40 17  
11:58:41 18 Yes?---Especially confirmed by the police, which ultimately  
11:58:47 19 it has been.

11:58:48 20  
11:58:48 21 Yes?---But I think she must have had a level of  
11:58:52 22 relationship with them and much like other operations I've  
11:58:57 23 been in where the suspects don't know so they're prepared  
11:59:02 24 to give her the benefit of the doubt.

11:59:04 25  
11:59:05 26 Yes. I think, if I can give some evidence from the Bar  
11:59:11 27 table, Mr White, there was certainly evidence about that in  
11:59:14 28 the court proceedings, that the criminal community no doubt  
11:59:18 29 because so many rumours circulate in prisons, tend only to  
11:59:22 30 act on the basis of some kind of official confirmation.  
11:59:26 31 That's something that you're referring to now, isn't  
11:59:34 32 it?---Yes.

11:59:34 33  
11:59:34 34 On any view of the matter though Ms Gobbo is exposed to  
11:59:39 35 tremendous risk. I mean we talk about a cat having nine  
11:59:48 36 lives, you'd almost say Ms Gobbo has 99 lives with the  
11:59:52 37 events that are going on at this time, would you agree with  
11:59:55 38 that?---I don't know if I would go that far. As you can  
12:00:03 39 see throughout the course of the relationship with her,  
12:00:07 40 people seem to be waxing and waning about whether they  
12:00:10 41 think she was working for the police and if she was, what  
12:00:13 42 was the level of that relationship. And this is a classic  
12:00:18 43 example here where both Milad and Horthy are both still  
12:00:22 44 happy to use her for her advice.

12:00:27 45  
12:00:27 46 Yes?---And once again I haven't read through all these  
12:00:32 47 contact reports but certainly the material I have seen

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12:00:36 1 during the last few weeks just reminds me of that fact,  
12:00:39 2 that it was changing, a daily changing proposition.  
12:00:43 3  
12:00:43 4 Yes. I want to jump forward and finish this section to  
12:00:48 5 p.1147. I've taken you to 25 August 2007 and you'll see  
12:01:17 6 down the foot of the page there's a heading, "Tony Mokbel".  
12:01:24 7 See about point 7?---Yes.  
12:01:26 8  
12:01:29 9 I think this was at a time when he was being held in Greece  
12:01:34 10 but before his return to Australia. It says, "She spoke to  
12:01:39 11 him today. He was asking fishing questions she thinks  
12:01:42 12 about any knowledge of ACC hearings that he thinks are  
12:01:45 13 going on. Asked difficult questions about ██████████ what  
12:01:48 14 sort of witness he is, when he rolled, why he rolled, who  
12:01:53 15 he has made statements from. Ms Gobbo just kept saying she  
12:01:57 16 did not know. Ms Gobbo's a little bit worried and seemed  
12:02:02 17 to be test questions. He was very cautious and  
12:02:06 18 inquisitive. She suspects it's coming from Kabalan  
12:02:09 19 Mokbel", and then over the page, "She is worried that Karl  
12:02:13 20 has gone around to the Mokbels and bagged her and it's got  
12:02:18 21 back to Tony". That's Karl Khoder, of course, isn't  
12:02:27 22 it?---Yes.  
12:02:27 23  
12:02:28 24 Then 1167. You'll see at the top of the page there's a  
12:02:48 25 heading, "Threat on Ms Gobbo by Bayeh". See that?---Yes.  
12:02:53 26  
12:02:54 27 "Karl Khoder said he had a fight with Tony Bayeh this  
12:02:58 28 afternoon over her. Bayeh calls Ms Gobbo a fucking filthy  
12:03:03 29 dog. Karl Khoder told him he should not assume these  
12:03:05 30 things and go around saying it unless you really know.  
12:03:07 31 Bayeh said it was 100 per cent true because when ██████████  
12:03:10 32 got arrested she knew and did not tell anyone about it and  
12:03:14 33 now we have all been arrested for it. She deserves to die  
12:03:19 34 he said". So it's apparent now, isn't it, that the Mokbels  
12:03:26 35 must know about her involvement in ██████████'s  
12:03:37 36 arrest?---Well, I would presume that Bayeh would be telling  
12:03:41 37 them, but in this entry you took me to, the two previous  
12:03:49 38 entries you took me to suggests they're not believing it.  
12:03:54 39  
12:03:57 40 I think I'll stop there with these references. There are  
12:04:01 41 some others but I think they probably speak for themselves.  
12:04:05 42 It would seem, to complete the ██████████ story, that, as  
12:04:14 43 I'll take you to later, the Mokbels, that is certainly  
12:04:21 44 Milad and Tony, after the period when they must know of  
12:04:26 45 Ms Gobbo's involvement with ██████████'s arrest, still want  
12:04:30 46 to use her for legal services, don't they?---They do but I  
12:04:39 47 just qualify that with after they know about her

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WHITE XXN - IN CAMERA

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12:04:41 1 involvement.  
12:04:43 2  
12:04:43 3 Yes?---I don't think they believed it, and as I said I  
12:04:52 4 don't think they would have believed it unless the police  
12:04:56 5 department had come out, for example, and said, "This is  
12:04:59 6 what happened".  
12:05:00 7  
12:05:00 8 Didn't it come out in transcripts, which is an official  
12:05:03 9 record of the interview of ██████████, that he made his,  
12:05:08 10 things like he made his statement after speaking to a  
12:05:11 11 barrister?---According to the entry you took me to, yes it  
12:05:20 12 did, and obviously Tony Bayeh was able to figure it out.  
12:05:23 13 But as I said, and I'm only going on that entry you took me  
12:05:27 14 to, the dot point of the next entry you read out was a  
12:05:31 15 comment from myself saying that she assumed they mustn't  
12:05:35 16 have believed it.  
12:05:38 17  
12:05:38 18 It's a funny thing, isn't it, because I think the official  
12:05:44 19 records do come out that logically point to the  
12:05:48 20 inevitability that Ms Gobbo was there advising ██████████,  
12:05:53 21 but possibly those documents are not physically sighted by  
12:05:57 22 the Mokbels, is that how it might work?---I don't know. I  
12:06:00 23 don't know what materials were available to them, what they  
12:06:03 24 saw, what they didn't see, and they would, having known her  
12:06:10 25 for a long time and trusted her for a long time - - -  
12:06:14 26  
12:06:14 27 I suppose - sorry, I interrupted you?---Well they would not  
12:06:20 28 have wanted to believe it, I suppose, maybe that's why they  
12:06:24 29 still continued to have contact with her and utilise her.  
12:06:27 30  
12:06:28 31 Yes. Although there were rumours circulating about her  
12:06:33 32 reaching a lower level of transgression in their eyes being  
12:06:39 33 that she was a human source, it's still a different thing  
12:06:42 34 in their eyes, isn't it, to be someone who has merely  
12:06:46 35 advised a member of the Mokbel drug gang to cooperate with  
12:06:54 36 police, but a worse offence to actually be a human  
12:06:59 37 source?---Yes.  
12:07:00 38  
12:07:00 39 And I don't think - they were far from having anything  
12:07:05 40 credible at all, I think, to establish in their minds that  
12:07:10 41 she was a human source?---Yes.  
12:07:13 42  
12:07:17 43 So although the risks to Ms Gobbo arising out of what she  
12:07:22 44 did in relation to ██████████ were fairly extreme, would you  
12:07:27 45 say she was in the end just fairly lucky in terms of  
12:07:35 46 preserving her life?---I don't know that I'd put it down to  
12:07:44 47 luck.

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12:07:49 1  
12:07:50 2 Is another way of looking at it that these criminal gang  
12:07:54 3 members issue lots of threats, but they don't necessarily  
12:07:59 4 always kill people and perhaps it's a pretty big step even  
12:08:03 5 for them to kill a barrister?---I think that's probably a  
12:08:10 6 very accurate statement. I don't think they had anywhere  
12:08:17 7 near enough information to decide, "We have to kill a  
12:08:19 8 barrister", that would have brought a massive investigation  
12:08:22 9 onto them.  
12:08:23 10  
12:08:26 11 All right, I wanted to nonetheless - there are some very,  
12:08:34 12 very serious threats that are issued in her direction over  
12:08:37 13 the course of her acting as an informer, aren't  
12:08:41 14 there?---Yes.  
12:08:41 15  
12:08:42 16 And that lead to this project Gosford. I just want to take  
12:08:48 17 you through some of the aspects of that unfolding story  
12:08:52 18 now. This is a new subject matter. Can I ask you then to  
12:08:55 19 go back to at the beginning of the folders, p.187. I'm  
12:09:37 20 sorry, I need to take you back to something earlier than  
12:09:45 21 that. Yes, it's p.62?---Sorry, I've just broken my folder  
12:10:03 22 and I've got reports everywhere. 62?  
12:10:22 23  
12:10:23 24 Yes. Now, this is early in the story again. You'll see 25  
12:10:37 25 November 2005, that - do you see about point 3 of the page  
12:10:44 26 there's a reference to Tony Mokbel and DSU issue?---Yes.  
12:10:49 27  
12:10:49 28 It says that, "Mokbel's bail app during the week there was  
12:10:54 29 an allegation that an informer involved in the FedPol case  
12:10:57 30 was threatened. This occurred in Beirut where an unknown  
12:11:01 31 associate of Mokbel allegedly told the informer that he  
12:11:05 32 would be skinned alive and burnt if it was confirmed that  
12:11:09 33 he was an informer. Ms Gobbo mentioned that this caused  
12:11:12 34 Ms Gobbo some concern at the time considering Ms Gobbo's  
12:11:14 35 current role". Now, I take it the police never had any  
12:11:21 36 doubt, leaving aside the method of killing, that Tony  
12:11:28 37 Mokbel was always capable of killing people if it was in  
12:11:34 38 his interests to do so?---That's right.  
12:11:35 39  
12:11:40 40 This information indicated, didn't it, that Tony Mokbel had  
12:11:46 41 a particular dislike of informers?---I think you can draw  
12:11:59 42 that conclusion.  
12:11:59 43  
12:12:00 44 In fact I think it is right, isn't it - I think I've said  
12:12:05 45 this but perhaps just to make it clear - I think the  
12:12:08 46 criminal community would regard being an informer as one of  
12:12:18 47 the circumstances that really does justify that person

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12:12:23 1 being murdered?---I've seen people murdered for a lot less  
12:12:37 2 but there was no doubt in my mind the Mokbel crew had that  
12:12:41 3 capacity.  
12:12:45 4  
12:12:45 5 It's hard to say what their view would be about their  
12:12:53 6 trusted barrister turning out to be an informer, but it's  
12:12:58 7 not hard to imagine that if anything they would take an  
12:13:04 8 even more strong view about someone in that position acting  
12:13:11 9 as an informer against them, do you agree?---I think - yes,  
12:13:24 10 I do.  
12:13:25 11  
12:13:26 12 There's a trade off, perhaps, is there, if you kill a  
12:13:29 13 barrister it's the kind of event I think you just said  
12:13:35 14 whereby you'd expect the police to come down pretty heavily  
12:13:39 15 with a very major investigation, perhaps a similar kind of  
12:13:44 16 case to where a police officer is killed by a  
12:13:49 17 criminal?---Yes.  
12:13:49 18  
12:13:50 19 So that's a reason not to kill Ms Gobbo, but on the other  
12:13:53 20 hand a reason to kill her would be extreme anger that  
12:13:58 21 someone that you've placed tremendous trust in with your  
12:14:02 22 confidential illegal affairs turns out to be betraying  
12:14:06 23 those interests?---That - would that make it worse? I'm  
12:14:13 24 not sure. I always believed that if any, and she was not  
12:14:17 25 the only informer involved in that group, but I always  
12:14:22 26 believed if any of them were compromised they were probably  
12:14:27 27 going to get killed.  
12:14:28 28  
12:14:28 29 Yes. Can I take you to p.187. This is [REDACTED] 2006, ICR  
12:14:49 30 22. You'll see at point 6 of the page, do you see the  
12:14:56 31 reference to, "Tony Mokbel indicated"?---Are we on 187?  
12:15:06 32  
12:15:07 33 Yes, about point 6 of the page?---Yes, I see that.  
12:15:10 34  
12:15:12 35 "Tony Mokbel indicated that [REDACTED] had no excuse to do  
12:15:17 36 what he has done, cannot believe how anyone can do this to  
12:15:22 37 him and Tony. Tony Mokbel will skin [REDACTED] alive and  
12:15:25 38 [REDACTED], then kill them". That's what he seems to have  
12:15:31 39 told Ms Gobbo?---Yes.  
12:15:34 40  
12:15:35 41 And she's told the handlers?---Yes.  
12:15:36 42  
12:15:38 43 I mean, is that just Tony Mokbel mouthing off or do you  
12:15:44 44 think they're serious threats when they're made?---She had  
12:15:50 45 a view about that. I can't remember exactly what it was,  
12:15:55 46 it's in the material somewhere. I know there's one  
12:15:59 47 occasion where one of the Mokbels made a threat that we

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12:16:05 1 were quite concerned about and she said, "No, I know when  
12:16:08 2 he's serious and when he's just blowing his own trumpet".  
12:16:14 3 In answer to whether this should be taken absolutely  
12:16:17 4 serious or not, I don't know.  
12:16:19 5  
12:16:20 6 I mean we're in ██████ 2006, I've taken you to a couple of  
12:16:24 7 these references. We're still earlier than and prior to  
12:16:29 8 the arrest of ██████ on ██████ 2006, you understand  
12:16:35 9 that?---Yes.  
12:16:35 10  
12:16:38 11 And Ms Gobbo is reporting perhaps things the police already  
12:16:44 12 knew anyway, but indicating that obviously Tony Mokbel was  
12:16:53 13 issuing threats against persons who were acting against his  
12:16:58 14 interests that were reasonably terrifying, to a reader  
12:17:01 15 anyway?---Yes, that's a serious threat at face value.  
12:17:06 16  
12:17:07 17 There was still time, I suggest - by now Ms Gobbo had been  
12:17:12 18 an informer for some months but there was still time to  
12:17:16 19 abort ship, wasn't there, at this point, and perhaps call  
12:17:22 20 time out and remind Ms Gobbo about the kinds of risks she  
12:17:28 21 was taking on with being an informer?---Yes.  
12:17:31 22  
12:17:33 23 Whereas once we pass by ██████ 2006, I suggest to you  
12:17:39 24 that the die is cast in a way because by then she's taken a  
12:17:45 25 risk that is pretty hard to protect her from?---Yes.  
12:17:53 26  
12:17:55 27 Was any consideration given in this phase of the months  
12:18:01 28 leading up to ██████ 2006 to pulling Ms Gobbo out of  
12:18:08 29 operations, so to speak, because the risks were too  
12:18:13 30 great?---Not that I can recall, unless you've got something  
12:18:17 31 in my diaries that indicates that sort of thinking.  
12:18:19 32  
12:18:20 33 Yes?---I don't think on the face of this, this one comment  
12:18:25 34 we would have said, "Let's get out of here, it's too  
12:18:29 35 dangerous", because that really was consistent with what we  
12:18:32 36 thought the situation was anyway.  
12:18:34 37  
12:18:34 38 Yes. I mean in a sense the police were conflicted, weren't  
12:18:39 39 they, because Ms Gobbo was obviously providing very useful  
12:18:44 40 intelligence to the police, wasn't she?---Yes.  
12:18:47 41  
12:18:48 42 At the same time she was exposing herself to extraordinary  
12:18:52 43 risk?---Yes.  
12:18:53 44  
12:18:54 45 But if you pulled her out, then that intelligence flow  
12:18:58 46 would cease?---That's right.  
12:19:03 47

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12:19:03 1 And so I think it's the case, isn't it, that no one within  
12:19:09 2 SDU even turned their mind to the idea that the risks just  
12:19:16 3 got too great for her and she should come out?---I don't -  
12:19:20 4 I wouldn't say we didn't turn our mind to it, because we  
12:19:25 5 constantly thought about the risks to her, but I don't  
12:19:28 6 think, even looking at this now, we would have terminated  
12:19:31 7 the operation just on the basis of this particular piece of  
12:19:36 8 information and I think bearing in mind this is [REDACTED],  
12:19:39 9 so obviously she's already told us that [REDACTED] is  
12:19:44 10 [REDACTED]

12:19:54 11  
12:19:54 12 Let's bring, with the benefit of hindsight though and  
12:19:59 13 everything that's happened, I think with hindsight it's  
12:20:02 14 pretty clear it would have been better to pull her out at  
12:20:06 15 this point, wouldn't it?---Well, with the benefit of  
12:20:10 16 hindsight you could probably say we should not have entered  
12:20:14 17 into the relationship in the first place.

12:20:16 18  
12:20:16 19 Yes?---Bearing in mind the fact this was a task we were  
12:20:20 20 provided by the Crime Department, and I don't think if we'd  
12:20:24 21 gone to the Crime Department and said, "Well, on the basis  
12:20:27 22 of this particular information we've now decided it's too  
12:20:30 23 dangerous", that would not have stopped the desire to  
12:20:35 24 continue to use her in this capacity.

12:20:38 25  
12:20:38 26 I mean, to be fair to you, Mr White, you were acting on  
12:20:42 27 orders, weren't you, to proceed to continue to use Ms Gobbo  
12:20:48 28 as a human source?---Absolutely. The use of her as a human  
12:20:54 29 source was sanctioned pretty much at the highest level and  
12:21:00 30 the Task Force itself was authorised specifically around  
12:21:08 31 the use of her.

12:21:10 32  
12:21:10 33 Yes?---By a steering committee that consisted of an  
12:21:16 34 Assistant Commissioner at the time.

12:21:19 35  
12:21:19 36 There was no system in place seemingly for any kind of  
12:21:25 37 periodic review about whether to continue the source  
12:21:31 38 relationship, was there?---Well there was. We had our own  
12:21:38 39 internal risk assessments and we would meet fortnightly,  
12:21:41 40 sometimes even weekly, and we would talk about every source  
12:21:45 41 under our management. That became a more formalised  
12:21:48 42 process as time went by.

12:21:50 43  
12:21:50 44 Yes?---But if you're asking about from the investigation  
12:21:54 45 point of view, I'm not the person to ask that question.

12:21:59 46  
12:21:59 47 Yes, you're quite right with what you say and I think

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12:22:03 1 you've rightly corrected me. So part of the periodic risk  
12:22:08 2 review I presume is to look at the ongoing risk to the life  
12:22:12 3 of the human source?---Yes.  
12:22:13 4  
12:22:13 5 But I suggest to you the way it really always operates in  
12:22:18 6 practice is that you're looking at that risk from the point  
12:22:21 7 of view of what steps might be taken to protect the human  
12:22:26 8 source on the footing that he or she continues as a source,  
12:22:30 9 you're not really looking at the issue: are the risks to  
12:22:35 10 life so great that that human source should be withdrawn  
12:22:37 11 from the field?---Those things are considered.  
12:22:43 12  
12:22:44 13 All right?---And decisions had been made in relation to  
12:22:47 14 sources to cease the operation because the risks were just  
12:22:54 15 too high to continue.  
12:22:56 16  
12:22:56 17 COMMISSIONER: Just a moment. Are you all right,  
12:22:59 18 Mr White?---Sorry, Commissioner, I just had to take a  
12:23:02 19 jumper off, it's very hot in here.  
12:23:04 20  
12:23:04 21 That's all right. If you need to stand up and have a  
12:23:08 22 stretch at any time, feel free to do so?---Thank you.  
12:23:12 23  
12:23:12 24 MR COLLINSON: All right. If I can ask you to go to p.315.  
12:23:31 25 You'll see the heading "Horty Mokbel" about point 4 of the  
12:23:36 26 page?---Yes.  
12:23:36 27  
12:23:39 28 "Horty wants to know if Rob Karam is ready for dinner  
12:23:43 29 tonight. Karam could not make it so it was altered until  
12:23:47 30 Monday night. Horty was with a female friend last night  
31 and looking on the internet and asked the source if her  
12:23:54 32 apartment was for sale or lease and on the corner of and  
12:23:56 33 then there's an address there. That's yours, isn't it?"  
12:24:01 34 And then the security issue has Ms Gobbo commenting that,  
12:24:06 35 "She shivered with fear when she heard him say this as she  
12:24:11 36 believed that they did not know exactly where she lived.  
12:24:16 37 Her unit is very secure and she is now very security minded  
12:24:21 38 and aware". It would seem from this information that the  
12:24:24 39 Mokbels were aware of the home address of Ms Gobbo fairly  
12:24:29 40 early on in the, well maybe well prior to the informer  
12:24:33 41 relationship, do you accept that?---Not the Mokbels. That  
12:24:39 42 next sentence, "Who knows her address?" There's a  
12:24:43 43 reference there to only Tony saying "may have known". She  
12:24:49 44 lists the people she actually was aware did know.  
12:24:54 45  
12:24:54 46 Yes. But one of those is Horty, isn't it?---Yes, sorry, I  
12:25:01 47 missed that.

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12:25:02 1  
12:25:04 2 You made the point Tony Mokbel may have known but if Horty  
12:25:08 3 knows that's enough to increase the risks to her?---Yes.  
12:25:13 4  
12:25:16 5 Although not knowing much about these things, is it  
12:25:19 6 generally the case that it's not too hard for someone to  
12:25:23 7 find out someone's home address?---I don't know how lawyers  
12:25:28 8 operate, Mr Collinson, in that respect. So I don't know  
12:25:32 9 whether she - we may have known back then but I don't know  
12:25:36 10 whether she had publicly listed details in the telephone  
12:25:40 11 directory and that sort of thing, electoral rolls,  
12:25:45 12 et cetera.  
12:25:46 13  
12:25:46 14 Yes. If I could take you to p.333. This is 17 June 2006.  
12:26:05 15 You'll see at point 3 of the page that Ms Gobbo calls the  
12:26:13 16 handler at 16:50. Well above it, it says, "There's a call  
12:26:22 17 by the source to meet at the sushi bar in Clarendon Street  
12:26:28 18 from Horty at 3.30 pm, he's very insistent. He may be mad  
12:26:33 19 at the source". Do you see that?---Yes.  
12:26:36 20  
12:26:36 21 Now of course we're in the period after the arrest of  
12:26:40 22 [REDACTED] and [REDACTED]?---Yes.  
12:26:43 23  
12:26:44 24 And dropping down a line or two, "Source has left the sushi  
12:26:50 25 bar now and Horty is following her. Source very worried,  
12:26:54 26 [REDACTED]. Advised to drive to office rather  
12:26:59 27 than home". So, and then further down, "Source very  
12:27:04 28 nervous" under the heading "DSU issue", "Advised source to  
29 exercise extreme caution from now on when dealing with  
12:27:11 30 Horty and his possible mistrust of source". So this is at  
12:27:14 31 a time when Horty is very suspicious about Ms Gobbo and a  
12:27:21 32 possible involvement, not as a human source but in terms of  
12:27:31 33 being a barrister in relation to [REDACTED]  
12:27:34 34 [REDACTED]?---Yes.  
12:27:34 35  
12:27:35 36 COMMISSIONER: The next sentence too to put it in context I  
12:27:39 37 think Mr Collinson.  
12:27:40 38  
12:27:40 39 MR COLLINSON: Yes. I'm sorry, I'm not - which one does -  
12:27:44 40 - -  
12:27:44 41  
12:27:45 42 COMMISSIONER: Under "general Mokbel issues", "Source  
12:27:48 43 stated her credibility with Horty is still intact at the  
12:27:53 44 end of the day".  
12:27:53 45  
12:27:53 46 MR COLLINSON: Yes.  
47

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12:27:54 1 COMMISSIONER: "Horty thinks the source is all right, that  
12:27:59 2 no one has rolled over."  
12:28:03 3  
12:28:03 4 MR COLLINSON: Yes. Then if I could take you to p.351.  
12:28:26 5 Now, at point 6 of the page you'll see an entry for [REDACTED]  
12:28:31 6 2008 - that must be [REDACTED], [REDACTED] 2006, "From prison phones  
12:28:39 7 inmate convicted [REDACTED]" - - -  
12:28:43 8  
12:28:43 9 COMMISSIONER: You can't say his name.  
12:28:45 10  
12:28:49 11 MR COLLINSON: I'm sorry, delete that.  
12:28:51 12  
12:28:52 13 COMMISSIONER: I think he's got a pseudonym.  
12:28:56 14  
12:28:57 15 MR COLLINSON: [REDACTED]. That's [REDACTED] I'm told. You  
12:29:08 16 can see what he is reported - actually this is  
12:29:16 17 information - this isn't coming from Ms Gobbo, is it?---No.  
12:29:19 18  
12:29:19 19 This is coming from Purana. It's a sort of an incipient  
12:29:29 20 threat against Ms Gobbo from another source, being the  
12:29:32 21 people identified in that section. Is this actually an  
12:29:44 22 entry for [REDACTED] 2006? The reason I ask is that there's a  
12:29:49 23 suggestion in that paragraph of knowledge by Purana of a  
12:29:54 24 link this early between Williams and Dale. That's what it  
12:30:01 25 suggests, isn't it?  
12:30:02 26  
12:30:02 27 COMMISSIONER: That's Paul Dale, not Dale Flynn.  
12:30:06 28  
12:30:06 29 MR COLLINSON: Yes?---Yes.  
12:30:07 30  
12:30:11 31 Then if I could take you to - - - ?---Sorry, can I just be  
12:30:24 32 more accurate on that last question?  
12:30:26 33  
12:30:26 34 Yes, yes?---The reference I think is to the fact that  
12:30:30 35 [REDACTED] - - -  
12:30:35 36  
12:30:37 37 [REDACTED]?---[REDACTED], there was information that [REDACTED] was linked  
12:30:41 38 to Paul Dale back at that time.  
12:30:45 39  
12:30:45 40 Yes?---I don't - and I think that's the reference. It's  
12:30:50 41 not a reference to Paul Dale.  
12:30:51 42  
12:30:51 43 Yes, I've misread that actually, because that's the linkage  
12:30:55 44 rather than a direct one between Williams and Dale,  
12:30:59 45 yes?---Yes.  
12:31:00 46  
12:31:00 47 Thank you for that. Page 358. You'll see this is a

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12:31:14 1 typical day in the life of Ms Gobbo, she seems to spend a  
12:31:21 2 large part of her time speaking on the phone to these  
12:31:25 3 people and in relation to the entry for Carl Williams,  
12:31:34 4 you'll see that he's been speaking to Ms Gobbo, you can see  
12:31:38 5 that at about point 3 of the page?---Yes.

12:31:40 6  
12:31:41 7 "And was aggressive on the phone re what's happening with  
12:31:45 8 [REDACTED]. Ms Gobbo told him doesn't know what he's doing.  
12:31:49 9 Bateson has told Gobbo that can say [REDACTED] is making  
12:31:55 10 statements if causes less heat on Ms Gobbo but Ms Gobbo  
12:31:58 11 thinks this may create more questions than answers." So  
12:32:04 12 that's all connected to the involvement that Ms Gobbo had  
12:32:11 13 in advising [REDACTED] and the way in which Mr Bateson  
12:32:20 14 omitted certain information from [REDACTED]'s statements in  
12:32:24 15 order to not disclose Ms Gobbo's role in advising [REDACTED]  
12:32:31 16 [REDACTED], do you recall that?---Okay.

12:32:34 17  
12:32:35 18 But it does evidence, doesn't it, that an independent  
12:32:38 19 source of threat throughout all of this period to Ms Gobbo  
12:32:44 20 is from the Carl Williams side of things, not just the  
12:32:48 21 Mokbels?---Yes, she's still worried about her involvement  
12:32:54 22 in [REDACTED] and [REDACTED].

12:32:58 23  
12:33:02 24 I probably asked you this, but the fact of Carl Williams  
12:33:05 25 being in gaol isn't really any kind of practical obstacle  
12:33:11 26 for him arranging for someone to be killed, is  
12:33:15 27 it?---Probably not.

12:33:18 28  
12:33:19 29 And then over at 359 at point 5 of the page, entry time  
12:33:28 30 2.52. Then, "She seems to be recording what Abdul Khoder  
12:33:40 31 has told Karl Khoder and Karl Khoder has told Ms Gobbo and  
12:33:44 32 that's to the effect that Abdul says that Solicitor 2 is  
12:33:48 33 spreading a story that Ms Gobbo is a human source, article  
12:33:54 34 on p.15 Herald Sun today, re high level criminal  
12:34:00 35 informers", do you see that?---Yes.

12:34:01 36  
12:34:02 37 One sees a number of references to that. I think it's  
12:34:06 38 right to say, isn't it, that Solicitor 2 was very close to  
12:34:10 39 Carl Williams?---Yes.

12:34:11 40  
12:34:13 41 And regularly Solicitor 2 and Ms Gobbo seemed to have an  
12:34:21 42 odd relationship, sometimes Solicitor 2 would brief  
12:34:25 43 Ms Gobbo and other times they'd say the most terrible  
12:34:29 44 things about each other?---Yes.

12:34:30 45  
12:34:32 46 But amongst those Solicitor 2 would often raise suggestions  
12:34:40 47 that Ms Gobbo was in fact a human source?---Yes, that's

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12:34:47 1 right.  
12:34:47 2  
12:34:49 3 If I could take you to p.365. You'll see at point 5 of the  
12:35:12 4 page - now I think, is this information where it begins  
12:35:16 5 from, "Detective Sergeant Bateson", is that information  
12:35:20 6 coming from Ms Gobbo or - presumably that's what Mr Bateson  
12:35:26 7 has told Ms Gobbo, is it?---I'd say that's information  
12:35:34 8 supplied by Ms Gobbo.  
12:35:35 9  
12:35:35 10 Yes. From a discussion she's had with Mr Bateson?---Yes.  
12:35:40 11  
12:35:41 12 And that indicates that Carl Williams thinks that  
12:35:44 13 Ms Gobbo's responsible for all of those witnesses and is  
12:35:49 14 not happy and I think what that's meaning, isn't it, is  
12:35:54 15 that Carl Williams thinks that Ms Gobbo's responsible for  
12:35:56 16 all of those witnesses cooperating with police?---Yes.  
12:36:00 17  
12:36:04 18 And then it continues, "If Gobbo says hasn't read  
12:36:08 19 statements and it comes out has something to do with them,  
12:36:12 20 looks worse for Ms Gobbo. Ms Gobbo's suggestion is to say  
12:36:15 21 they told me the general subject but wouldn't let me read  
12:36:18 22 them". This is Ms Gobbo's life of sailing pretty close to  
12:36:23 23 the wind I think, isn't it, in terms of getting involved in  
12:36:29 24 advising these witnesses to assist police?---Yes. I'm  
12:36:42 25 sorry, the question - - -  
12:36:43 26  
12:36:44 27 When I say sailing close to the wind, in terms of exposing  
12:36:48 28 her own life to risk?---With this group of people, yes.  
12:36:53 29  
12:36:57 30 And this activity oddly enough extends to the period before  
12:37:06 31 she became a human source. Two of those witnesses about  
12:37:10 32 whom Carl Williams had that suspicion were witnesses for  
12:37:14 33 whom Ms Gobbo acted prior to becoming a human source,  
12:37:18 34 correct?---That's right. She was doing nothing more than  
12:37:23 35 what she probably should have been doing as a lawyer.  
12:37:26 36  
12:37:27 37 But it would seem Carl Williams is becoming suspicious that  
12:37:33 38 there being three of them, maybe something's going on,  
12:37:37 39 maybe she's a police informer?---I don't think you can draw  
12:37:44 40 that conclusion just from that particular piece of  
12:37:48 41 information.  
12:37:48 42  
12:37:48 43 No?---Obviously they don't expect, they have a level of  
12:37:54 44 trust about her because I don't imagine any other barrister  
12:38:05 45 in Melbourne who had been involved in doing exactly the  
12:38:07 46 same thing they would have felt under threat. I think it  
12:38:10 47 was just she was a trusted individual amongst that group of

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12:38:14 1 gangland killers, sorry, criminals, that had manifested  
12:38:20 2 itself like this.  
12:38:21 3  
12:38:22 4 Yes, but at the same time Solicitor 2 is actually coming  
12:38:26 5 out and quite explicitly accusing Ms Gobbo of being a human  
12:38:31 6 source, isn't she?---Yes.  
12:38:33 7  
12:38:35 8 And she's effectively the same as Carl Williams in this  
12:38:38 9 respect, isn't she? I mean she's very close to him?---Yes,  
12:38:44 10 she was very close to him.  
12:38:45 11  
12:38:46 12 If I can take you to p.366 at point 2 of the page. Do you  
12:39:02 13 see it says there that particular - don't know that person  
12:39:11 14 has a pseudonym but you can see what it is. Says that, I  
12:39:15 15 don't know whether the next person has a pseudonym either -  
12:39:19 16 I don't think so. "Roberta Williams and Solicitor 2 are  
12:39:25 17 both saying that Ms Gobbo is a dog and should be  
12:39:29 18 knocked"?---I see that.  
12:39:30 19  
12:39:31 20 Knocked, of course, is slang for killed?---Yes.  
12:39:35 21  
12:39:43 22 Then if I could take you to p.368, we have Mr Gatto coming  
12:39:58 23 into play. Do you see the heading "Carl Williams"?---Yes.  
12:40:02 24  
12:40:03 25 It says, "Re Carl Williams' visit". I should perhaps start  
12:40:10 26 by saying this is a phone call from Ms Gobbo, isn't it, so  
12:40:13 27 this is information she's conveying?---Yes.  
12:40:17 28  
12:40:19 29 And she says, "Gatto told Roberta that [REDACTED] has been  
12:40:25 30 sentenced and that Gatto told him there is a female source  
12:40:30 31 working for Purana. Reason Gatto is talking to Carl is  
12:40:35 32 that Gatto wanted to advise that a particular person may be  
12:40:38 33 in trouble, i.e. get arrested because of [REDACTED]'s  
12:40:43 34 statements", do you see that?---Yes.  
12:40:45 35  
12:40:45 36 I've seen a number of references in the ICRs to suggestions  
12:40:51 37 that Mr Gatto seemed to perhaps be getting access to some  
12:40:59 38 information either directly or indirectly from Purana. Do  
12:41:05 39 you have a recollection of that?---I know what, I think I  
12:41:11 40 know what you're talking about.  
12:41:13 41  
12:41:13 42 Yes. This is again pretty scary information, isn't it,  
12:41:19 43 that Mr Gatto seems to have this suspicion that a female  
12:41:25 44 source is working for Purana, because of course Ms Gobbo  
12:41:28 45 would fit that description very nicely?---Yes.  
12:41:30 46  
12:41:38 47 COMMISSIONER: When you said you think you know what

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12:41:41 1 Mr Collinson is talking about, do you know if there was a  
12:41:47 2 leak from Purana to Carl Williams?--No, Commissioner, it  
12:41:52 3 was never actually definitively established. There was  
12:41:56 4 some individuals that were spoken to and some loose  
12:42:00 5 connections and ultimately the Purana investigators were  
12:42:06 6 informed about our suspicions that there might have been a  
12:42:12 7 leak and they believed that there wasn't a leak and they  
12:42:15 8 spoke to the people who had been tenuously nominated and  
12:42:20 9 they were very satisfied it wasn't the case.  
12:42:22 10  
12:42:23 11 Thank you.  
12:42:23 12  
12:42:24 13 MR COLLINSON: Does that mean that the better view was that  
12:42:28 14 there was some kind of leak but the source of the leak was  
12:42:31 15 never identified?--I don't think it was established that  
12:42:38 16 there actually was a leak.  
12:42:41 17  
12:42:41 18 Yes. Well it was suspected though, wasn't it?--Yes.  
12:42:49 19  
12:42:54 20 Could I take you to p.389. Now, at the foot of the page  
12:43:15 21 you'll see an entry 2.28 pm?--Yes.  
12:43:20 22  
12:43:22 23 "Adam Ahmed rang, he received a call from" - that means he  
12:43:29 24 rang Ms Gobbo. "He received a call from Carl Williams. He  
12:43:31 25 openly declared Ms Gobbo is a dog police informer. Carl is  
12:43:37 26 writing another letter and sending it to various people.  
12:43:40 27 Ahmed to be told by Ms Gobbo not to respond to any letters,  
12:43:44 28 et cetera, from Carl", do you see that?--Yes.  
12:43:47 29  
12:43:50 30 So this is a very direct suggestion from Mr Williams that  
12:43:54 31 Ms Gobbo's a police informer, not just acting as a  
12:43:58 32 barrister in the best interests of individuals and  
12:44:03 33 suggesting they cooperate with police, isn't it?--Yes.  
12:44:07 34  
12:44:07 35 But this is at the time when Carl Williams is becoming  
12:44:11 36 concerned that he doesn't want Ms Gobbo to act in relation  
12:44:19 37 to I think one of the cases involving ██████████, do you  
12:44:26 38 remember there's those letters he writes to the Ethics  
12:44:29 39 Committee and the Bar Council?--I do. Is that this time?  
12:44:34 40  
12:44:34 41 Well, actually, I might need to check that. It seems to be  
12:44:38 42 he's writing a letter here. But again, this is in August  
12:44:45 43 2006. Yes, I think it's later people are saying. But this  
12:44:51 44 is another example, isn't it, of - I mean Mr Williams  
12:44:55 45 probably didn't have any objective basis for suggesting,  
12:45:01 46 did he, that Ms Gobbo was a human source?--I don't think  
12:45:09 47 so. This is ██████████ 2006 so ██████████ and ██████████ I think

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12:45:18 1 are both [REDACTED]. Maybe even [REDACTED] at this time.  
12:45:22 2  
12:45:22 3 Yes?---So there would have been a lot of scuttlebutt going  
12:45:30 4 on around the gaol.  
12:45:31 5  
12:45:31 6 Yes. I mean unless the criminal community draws a  
12:45:34 7 conclusion, which I don't think would be justified, from a  
12:45:39 8 barrister advising someone to cooperate with the police  
12:45:41 9 that they're a human source, unless that's the reasoning  
12:45:45 10 process. I can't see in the materials any information that  
12:45:50 11 might have emerged that laid a basis for suggesting that  
12:45:55 12 the criminal community would believe Ms Gobbo to be a human  
12:45:58 13 source at this time?---I don't think you can take the words  
12:46:07 14 used by these people too literally. I think there's  
12:46:13 15 criminals that would say the mere fact that she helped  
12:46:17 16 people roll on the likes of Carl Williams or others would  
12:46:21 17 be enough for them to say she is a dog and police informer.  
12:46:25 18 I don't think we can take a real prescriptive definition of  
12:46:33 19 that word amongst the prison community. Some might say  
12:46:38 20 she's helped people roll and that's maybe part of her job  
21 giving the best advice. Other would go all the way to the  
12:46:46 22 other extreme and say the help was in many ways to be a dog  
12:46:47 23 and a police informer.  
12:46:48 24  
12:46:48 25 I might have misstated things anyway there though, because  
12:46:52 26 it does appear from p.368 I took you to that Gatto has told  
12:46:57 27 Carl Williams there is a female source working for Purana.  
12:47:02 28 You can imagine that exciting Mr Williams' interest, can't  
12:47:06 29 you?---Yes, absolutely.  
12:47:07 30  
12:47:08 31 But again, just so I don't have to return to it, one can  
12:47:13 32 see from this kind of background when one comes to Dale  
12:47:18 33 much later on that Ms Gobbo would reasonably have an  
12:47:25 34 apprehension that Carl Williams would tell lies about  
12:47:31 35 her?---Yes.  
12:47:31 36  
12:47:41 37 Then if I could take you to p.419. You'll see there's a  
12:47:59 38 reference for 9 September 2006. Do you see about point 3  
12:48:04 39 of the page "DSU issue"?---Yes.  
12:48:07 40  
12:48:09 41 And it says there, "Manella has been told to sack source",  
12:48:13 42 that's Ms Gobbo, "As Ms Gobbo is an informer. Got told so  
12:48:18 43 by the other side. The other side means the Gatto group".  
12:48:23 44 See that?---Yes.  
12:48:24 45  
12:48:28 46 Now, Manella was a criminal associate, I think, of  
12:48:34 47 Mr Karam, wasn't he?---Yes.

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12:48:35 1  
12:48:37 2 He was another interesting character I think, wasn't he?  
12:48:40 3 He was one who at one time had an idea of blowing up the  
12:48:44 4 County Court in order to get an adjournment of his criminal  
12:48:48 5 trial?---I've got a vague recollection of that.  
12:48:52 6  
12:48:55 7 In any event, this connects in to the apparent information  
12:49:06 8 that Gatto had said he'd obtained that Purana had a female  
12:49:11 9 human source?---It's consistent, yes.  
12:49:15 10  
12:49:17 11 If I could take you to p.424, point 2 of the page. "Source  
12:49:39 12 calls the handler at 9.58. Roberta Williams approached  
12:49:48 13 Mr Gatto to have the source knocked. Gatto said, 'You're  
12:49:52 14 joking, she's a friend of mine'. Gatto has helped her find  
12:49:56 15 a place to stay". Now, did the police think that that  
12:50:06 16 approach by Roberta Williams was a serious one?---I can't  
12:50:14 17 recall addressing that specifically.  
12:50:21 18  
12:50:23 19 It's, on any measure, a hair raising life, isn't it, that  
12:50:29 20 Ms Gobbo is living at this time?---Yes.  
12:50:30 21  
12:50:39 22 Page 431. You'll see at point 2 of the page Ms Gobbo's  
12:50:54 23 reporting in September 2006, "Heard on grapevine Roberta  
12:51:02 24 Williams trying to recruit someone to bash 3838. Didn't  
12:51:07 25 say". Are you able to say what the words "didn't say"  
12:51:14 26 mean?---No.  
12:51:19 27  
12:51:22 28 It then says, "3838 suspects from John Higgs or  
12:51:28 29 connections". So does that connect to the previous item in  
12:51:31 30 the sense that Roberta Williams is trying to recruit John  
12:51:36 31 Higgs or his connections to have Ms Gobbo bashed, is that  
12:51:45 32 the way to read that?---I think what they're saying is she  
12:51:53 33 saw Manella at the office, her office. Manella told her  
12:52:01 34 he'd heard on the grapevine that Roberta was trying to  
12:52:08 35 recruit somebody to bash her. Ms Gobbo suspects that  
12:52:08 36 Manella might have got that from John Higgs or connections.  
37  
12:52:15 38 MR COLLINSON: Yes, I see?---Bearing in mind that John  
12:52:17 39 Higgs was a connection of Manella's.  
12:52:19 40  
12:52:19 41 Yes. Is there any connection with the next item, "He is  
12:52:23 42 receiving question mark from prisoner", I don't think  
12:52:27 43 that's a pseudonym, "Matt Johnson"?---I'm not sure if  
12:52:34 44 that's a reference to Higgs is receiving it or Manella is  
12:52:39 45 receiving it.  
12:52:39 46  
12:52:39 47 This seems to be an ICR that just doesn't, it doesn't seem

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12:52:43 1 to be very well written, does it?---It's unusual in its  
12:52:48 2 layout, I haven't seen one like this that I can recall. I  
12:52:55 3 know there's been some recreation of IRs, sorry, ICRs and I  
12:53:02 4 suspect this looks like it has some sort of automatic  
12:53:05 5 numbering system attached to it, which is not how we did  
12:53:10 6 it.

12:53:10 7  
12:53:11 8 That's all right, I'll pass on. Can you go to p.466,  
12:53:15 9 please. I think this is just an - sorry, at point 7 of  
12:53:33 10 that page. This seems to be a summary within SDU of some  
12:53:43 11 of the information that's coming through and it says,  
12:53:45 12 "Gatto and Thomas both involved in discussions with Roberta  
12:53:50 13 Williams who was actively attempting to harm 3838. Risk  
12:53:54 14 assessment to be conducted regarding this proposed meeting  
12:53:58 15 once details are provided by Thomas to 3838". I think  
12:54:06 16 Mr Gatto was trying to dissuade Ms Williams from this  
12:54:10 17 course of action, wasn't he?---Yes, I think he was. This  
12:54:13 18 seems to be a reference to her going to a meeting with  
12:54:17 19 Gatto and Thomas on Friday.

12:54:20 20  
12:54:21 21 Yes. Can I take you to p.474. I'm sorry, hang on - I need  
12:54:40 22 to take you back a bit, it's p.446. This is 3 October  
12:54:56 23 2006. At point 3 of the page do you see the paragraph,  
12:55:01 24 "Karam said"?---Yes.

12:55:05 25  
12:55:05 26 It says, "Karam said that Horty asked if he trusted  
12:55:11 27 Ms Gobbo and Mr Karam said yes. Horty asked what Ms Gobbo  
12:55:18 28 knows. Reply was everything about everything". Just  
12:55:22 29 pausing there, that was I think Mr Karam disclosing to  
12:55:29 30 Horty, wasn't it, that he'd told Ms Gobbo really everything  
12:55:33 31 about what his current drug dealing endeavours  
12:55:40 32 were?---That's, that's what that would be a reference to.  
12:55:43 33 Karam was involved in importing containers of drugs and  
12:55:47 34 tobacco which he mentioned to her from memory quite early  
12:55:51 35 in the piece and spoke about it regularly. And he also  
12:55:57 36 spoke about the fact that Horty Mokbel was involved with  
12:56:04 37 him in some of those criminal enterprises.

12:56:06 38  
12:56:06 39 Yes. Of course Ms Gobbo was tasked in to Mr Karam, wasn't  
12:56:12 40 she?---Yes.

12:56:12 41  
12:56:14 42 And as the period of her being an informer unfolded she  
12:56:25 43 gathered an extraordinary quantity of detail about  
12:56:29 44 Mr Karam's activities?---She did. I think it kicked off  
12:56:36 45 initially because Karam had asked her if she could find  
12:56:40 46 buyers for a very large amount of MDMA he had.

12:56:46 47

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12:56:46 1 And I think, I don't think - Ms Gobbo didn't proceed to  
12:56:51 2 seek to find any for him, did she?--No.  
12:56:53 3  
12:56:55 4 I think he asked her at one point to locate an apartment  
12:57:00 5 for him too, which he then abandoned, do you recall  
12:57:03 6 that?--He did. I'm not sure whether that was an apartment  
12:57:08 7 for him or whether he thought it could be a place for him  
12:57:12 8 and her.  
12:57:13 9  
12:57:13 10 He was yet another one of these - I don't know what the  
12:57:15 11 percentages would be but a very large number of these  
12:57:17 12 criminals seem to have had romantic feelings towards  
12:57:22 13 Ms Gobbo arising out of all these connections, do you  
12:57:25 14 recall that?---Yes.  
12:57:26 15  
12:57:26 16 I think Mr Karam certainly falls into that category,  
12:57:29 17 doesn't he?---Yes, he does.  
12:57:32 18  
12:57:32 19 Anyway, it continues, "Horty says Karam is mad to trust  
12:57:37 20 Ms Gobbo. Horty said, 'If I find out Ms Gobbo has done  
12:57:41 21 anything to hurt my family, I'll kill Ms Gobbo with my own  
12:57:45 22 hands'". So again that's pretty frightening information,  
12:57:49 23 isn't it, for Ms Gobbo to hear?---Yes.  
12:57:56 24  
12:57:58 25 If I could go then to p.474?---Sorry, what was the page  
12:58:24 26 number?  
12:58:24 27  
12:58:24 28 474. Actually I think 473. You'll see at the foot of the  
12:58:36 29 page there that, "One thing that Mr Karam discloses to  
12:58:42 30 Ms Gobbo at one point is apparently that Fred D'Amico is  
12:58:47 31 currently being worked on by Purana. Mr Karam stated that  
12:58:52 32 the source of this document is the same source of the  
12:58:55 33 information that disclosed the secure location of [REDACTED]  
12:58:59 34 while he was in the process of making his statement". So  
12:59:02 35 that's a reference, isn't it, to this possible source of  
12:59:07 36 leaks in Purana?---Yes.  
12:59:44 37  
12:59:51 38 And of course the possibility of leaks in Purana, that  
12:59:59 39 increased the risks for Ms Gobbo, didn't it, because as  
13:00:03 40 time went on people in Purana, a greater number came to  
13:00:09 41 know she was a human source?---Yes.  
13:00:12 42  
13:00:17 43 You never worked out who the source of the leaks was?---As  
13:00:25 44 I said, I don't think it was actually established  
13:00:28 45 definitively that there was a leak.  
13:00:31 46  
13:00:31 47 Yes?---This information was passed on to Detective

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13:00:37 1 Inspector O'Brien and he was more than satisfied that there  
13:00:41 2 wasn't a leak.  
13:00:43 3  
13:00:43 4 Yes. But one of the items of information - I've seen a  
13:00:48 5 number of references to it. If one goes to the bottom of  
13:00:52 6 p.473. [REDACTED] was taken to a particular location when  
13:00:57 7 he was making his statements and it turned out that people  
13:01:00 8 like Carl Williams were able to identify where that  
13:01:03 9 location was, do you remember that?---Yes.  
13:01:07 10  
13:01:08 11 And they had it accurately, didn't they, or Carl Williams  
13:01:13 12 had it accurately?---I think that's right but this is a  
13:01:20 13 matter that you really should address with Mr O'Brien.  
13:01:23 14  
13:01:23 15 Yes?---I don't want to smear anybody's reputation.  
13:01:29 16  
13:01:29 17 Yes, I'll pass on. And over at p.480, point 1 of the page.  
13:01:43 18 I mean these threats just seemed to wash in like waves  
13:01:49 19 hitting the shore. "Milad advised that Carl Williams  
13:01:54 20 believes that 3838 is a dog (police informer) and wants to  
13:01:58 21 kill 3838". I mean did the police - it continues, "Today  
13:02:12 22 Milad was interested in possible sentences and what role  
13:02:17 23 Purana had put Milad in. 3838 advised that the brief has  
13:02:21 24 not been seen at this time". I don't think I've seen  
13:02:26 25 anything that evidences the police taking any particular  
13:02:32 26 protective response for Ms Gobbo on hearing this phase  
13:02:38 27 where Carl Williams is issuing threats to kill her. Do you  
13:02:44 28 know whether any protective steps were taken for Ms Gobbo  
13:02:47 29 at that time?---We did have - I don't know about this time  
13:02:53 30 but we did have at various times certain processes underway  
13:03:00 31 to protect her.  
13:03:02 32  
13:03:02 33 Yes. And then over at 495 at point 7 or point 6 of the  
13:03:18 34 page. Do you see it says, "3838 stated that Adam rang to  
13:03:30 35 report another letter he had received from Carl Williams.  
13:03:34 36 3838 states that Adam knows what sort of person 3838 is and  
13:03:39 37 is willing to communicate with 3838. 3838 appreciates  
13:03:43 38 contacts and states that he doesn't call as a result of  
13:03:46 39 circumstances of his confinement". So Adam, I think that's  
13:03:58 40 - is that Naddy Ahmed, is that who that is?---Yes.  
13:04:08 41  
13:04:08 42 "Carl Williams is saying that he has proof that 3838 is  
13:04:13 43 assisting police. Adam did not detail it over the phone.  
13:04:17 44 Adam will send a copy of the communication received from  
13:04:20 45 Carl Williams. 3838 will advise once copy of letter is  
13:04:24 46 received". And then he advises her to remove all these  
13:04:31 47 people from her life, Carl Williams and Mokbels, et cetera.

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13:04:35 1 Now, at this point Ms Gobbo is stuck really, isn't she - I  
13:04:42 2 suppose she could just stop being an informer, but she's  
13:04:47 3 being encouraged by SDU to expand and cultivate all of  
13:04:54 4 these social connections with members of the criminal  
13:04:59 5 community, including Williams and Mokbels?---I don't think  
13:05:08 6 that's right at this point in time.  
13:05:13 7  
13:05:16 8 This is a bit over a year after she commenced as an  
13:05:20 9 informer. You think this is in the baby-sitting phase, is  
13:05:23 10 that your point?---Yeah, as I've tried to explain there  
13:05:28 11 were several occasions where we tried to wind her down and  
13:05:31 12 put her in that, if you like, baby-sitting phase where we  
13:05:36 13 could just concentrate on the potential threats and  
13:05:40 14 compromise of her.  
13:05:41 15  
13:05:41 16 Yes?---She certainly - we never tasked her against Carl  
13:05:46 17 Williams to my recollection.  
13:05:48 18  
13:05:48 19 No. I don't challenge you on that. But she was being  
13:05:54 20 tasked generally, wasn't she, to extend the range of her  
13:05:59 21 social connections with as many members of the Melbourne  
13:06:03 22 criminal community as she could?---I'm not sure that that's  
13:06:09 23 actually correct and without going through all the material  
13:06:12 24 and making a time line for you, I know there was  
13:06:16 25 conversations after the arrest of [REDACTED] to limit her  
13:06:20 26 activity and not to task her.  
13:06:23 27  
13:06:23 28 Yes?---And as I said a couple of times, what would happen  
13:06:29 29 is we would wind it down but she'd still be reporting intel  
13:06:35 30 and then something would come up that we just couldn't  
13:06:38 31 ignore.  
13:06:39 32  
13:06:40 33 I've asked you some general questions about that already so  
13:06:43 34 I won't go back to that?---Yes.  
13:06:47 35  
13:06:47 36 If you could go to p.544 please. At point 2 of the page,  
13:07:08 37 you'll see the heading, "Milad Mokbel"?---Yes.  
13:07:12 38  
13:07:13 39 There seems to be an abatement in the threats from Carl  
13:07:16 40 Williams because it says in the first dot point, "Milad  
13:07:19 41 claims that Carl Williams regrets calling 3838 a dog and  
13:07:23 42 that Carl Williams wants to apologise". One often sees  
13:07:31 43 this kind of activity in the ICRs, Mr White, where threats  
13:07:37 44 are made and then you see a week later Ms Gobbo might be  
13:07:42 45 out to dinner with the same person and they're apologising  
13:07:47 46 for making the threats or saying it was all  
13:07:51 47 misunderstood?---Yes.

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13:07:52 1  
13:07:52 2 Is that the kind of thing you saw a lot of with - -  
13:07:56 3 -?---Yes.  
13:07:56 4  
13:07:57 5 - - - Ms Gobbo?---Yes.  
13:07:58 6  
13:08:04 7 Page 563. You'll see at point 2 of the page there, this is  
13:08:19 8 in November 2006, "3838 stated that Horthy was in a  
13:08:24 9 controlled rage. Horthy did not give 3838 any indication  
13:08:29 10 for the reason for the visit to 3838". I should say it  
13:08:36 11 starts that, "Horthy has come to see 3838 today", so Horthy's  
13:08:40 12 not in gaol at this point, is he?---He couldn't be.  
13:08:47 13  
13:08:48 14 No. And obviously Ms Gobbo lives in fear of Horthy Mokbel  
13:08:55 15 in particular harming her because he might suddenly become  
13:09:02 16 aware, without her knowledge, that she played that role in  
13:09:06 17 relation to [REDACTED]?---Yes.  
13:09:08 18  
13:09:13 19 And she's obviously fearful that something like that might  
13:09:16 20 have happened here, isn't she?---Possibly.  
13:09:21 21  
13:09:22 22 Then p.574. At the foot of the page, "Mr Khoder and 3838  
13:09:50 23 have been at a restaurant together. En route home Khoder  
13:09:56 24 said to 3838 that Karam had mentioned that Horthy was  
13:10:00 25 looking for a gun and bullets to shoot somebody who is on  
13:10:04 26 bail". I won't say the name but 3838 suggests it might be  
13:10:08 27 that person. That's an indication that perhaps Horthy's  
13:10:16 28 controlled rage is directed at [REDACTED], or is it more  
13:10:24 29 directed to that person?---Probably that person. I think  
13:10:32 30 he also assisted.  
13:10:34 31  
13:10:34 32 Yes. And then a few pages later, if we go to 589, at point  
13:10:44 33 5 of the page, there seems to be a fairly casual change of  
13:10:54 34 mind by Horthy about this plan and information from the  
13:10:59 35 source, you'll see it says, "Horthy finding it difficult to  
13:11:04 36 do much due to police surveillance. Horthy does not want to  
13:11:07 37 kill that person, even though he knows where he lives in  
13:11:11 38 that suburb as everyone will think he did it anyway". So  
13:11:17 39 he seems to have decided just the risks are too  
13:11:25 40 great?---Yes.  
13:11:25 41  
13:11:26 42 And then just back a few pages, 577, if you look at point 8  
13:11:39 43 of the page. Do you see the heading "involved death  
13:11:54 44 threats"?---Yes.  
13:11:54 45  
13:11:55 46 And then it says "phone box" and then there's that abusive  
13:12:00 47 message. Same type of language as Roberta Williams.

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13:12:06 1 Source had just got home from a night out in Lygon Street.  
13:12:10 2 So we start to get into a phase now where texts and phone  
13:12:15 3 messages are left or sent to Ms Gobbo, aren't they, that  
13:12:21 4 make all kinds of threats against her?---Yes.  
13:12:24 5  
13:12:28 6 If I could take you to p.2170?---2170?  
13:12:40 7  
13:12:40 8 I'm terribly sorry, p.584. Do you see the heading "SDU  
13:12:53 9 issue" about point 3 of the page?---Yes.  
13:12:56 10  
13:12:58 11 "Received a death threat SMS. Keep your mouth shut or  
13:13:09 12 die"?---Yes, I see that.  
13:13:10 13  
13:13:11 14 Was it ever established who was sending that SMS  
13:13:21 15 threat?---There's some information there about what was  
13:13:23 16 done on it. This is part of Operation Gosford, which was  
13:13:30 17 managed by Dale Flynn from Purana.  
13:13:33 18  
13:13:33 19 Yes?---And once again you'd have to talk to him about the  
13:13:38 20 outcome.  
13:13:38 21  
13:13:38 22 Yes. Can I take you to p.723. You'll see the heading  
13:14:04 23 "Operation Gosford" there?---Yes.  
13:14:06 24  
13:14:06 25 At the top of the page, "3838 advised that she had received  
13:14:10 26 another threatening text message" and then it's set out in  
13:14:16 27 the next dot point. You'll notice it describes Ms Gobbo as  
13:14:20 28 a police informing dog, seeming to fasten upon that point  
13:14:30 29 rather than just dog generally?---Yes.  
13:14:31 30  
13:14:31 31 As you said earlier, the response is to suggest that 3838  
13:14:36 32 contact Mr Flynn because he was effectively in charge of  
13:14:40 33 Operation Gosford?---That's right.  
13:14:46 34  
13:14:50 35 I see the time.  
13:14:51 36  
13:14:51 37 COMMISSIONER: Yes, all right, we'll adjourn now until 2  
13:14:54 38 o'clock, please.  
13:14:55 39  
13:14:55 40 <(THE WITNESS WITHDREW)  
13:14:55 41  
13:14:55 42 LUNCHEON ADJOURNMENT  
13:14:55 43  
44  
45  
46  
47

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13:54:21 1 UPON RESUMING AT 2.08 PM:  
2  
14:08:38 3 COMMISSIONER: Mr Collinson.  
14:08:40 4  
14:08:41 5 <SANDY WHITE, recalled:  
14:08:43 6  
14:08:43 7 MR COLLINSON: If the Commissioner pleases. Mr White, if I  
14:08:46 8 could just take you back briefly to p.642, please, ICR 67.  
14:09:09 9 If you've got that reference, you'll see the reference to  
14:09:13 10 Abdul Khoder there?---Yes.  
11  
14:09:20 12 I was going to say that that's Mr Motor Mouth but that's  
14:09:26 13 actually, must be some relation of Karl Khoder's, is  
14:09:31 14 it?---It is a relation, yes.  
15  
14:09:33 16 Anyway, for whatever reason it appears that around this  
14:09:36 17 time, that is February 2007, Motor Mouth's brother is going  
14:09:41 18 around saying that 3838 is a police informer, do you see  
14:09:46 19 that?---Yes.  
20  
14:09:51 21 Do you know anything about the background to that? I mean  
14:09:54 22 that's yet another source of allegation for this status for  
14:09:59 23 Ms Gobbo but do you know what it was based on?---No, I  
14:10:12 24 don't. Looking at the rest of the dot points there, I  
14:10:18 25 don't know whether - because she raises somebody called El  
14:10:22 26 Khoumi who I can't recall, denying that she's a police  
14:10:29 27 informer. I don't know whether the two are connected.  
28  
14:10:31 29 Yes?---But to be honest I don't remember Abdul Khoder being  
14:10:36 30 involved in anything.  
31  
14:10:38 32 All right. Then over on 643, the next page, at about point  
14:10:42 33 2 of the page, perhaps these and other concerns generate a  
14:10:50 34 view expressed by 3838 that she's considering leaving the  
14:10:53 35 country at this time, do you see that in the second-last  
14:10:59 36 dot point under the heading "Welfare"?---Yes.  
37  
14:11:11 38 And I might have taken you to this before but in the next  
14:11:16 39 dot point she expresses this view, she's done a complete  
14:11:20 40 circle and is really no better off than when she started on  
14:11:23 41 this whole process of being an informer?---Yes.  
42  
14:11:26 43 If I could take you to 759.  
44  
14:11:33 45 COMMISSIONER: The next volume?---Yes.  
14:12:17 46  
14:12:18 47 MR COLLINSON: Actually it starts at the bottom of 758.

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14:12:21 1 You'll see a heading there that relates to Docket  
14:12:28 2 Waters?---Yes.  
3  
14:12:29 4 And you'll see that 3838 refers to a meeting she had with  
14:12:35 5 Waters and Hodgkins, a person called Inspector Bob  
14:12:41 6 Hodgkins, at the South Melbourne Anglers Club, the first  
14:12:47 7 dot point?---Yes.  
8  
14:12:47 9 Then over the page you'll see in the first dot point that  
14:12:55 10 Ms Gobbo recites in her report to the handler that as part  
14:12:58 11 of the conversation Hodgkins mentioned that "he was with  
14:13:04 12 Dr John at the Marriott Hotel the other night" and you can  
14:13:08 13 see it's in grey so I won't read it out, but you can see  
14:13:15 14 the concern Ms Gobbo had arising out of that reference by  
14:13:19 15 Mr Hodgkins?---Yes.  
16  
14:13:20 17 Do you have any recollection of that, that she had that  
14:13:23 18 concern?---I've got a vague recollection, yes.  
19  
14:13:29 20 I mean this is just another aspect of all the risks that  
14:13:32 21 Ms Gobbo took on with this role, isn't it, that she might,  
14:13:37 22 even with the best procedures in the world, be seen with  
14:13:41 23 the handlers by the wrong people?---And be compromised,  
14:13:46 24 yes.  
25  
14:13:47 26 I suppose she was a fairly prominent figure around  
14:13:52 27 Melbourne in these days, wasn't she, so that accentuated  
14:13:57 28 the risk?---Yes.  
29  
14:14:11 30 If I could take you to p.775. You'll see the reference  
14:14:28 31 halfway down to Horty Mokbel, do you see that?---Yes.  
32  
14:14:39 33 It says a couple of dot points down, "Horty has visited  
14:14:43 34 Milad and obtained the statements" of those persons.  
14:14:46 35 "Horty is furious with reading the same. 3838 commented  
14:14:52 36 that a number in the statements have not been edited  
14:14:54 37 properly"?---Can I stop you?  
38  
14:14:56 39 Yes?---Okay, I've found it. Sorry, I was looking at the  
14:15:04 40 wrong Horty Mokbel reference.  
41  
14:15:05 42 That's all right. I was under that heading "Horty Mokbel"  
14:15:13 43 about four dot points down?---Yes.  
44  
14:15:14 45 I was reading, "Horty has visited Milad" and obtained those  
14:15:18 46 statements. "Horty is furious with reading same. 3838  
14:15:22 47 commented that a number of areas in the statements have not

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14:15:24 1 been edited properly". Then it says, "Horty has been  
14:15:31 2 reading the statements, attempting to guess the edited  
14:15:35 3 sections of them. Horty said he should have killed" that  
14:15:38 4 person. Further down he said, "He should have had him  
14:15:44 5 knocked when he had the chance". Then at the bottom,  
14:15:48 6 "Horty said more people need to be murdered to prevent  
14:15:51 7 people talking to the police. Horty said Australia looks  
14:15:57 8 after informants too much and more need to be killed.  
14:16:03 9 Horty also said anybody that backs up dogs also should be  
10 killed. 3838 stated that Horty was just talking but she he  
14:16:08 11 was talking strongly and this has concerned her". It's  
14:16:12 12 almost the reverse of what lawyers call the informer rule,  
14:16:15 13 isn't it, that the courts have a bias towards protecting  
14:16:21 14 the identity of informers in order to encourage people to  
14:16:25 15 be informers and Horty realises that from the point of view  
14:16:29 16 of the criminal community you really need to be doing the  
14:16:33 17 opposite and killing as many as you can?---Yes.  
18  
14:16:37 19 COMMISSIONER: It goes on to say that she doesn't believe  
14:16:40 20 Horty is going to have anybody killed following this  
14:16:43 21 conversation, "this was just talk from Horty".  
14:16:46 22  
14:16:46 23 MR COLLINSON: Yes. She remains concerned it says at the  
14:16:55 24 last dot point. Then p.870. You'll see the heading  
14:17:21 25 "Gatto"?---Yes.  
26  
14:17:23 27 This is 30 May 2007 and you'll see an expression of concern  
14:17:30 28 by 3838 that Purana has a leak. "The Amatruda people are  
14:17:41 29 finding things out", she says?---Yes.  
30  
14:17:44 31 If I can take you to p.946, which is ICR 86?---I have that.  
32  
14:18:12 33 You'll see for this entry for 28 June 2007 she has just  
14:18:17 34 received a call from Sean Sonnett at Barwon Prison. "She  
14:18:21 35 has just hung up from him and rang me straight away. Sean  
14:18:27 36 stated the following, that he no longer had counsel for his  
14:18:30 37 case. Shaun said he knows you" - I'm not sure what "ST  
14:18:34 38 police" means.  
39  
14:18:36 40 COMMISSIONER: Spoke to?---Spoke to.  
14:18:37 41  
14:18:37 42 MR COLLINSON: "Spoke to police and do deals with police  
14:18:41 43 and get people to roll". He said, "I know you got  
14:18:43 44 [REDACTED] and [REDACTED] to roll". Ms Gobbo then cut him  
14:18:49 45 off and said, "Have you got any other threats to make?"  
14:18:52 46 Sonnet said, "No, no, no, it's not like that". Ms Gobbo  
47 cut him off again and said that she did not appreciate the

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14:18:59 1 call and told him not to ring again. Then further down  
14:18:59 2 Ms Gobbo states that this number, the relevant number, was  
14:19:02 3 the number Carl Williams used to have but not any more. It  
14:19:06 4 seems like Carl Williams has arranged for some associate of  
14:19:12 5 his called Sean Sonnett to try to get some kind of  
14:19:16 6 admission from Ms Gobbo that she got [REDACTED] and [REDACTED]  
14:19:21 7 [REDACTED] to roll, isn't that what seems to have happened?---That's  
14:19:26 8 one interpretation.

9  
14:19:28 10 Is it your interpretation?---I'd want to read more of the  
14:19:35 11 material that might have related to that. It's a  
14:19:39 12 possibility that it was a test. It might also be a  
14:19:44 13 possibility he was looking for her to represent him and do  
14:19:47 14 a deal with the police.

15  
14:19:49 16 Yes?---He says he no longer has counsel for his case so  
14:19:52 17 presumably he's ringing her to get some legal advice.

18  
14:19:58 19 Yes. But she's got a pretty clear - - - ?---I don't know  
14:20:04 20 if there's other material that might further shed some  
14:20:07 21 light on that.

22  
14:20:09 23 Right. Then can I take you, please, to 1060. Do you see  
14:20:46 24 at about point 4 of the page there's a male voice who  
14:20:50 25 called her on 25 July 2007, "You talk, you die. Every dog  
14:20:57 26 has its day"?---Yes.

27  
14:21:02 28 Further down she suspects that it may have been something  
14:21:05 29 in relation to the OPI hearings?---I see that.

30  
14:21:10 31 "She laid awake thinking about these things for a couple of  
14:21:13 32 hours later, could not get back to sleep. She is now very  
14:21:17 33 scared". Was there ever a source identified for that  
14:21:21 34 threat?---Not that I can recall but this would have been  
14:21:31 35 passed on to Flynn.

36  
14:21:34 37 Yes. Then 1063. On this page, if you look at point 2,  
14:21:51 38 there's more discussion about that same comment, and again  
14:21:57 39 a connection drawn with OPI. Further down it appears  
14:22:03 40 there's some feedback from Dale Flynn and the mobile was  
14:22:09 41 connected in the name of Jason Kelly. Oddly enough, that's  
14:22:13 42 the name of a police officer, isn't it?---Yes.

43  
14:22:16 44 But that doesn't mean that a police officer was making the  
14:22:20 45 threat, does it?---No.

46  
14:22:24 47 No?---And I think we established that Tony Bayeh might have

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14:22:30 1 been behind this.  
2  
14:22:31 3 Yes. He was a suspect, as one can see, as revealed in the  
14:22:35 4 dot points there? Do you see a little further down?---Yes.  
5  
14:22:43 6 There's a number of suspects, but he's one of them?---Yes.  
7  
14:22:48 8 Are you now able to say what the threats related to or why  
14:22:52 9 they were being made?---No.  
10  
14:23:09 11 I think the next is 1077. You'll see there's a reference  
14:23:26 12 about point 7 of the page to Tony Bayeh and rather oddly  
14:23:37 13 he's actually quite friendly in this call, or at least  
14:23:41 14 ostensibly so, and says that he wants to see her with a  
14:23:48 15 problem he had, presumably some advice he's seeking?---I  
14:23:53 16 see that.  
17  
14:24:00 18 If I could take you to 1167?---1167?  
19  
14:24:14 20 Yes. I've already taken you to that page but you'll see at  
14:24:19 21 the top of the page that's a reference to a fight, I don't  
14:24:26 22 know whether it was verbal or physical or both, between  
14:24:31 23 Mr Karl Khoder and Mr Bayeh where Bayeh was calling  
14:24:37 24 Ms Gobbo a dog. Do you see that?---Yes.  
25  
14:24:49 26 And then p.1179. It's actually 1178 I'm sorry. Then Bayeh  
14:25:13 27 calls her to - if you look at about point 7 of the page,  
14:25:19 28 "Bayeh calls Ms Gobbo whilst I'm talking to her", that's  
14:25:24 29 whilst the handler is talking to her, "she tells him she is  
14:25:27 30 busy and she will call him back later". She then gets a  
14:25:31 31 series of text messages from him as follows, "I've heard  
14:25:35 32 from my solicitor that you have a problem with me", and she  
14:25:39 33 responds. Over at 1180 you can see the impact that this  
14:25:48 34 kind of threat is having on her health. She says at point  
14:25:52 35 3 to the handler she's fed up with her life and feeling  
14:25:58 36 depressed, she needs a break. Ms Gobbo is supported in  
14:26:02 37 this and agreed she needs a break. Then 1186 at point 5 of  
14:26:16 38 the page you can see that Tony Bayeh is himself assaulted  
14:26:21 39 by four blokes in a car who jumped him, see that?---Yes.  
40  
14:26:30 41 Then it appears over the page at 1188 at the top of the  
14:26:37 42 page that Bayeh has half an ear missing as a result of that  
14:26:42 43 assault?---Yes.  
44  
14:26:50 45 Then 1191. I think it actually begins at 1190 at the foot  
14:27:13 46 of the page. Do you see that Ms Gobbo gets a call from  
14:27:17 47 Tony Mokbel?---Yes.

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1  
14:27:20 2 This is a call while he's in Greece and he was pleased to  
14:27:25 3 hear that she was helping out Karl Khoder and that his case  
14:27:29 4 had been resolved. "He made a comment that he would be  
14:27:34 5 true to her till death do us part". Ms Gobbo says, "It is  
14:27:40 6 comments like this that make her very scared of Tony  
14:27:43 7 Mokbel, he plays subtle mind controlling games". Do you  
14:27:48 8 see that?---Yes.  
9  
14:27:49 10 That seems right, doesn't it, that the comment from Tony  
14:27:55 11 Mokbel "till death do us part" appears to be a threatening  
14:27:58 12 one?---That's how she's taken it.  
13  
14:28:23 14 1216. You'll remember Mr Winneke - if you look at the foot  
14:28:40 15 of the page you'll see a reference to Roula Mokbel?---Yes.  
16  
14:28:45 17 You'll see that she says some things about it and then in  
14:28:55 18 the last, second-last paragraph, "General discussion on why  
14:28:59 19 she's doing these cases for nothing and all this running  
14:29:02 20 around when it is really a job for Grigor". He's the  
14:29:08 21 solicitor acting for Roula Mokbel, isn't he?---I think that  
14:29:12 22 must be the explanation.  
23  
14:29:13 24 It says, "Basically it comes down to self-preservation for  
14:29:16 25 her. She needs to keep them close and stamp out rumours  
14:29:20 26 about her when they sprout up. She needs to keep them on  
14:29:25 27 side or else she is in trouble re her life". Do you see  
14:29:29 28 that?---Yes.  
29  
14:29:29 30 Do you accept that generally as a proposition for why she  
14:29:33 31 was, even when not supposed to be acting for some of the  
14:29:39 32 Mokbels and their associates, that she was less motivated  
14:29:42 33 by the intent to make money but instead to keep them close  
14:29:48 34 to her so that if some threat to her emerged she'd be in a  
14:29:54 35 better position to protect herself?---Yes, I do. That was  
14:29:59 36 the reason why she was continuing to go out to the gaol to  
14:30:03 37 talk to these people.  
38  
14:30:07 39 1219, she seems to say something very similar. She doesn't  
14:30:48 40 actually explain it but she does mention towards the foot  
14:30:51 41 of the page that she has been on the phone to Horthy and  
14:30:54 42 Milad in relation to their cases, do you see about point 9  
14:31:00 43 of the page? It's the last - the third-last dot point on  
14:31:13 44 the page, 1219?---She has been on the phone, yes.  
45  
14:31:22 46 Yes. She's not acting for Horthy or Milad, is she, at this  
14:31:27 47 time?---Well we didn't think so.

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1  
14:31:33 2 She's not representing them. I mean they have independent  
14:31:36 3 legal representation, don't they, at this time?---They did.  
4  
14:31:41 5 Yes?---My only reservation is, comes about as a result of  
14:31:48 6 evidence that Mr Winneke showed me suggesting she was  
14:31:50 7 charging at various times for some of these visits.  
8  
14:31:54 9 Yes. She's sort of floating around in the background  
14:31:59 10 speaking to people like Horty and Milad, although not  
14:32:03 11 appearing for them on the record, is that a fair  
14:32:06 12 description?---That's right. And our belief was that she  
14:32:11 13 was maintaining appearances because if she didn't she  
14:32:15 14 thought that would be suspicious, and also that she was  
14:32:18 15 keeping her ear to the ground about the rumours.  
16  
14:32:21 17 Yes?---The vast majority of the material related to  
14:32:24 18 people's belief that she was an informer. It was actually  
14:32:29 19 coming from her, what she picked up.  
20  
14:32:32 21 Yes. She can proffer excuses to members of the Mokbel clan  
14:32:37 22 that she can't appear for them because of a conflict or  
14:32:42 23 whatever, but that wouldn't stop them, I suggest, from  
14:32:45 24 thinking that she could still be used as an informal source  
14:32:49 25 of advice for them?---It wouldn't stop them thinking that,  
14:32:55 26 no.  
27  
14:32:55 28 Indeed, if she didn't continue that role of being an  
14:32:59 29 informal source of advice, that might encourage them to be  
14:33:03 30 suspicious about her?---I didn't believe that at the time  
14:33:09 31 but I think - I know that's what she believed.  
32  
14:33:13 33 I mean if, for example, she basically didn't contact them  
14:33:18 34 at all, that would make them suspicious, wouldn't  
14:33:22 35 it?---Well that's what she believed. I'd said to her on a  
14:33:26 36 couple of occasions, and I think the team did as well, that  
14:33:32 37 we felt the objectives were achieved but she obviously had  
14:33:36 38 this ongoing concern and wanted to stay on top of it.  
39  
14:33:41 40 Yes. Page 1296, 15 October 2007. You'll see about point 3  
14:33:55 41 of the page she tells the handler she has just checked her  
14:34:00 42 letter box, there is a letter in there addressed to "Dog  
14:34:04 43 Nicola Gobbo". "She has opened it and there is a sympathy  
14:34:09 44 card with two bullets inside. Advised her not to touch the  
14:34:13 45 letter or contents at all. She has opened the letter using  
14:34:16 46 a brochure, has not handled it at all. Card says, 'one for  
14:34:21 47 the heart and one for the head. You won't see your

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14:34:25 1 birthday next month if you keep talking to the pigs'.  
14:34:29 2 Gobbo is very scared, she is shaking. Advised her to leave  
14:34:33 3 it where it is and ring Dale Flynn straight away. She'll  
4 be putting the envelope and rest of her mail in a plastic  
14:34:37 5 bag", and Flynn is contacted in relation to Operation  
14:34:45 6 Gosford. Does it become clear where this threat's coming  
14:34:51 7 from?---I can't remember.  
8  
14:34:53 9 It appears to be possibly in connection with the OPI  
14:34:58 10 hearing, is it, because it seems to say, "If you keep  
14:35:02 11 talking to the pigs". Anyway, look, I don't need to press  
14:35:23 12 that question. Over the page at 1297, I won't go into the  
14:35:28 13 details, but you can see in the fourth dot point she  
14:35:36 14 reiterates her fears about the letter. Over at 1298, about  
14:35:43 15 point 3 of the page - tell me if I'm going too fast - you  
14:35:48 16 can see that the subject matter of upgrading security  
14:35:52 17 around her flat is addressed?---Yes.  
18  
14:36:00 19 Over at 1300 you can see from the top of the page she stays  
14:36:08 20 with her sister. Clearly it's a very scary threat in the  
14:36:14 21 mind of Nicola Gobbo, isn't it?---Yes.  
22  
14:36:21 23 If I could take you to 1324.  
24  
14:36:33 25 COMMISSIONER: 1324 or 234?  
14:36:35 26  
14:36:36 27 MR COLLINSON: Sorry, 1324. You'll see at - do you see the  
14:36:48 28 heading "SDU management" about point 6?---Yes.  
29  
14:36:53 30 And a reference to a tape recorder?---Yes.  
31  
14:36:59 32 I don't know whether I'm - I think I'll put this very  
14:37:03 33 generally. She wears a tape recorder, doesn't she, in  
14:37:06 34 relation to a particular person in order to see whether she  
14:37:11 35 can catch that person making threats?---On the phone, yes.  
36  
14:37:16 37 Yes, I see. If I could take you to 1395. You'll see at  
14:37:45 38 about point 6 of the page "threatening woof woof  
14:37:51 39 calls"?---Yes.  
40  
14:37:51 41 Although that might to some sound amusing, that is someone  
14:37:58 42 making barking noises on the phone to connote that she's a  
14:38:02 43 dog, isn't that the point?---I would think so.  
44  
14:38:09 45 1466?---Sorry, can I just go back to that last question?  
46  
14:38:18 47 Yes?---There seems to be an explanation in those dot points

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14:38:22 1 as to who that was.  
2  
14:38:24 3 Thank you. I've moved on, can you tell me what page I was  
14:38:27 4 on.  
5  
14:38:28 6 COMMISSIONER: 1395?---Could you go to 1395, please,  
14:38:33 7 Mr Collinson.  
14:38:34 8  
14:38:35 9 MR COLLINSON: Yes, touché.  
10  
14:38:37 11 COMMISSIONER: Mr White enjoyed that very much.  
14:38:43 12  
14:38:43 13 MR COLLINSON: Yes, I've got that page. The name is  
14:38:57 14 revealed there somewhere, is it?  
15  
14:39:00 16 COMMISSIONER: Yes, the first dot point?---George Balakis.  
14:39:05 17  
14:39:05 18 MR COLLINSON: I haven't seen much about him. Where does  
14:39:07 19 he fit in?  
20  
14:39:09 21 COMMISSIONER: If you read down it tells you a little more.  
14:39:12 22  
14:39:12 23 MR COLLINSON: Yes. Right. So he just seems to be a  
14:39:16 24 client of hers but somewhat oddly he's making threats even  
14:39:23 25 though - I don't think he's got any association with the  
14:39:25 26 Mokbels; does he?---That name doesn't mean anything to me.  
27  
14:39:29 28 Yes. Let's go then to p.1466. Again I'll not read this  
14:39:45 29 one out because I think there's some protective redactions.  
14:39:53 30 Do you see at the top of the page - - -  
31  
14:39:54 32 COMMISSIONER: It wasn't him if you read on. She had the  
14:39:57 33 time wrong about the calls, if you read on.  
14:39:59 34  
14:39:59 35 MR COLLINSON: I see.  
36  
14:40:01 37 COMMISSIONER: For the sake of Mr Balakis' reputation I  
14:40:06 38 make at that clear.  
14:40:07 39  
14:40:08 40 MR COLLINSON: Indeed, yes. This is at 1466. It's the  
14:40:10 41 first section reflecting the call from Ms Gobbo at 2.05 pm.  
14:40:20 42 She recites something that happened in the course of a  
14:40:24 43 social encounter with a Mr John Higgs, doesn't she?---Yes.  
44  
14:40:32 45 I suggest to you that Mr Higgs was suspected by the police  
14:40:38 46 to be a very dangerous criminal?---Yes.  
47

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14:40:45 1 You can see in the third dot point what was happening that  
14:40:51 2 created the risk?---Yes.  
3  
14:40:56 4 I think reading down you can see that as a result of what  
14:41:00 5 Mr Higgs was doing, what happened with the screen?---Yes.  
6  
14:41:09 7 So this is the life of a sort of a double agent, isn't it,  
14:41:15 8 Mr White, where you're exposed all the time to the risk of  
14:41:23 9 discovery?---Yes.  
10  
14:41:28 11 I said double agent, perhaps I should say the life of a  
14:41:33 12 human source undertaking the sort of activity that Ms Gobbo  
14:41:40 13 did. There were some occasions where I think Ms Gobbo  
14:41:47 14 imprudently, in terms of her interests, suggested wearing a  
14:41:50 15 wire with some particular criminals. I don't mean Mr Dale,  
14:41:55 16 I mean some other occasions. Can you remember that coming  
14:41:58 17 up?---No.  
18  
14:41:59 19 Would you agree with me that it's a very high risk thing  
14:42:03 20 for a human source like Ms Gobbo to do?---Yes.  
21  
14:42:11 22 If I could take you, please, to 1523. In December 2007 you  
14:42:36 23 can see about point 4 of the page there are four  
14:42:45 24 threatening texts that Ms Gobbo receives which I won't read  
14:42:54 25 out, but you can see from their terms that they're  
14:42:58 26 extremely threatening, do you agree with that?---Yes.  
27  
14:43:17 28 Then over the page at 1524 it would seem that the  
14:43:26 29 suspicion, if one looks at point 2 of the page, the  
14:43:29 30 suspicion falls on Mr Bayeh?---Yes.  
31  
14:43:47 32 Then over at 1562. At this stage Ms Gobbo is developing a  
14:44:10 33 social connection with Mr Gatto. You can see at point 8 of  
14:44:16 34 the page she recites that she just got home from Gatto,  
14:44:19 35 "Many there, much to tell, details later. Gatto went  
14:44:23 36 through Gobbo phone", see that?---Yes.  
37  
14:44:27 38 Then over the page at 1563 there's a more detailed  
14:44:34 39 description. You can see at point 6, sorry, point 8 of the  
14:44:39 40 page, "Gatto checked in Gobbo phone for contacts, was  
14:44:43 41 joking about Boris Buick". Now he's a police officer,  
14:44:47 42 isn't he?---Yes.  
43  
14:44:49 44 "Did this for a while, didn't check everything, didn't look  
14:44:53 45 at contact numbers. Gatto showing off to others to some  
14:44:57 46 degree." Where does Boris Buick fit in? Why would he have  
14:45:02 47 made that joke?---I think Boris Buick was at Purana in the

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14:45:09 1 early stages.  
2  
14:45:11 3 Yes?---He wasn't involved with Jim O'Brien's Task Force but  
14:45:17 4 I think he might have been involved with Purana Task Force  
14:45:22 5 when Gavan Ryan was running it and they were looking at the  
14:45:25 6 murders.  
7  
14:45:26 8 It seems - - - ?---Boris Buick - - -  
9  
14:45:28 10 Sorry, you go on?---He may have been involved in the  
14:45:31 11 investigation of Gatto for the killing of Benji Veniamin.  
12  
14:45:35 13 Yes. It seems to be then, is it, a jocular reference by  
14:45:43 14 Gatto to Ms Gobbo having some improper connection, and I  
14:45:53 15 say improper in the sense of perhaps acting as an informer  
14:45:57 16 and her contact being Boris Buick?---Oh, I don't know about  
14:46:05 17 that.  
18  
14:46:06 19 Right. Can I take you then to the other volume of ICRs and  
14:46:30 20 ask you to go to ICR number 2, p.24?---These are the 2958  
14:46:47 21 folder?  
22  
14:46:48 23 That' correct?---Sorry, page number again?  
24  
14:46:50 25 It's p.24. If you have that page you'll see at the top  
14:46:58 26 that Ms Gobbo has called and her mother has located a toy  
14:47:04 27 stuffed dog under her letter box?---Yes.  
28  
14:47:11 29 And there's discussion about that. At about point 3 of the  
14:47:18 30 page Ms Gobbo is recorded as stating her conviction that it  
14:47:21 31 was a veiled threat. Do you agree that that's  
14:47:26 32 likely?---Yes.  
33  
14:47:33 34 Then if I could take you to p.73. If you look at the foot  
14:47:48 35 of the page you'll see the heading "Tony Mokbel"?---Yes.  
36  
14:48:04 37 Below that Ms Gobbo recites that she received a call from  
14:48:10 38 Tony Mokbel from Greece, see that under the heading?---Yes.  
39  
14:48:19 40 "Ms Gobbo stated that Tony Mokbel finished the call by  
14:48:23 41 asking how Ms Gobbo's mother was, which was something he  
14:48:28 42 never did, and she thinks it must be related to the threats  
14:48:31 43 being made." That was a pretty reasonable connection for  
14:48:37 44 Ms Gobbo to draw, wasn't it?---I can understand why she  
14:48:56 45 thought that, yes.  
46  
14:48:58 47 Well if she's right with her factual premise that Tony

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14:49:02 1 Mokbel never asks after her mother, and he asks after her  
14:49:05 2 mother, it's suggestive, isn't it, if it's occurring soon  
14:49:10 3 after that stuffed dog under her mother's letter  
14:49:15 4 box?---It's a possibility.  
5  
14:49:18 6 It appears Mr Gatto, with whom Ms Gobbo's becoming quite  
14:49:24 7 close, actually gives her a can of mace to carry at this  
14:49:27 8 time, is that something that you remember?---No.  
9  
14:49:33 10 Page 78, point 8 of the page. We're in of course March  
14:49:44 11 2008 now, coming to the end of this enjoyable period in her  
14:49:50 12 life. You'll see the reference to another text that's come  
14:49:53 13 through?---Yes.  
14  
14:50:08 15 There's another one over at p.79, do you see at point 3 of  
14:50:13 16 the page, it's a threatening phone call?---Yes.  
17  
14:50:21 18 Do these all prove to be Mr Bayeh?---I have a recollection  
14:50:27 19 that they were but, again, to be certain you'd have to talk  
14:50:36 20 to Dale Flynn.  
21  
14:50:38 22 Yes. If I can take you to p.153. This is 12 April 2008,  
14:50:55 23 do you see that at point 4?---Yes.  
24  
14:51:01 25 Ms Gobbo recites that Mr Tony Mokbel is calling her a dog  
14:51:09 26 and making threats and she seems to have got this  
14:51:11 27 information from Alistair Grigor. He's a solicitor, isn't  
14:51:14 28 he?---Yes.  
29  
14:51:16 30 And apparently, "He was on the phone to Tony Mokbel this  
14:51:19 31 afternoon. Tony rang to check with Grigor if the rumours  
14:51:22 32 are true, that Ms Gobbo is a dog. Tony Mokbel apparently  
14:51:26 33 furious with Ms Gobbo. Alistair describes that he went  
14:51:31 34 right off on the phone, saying that if he could get to her  
14:51:35 35 he would bury her alive. If he ever comes back to  
14:51:39 36 Australia then he said he will pay her back because she has  
14:51:42 37 ruined his family. Alistair described Tony Mokbel as  
14:51:46 38 fucking furious and he was beside himself on the phone with  
14:51:50 39 anger". Was this because Mr Mokbel thought she simply had  
14:51:56 40 a role in persuading witnesses to give evidence against  
14:52:00 41 members of the Mokbels or because Tony Mokbel suspected  
14:52:03 42 she's a human source, or aren't you able to remember?---I  
14:52:10 43 can't remember but I've got a vague recollection that Tony  
14:52:14 44 Bayeh might have been talking to Mokbel.  
45  
14:52:20 46 Yes. I think it was thought by the police that Bayeh was  
14:52:24 47 the sender of the threatening texts, correct?---Yes.

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1  
14:52:29 2 Then if I could take you to p.172. You'll see at the foot  
14:52:45 3 of the page a date 16 April 2008. It says, "Purana will be  
14:52:55 4 attending. Jason Kelly to be called out. Fire scene is at  
14:53:01 5 York and Clarendon Street, South Melbourne". You can see  
14:53:08 6 that?---Yes.  
7  
14:53:12 8 This is the incident where Ms Gobbo's car was set on fire,  
14:53:17 9 right?---Yes.  
10  
14:53:33 11 It's not long after the - this is 16 April, and the  
14:53:40 12 conversation I took you to that Ms Gobbo had with Tony  
14:53:48 13 Mokbel's solicitor Alistair Grigor was about four days  
14:53:50 14 earlier on 12 April, so that would immediately throw  
14:53:54 15 suspicion, wouldn't it, on the Mokbels as the persons who  
14:53:58 16 did this?---I'm not sure whether it threw suspicions on the  
14:54:14 17 Mokbels or I think it was - my recollection is it was Tony  
14:54:18 18 Bayeh.  
19  
14:54:19 20 But he's a soldier in the Mokbel Army, isn't he?---Yes, he  
14:54:23 21 is.  
22  
14:54:26 23 If we could go to p.179, 17 April 2008 at the foot of the  
14:54:45 24 page. You'll see the heading "Tony Mokbel"?---Yes.  
25  
14:54:52 26 She got a call this afternoon out of the blue from Tony.  
14:54:58 27 As I say to you, perhaps you don't have a recollection  
14:55:00 28 about it, but Tony just would ring, Tony Mokbel would ring  
14:55:04 29 incessantly at this time. Anyway it continues, "She was  
14:55:09 30 not expecting his call at all. It was vintage Tony in that  
14:55:15 31 he was very nice to her and said he would have rung earlier  
14:55:20 32 other than she had been away". Over the page, "He said he  
14:55:23 33 heard her car had been burnt and he asked why on earth that  
14:55:26 34 would happen. He said it seemed obvious that she had  
14:55:32 35 obviously broken someone's heart deeply and he asked who  
14:55:35 36 that could be. He told her to make sure she tells the  
14:55:39 37 police that she has broken someone's heart". It does  
14:55:43 38 continue a little further down, "Ms Gobbo says he was very  
14:55:46 39 nice on the phone to her and it did not seem sarcastic". I  
14:55:57 40 think later on it tends to emerge that it might have been  
14:56:02 41 not so much Tony Mokbel as one of the brothers that might  
14:56:07 42 have been more likely behind the burning of the car  
14:56:12 43 incident. Do you have a recollection about that?---No.  
44  
14:56:21 45 At 185 Mr Gatto comes in to assist. He says at point 7 of  
14:56:33 46 the page, he offers the useful advice while at dinner with  
14:56:39 47 Ms Gobbo that this is all a police conspiracy to torch her

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14:56:42 1 car so she has to then rely upon them. I think we can  
14:56:48 2 dismiss that in terms of likelihood, can't we?---Yes,  
14:56:52 3 definitely.  
4

14:56:54 5 Page 217, there's some discussion about the fire at about  
14:57:14 6 point 4 of the page. Someone, either the handler or  
14:57:19 7 Ms Gobbo, says, "It's now an opportunity for her to sever  
14:57:24 8 ties with the Mokbels and the crew. She needs to act the  
14:57:27 9 way people expect. Send the message that Ms Gobbo is  
14:57:30 10 totally pissed off with Mokbels and no longer will deal  
14:57:35 11 with them. No doubt that they are behind this and most  
14:57:38 12 likely sanctioned by Horty". Do you know whether this is  
14:57:50 13 Ms Gobbo or the handler expressing the views that it's  
14:57:52 14 Bayeh and Horty?---No, I think this would have been us.  
14:57:58 15 This is consistent with what I said earlier when I said  
14:58:00 16 that there was a number of occasions where we had said to  
14:58:04 17 her the objectives were achieved, the Mokbels are in gaol.  
14:58:07 18 You know, we don't need to go any further. So this, I  
14:58:09 19 think, would have been our suggestions to her.  
20

14:58:11 21 Yes. I think it's clear from other references that you  
14:58:18 22 were telling her that this gave her something of a golden  
14:58:21 23 opportunity to get on her high horse, so to speak, and say,  
14:58:26 24 "Well look, if you're going to take your suspicions of me  
14:58:29 25 to the extent of burning my car I'm just going to have  
14:58:33 26 nothing more to do with you", wasn't that the  
14:58:37 27 thesis?---Yes.  
28

14:58:38 29 But the view that Bayeh and Horty were behind it, is that  
14:58:43 30 the SDU view?---I think that must have been information  
14:58:46 31 from Dale Flynn.  
32

14:58:49 33 Yes. Then p.431. You'll see at the foot of the page,  
14:59:17 34 sorry, in the middle of the page Alistair Grigor going to  
14:59:22 35 Barwon and he seems to have given Ms Gobbo some  
14:59:27 36 information. He said that Milad wants to murder her. One  
14:59:36 37 might wonder whether that's privileged information or  
14:59:39 38 whether the crime or fraud exception applies, but in any  
14:59:43 39 event Mr Grigor seems to be wanting to look after her  
14:59:46 40 interests. He only expects to get another two years and  
14:59:49 41 then he said "she will keep". "Horty wants to kill her as  
14:59:54 42 well." We're well into, we're getting two-thirds of the  
15:00:02 43 way through her period as an informer but no person in  
15:00:08 44 their right mind, I suggest, Mr White, knowing the history  
15:00:14 45 that actually happened, if you wind back to September 2005,  
15:00:19 46 would ever wanted to have embarked upon being a human  
15:00:22 47 source for the police?---No, what occurred, yes.

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1  
15:00:45 2 Page 443. You'll see there a reference at point 6 of the  
15:00:58 3 page to Danielle. It's an entry for 8.06 pm?---Yes.  
4  
15:01:13 5 16 June 2008. It says, "Danielle meet went very well.  
15:01:20 6 Went really well". That's a reference to Danielle Maguire  
15:01:26 7 who is the girlfriend or wife of Tony Mokbel, yes?---Yes.  
8  
15:01:36 9 Ms Gobbo is engaging in a connection with Danielle, isn't  
15:01:44 10 she, in order to try to get the message percolating into  
15:01:48 11 Tony Mokbel's mind that really Ms Gobbo can't act for him.  
15:01:55 12 I think by now he has returned to Australia and he's in  
15:01:59 13 gaol awaiting trial. Do you have a recollection about  
15:02:04 14 that?---I don't have a recollection. I'm just reading it  
15:02:08 15 to see what she said.  
16  
15:02:10 17 Sure?---Yes, this is her talking to Danielle trying to get  
15:02:42 18 out of having anything to do with representing Tony.  
19  
15:02:47 20 I think Danielle's quite sympathetic and if you look at the  
15:02:52 21 top of p.444 she seems to blame the downfall of Tony Mokbel  
15:02:57 22 on the Williams' camp for some reason?---Yes.  
23  
15:03:05 24 Further down the page at point 7 you'll see Ms Gobbo kept  
15:03:10 25 pushing the point to Danielle that Tony Mokbel knows where  
15:03:13 26 Ms Gobbo stands, "She cannot act for him, made this clear",  
15:03:18 27 yes?---Yes.  
28  
15:03:29 29 You didn't seem to recollect this but I was just suggesting  
15:03:32 30 to you that this is at a time when Tony Mokbel is putting a  
15:03:36 31 lot of pressure on Ms Gobbo to act for him in relation to  
15:03:45 32 his criminal charges?---It might be. As I said, I can't  
15:03:53 33 recall.  
34  
15:03:53 35 That's all right. Go to p.456. This is one of these - I  
15:04:12 36 think this is a meeting with you that this - if one goes  
15:04:23 37 back to 448 one can see the start of a meeting where you're  
15:04:29 38 in attendance on 17 June 2008?---Yes.  
39  
15:04:35 40 All of these notes, I think including through to p.456,  
15:04:41 41 reflect matters discussed at the meeting, does that seem  
15:04:45 42 right?---Yes.  
43  
15:04:50 44 These meetings, they must have gone on for hours some of  
15:04:57 45 them, Mr White?---Yes.  
46  
15:04:58 47 Anyway, on p.456 there's a bit of a summary by Ms Gobbo

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15:05:03 1 about, if you look at point 3, "The fears and concerns she  
15:05:07 2 lives with every day, fear of the OPI and being called  
15:05:12 3 there, fear re the threats she is getting and her car fire,  
15:05:17 4 she's not getting enough work. She says she'll be  
15:05:21 5 petrified when Milad gets out of gaol and what he might do  
15:05:25 6 to her. She carries a general fear of retribution by the  
15:05:28 7 Mokbel family. She fears Tony Mokbel will turn on her".  
15:05:35 8 She's also saying, if one looks at point 6 of the page,  
15:05:39 9 that she's not really pointing the finger at SDU, she does,  
15:05:44 10 I think, take it on her own shoulders to some degree.  
15:05:48 11 She's recorded as saying, "She's not saying it is all  
15:05:51 12 someone else's fault for the position she is in. She  
15:05:54 13 accepts this. She says it was her fault she got too close  
15:05:58 14 to the Mokbels. She's just saying that it's hard to deal  
15:06:02 15 with all these worries and rumours day after day. It is  
15:06:07 16 draining on her. Every second person who asks after her  
15:06:11 17 she thinks it could be a test". It's apparent, isn't it,  
15:06:15 18 that her life really has become a nightmare, hasn't it, by  
15:06:19 19 this time in the informer relationship?---Yes.  
20  
15:06:36 21 COMMISSIONER: She says at the bottom of the page, "She  
15:06:38 22 says she would do it all again".  
15:06:42 23  
15:06:42 24 MR COLLINSON: Yes. What do you make of that, Mr White,  
15:06:48 25 that she said she'd do it all again?---Well, I mean she -  
15:07:05 26 from my observation she coped with pressure pretty well.  
15:07:09 27 Yes, she became emotional at different times and she could  
15:07:12 28 be up or she could be down, but she did generally feel that  
15:07:19 29 she'd done something worthwhile for the community. And  
15:07:21 30 this is I think after the Karam arrest at this stage, I  
15:07:26 31 think. I don't know whether she - whether that was a joke  
15:07:34 32 or she really meant that.  
33  
15:07:37 34 Yes?---At this point in time.  
35  
15:07:39 36 I mean sometimes people say things like that, one might  
15:07:42 37 have to look at the actual audio transcript here, but they  
15:07:46 38 sometimes say it with different tonal qualities, don't  
15:07:52 39 they? It might be she felt, "Since I've done it all, I  
15:07:57 40 need to justify in my own mind what I've done given the  
15:08:01 41 position I've now arrived at". People talk like that,  
15:08:04 42 don't they?---Yes.  
43  
15:08:05 44 Or she might have meant it as a joke, one would have to  
15:08:09 45 look at the audio?---Yes.  
46  
15:08:15 47 COMMISSIONER: Did she seem to enjoy the pressure,

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15:08:17 1 Mr White?---I wouldn't go so far as to say she enjoyed the  
15:08:23 2 pressure but she did like to be the centre of attention and  
15:08:27 3 so a lot of these issues obviously made her the centre of  
15:08:35 4 attention.  
5  
15:08:35 6 Did she enjoy the adrenalin rush from it all?---I think she  
15:08:40 7 did. Not so much the threats but certainly the results  
15:08:44 8 that we were obtaining from the information she provided.  
15:08:52 9  
15:08:52 10 MR COLLINSON: Just the last document on this subject  
15:08:55 11 matter. If you could go to p.487, please. On 14 July 2008  
15:09:12 12 you'll see an entry there for 9.33 am towards the bottom of  
15:09:18 13 the page?---Yes.  
14  
15:09:21 15 It says, "Ms Gobbo stated that partner's car wash at  
15:09:26 16 Highpoint had a suspected shot fired through the premises.  
15:09:29 17 Ms Gobbo believed there was a bullet hole through the glass  
15:09:32 18 and that Avondale Heights police had been called but that  
15:09:35 19 no one had bothered to attend". Do you remember anything  
15:09:43 20 about that?---I've got a vague recollection.  
21  
15:09:50 22 Was the person who fired that shot ever identified?---I  
15:10:01 23 can't remember. I don't think so.  
24  
15:10:03 25 I want to go now to the documents that record the changes  
15:10:08 26 in Ms Gobbo's health over the period she was an informer.  
15:10:18 27 It's being suggested, Commissioner, that possibly this  
15:10:22 28 could be a moment for a break if I'm going to a new topic.  
29  
15:10:26 30 COMMISSIONER: All right.  
15:10:27 31  
15:10:27 32 MR COLLINSON: I don't mind.  
33  
15:10:29 34 COMMISSIONER: That's all right, we'll have a ten minute  
15:10:31 35 break.  
36  
37 (Short adjournment.)  
38  
15:25:59 39 COMMISSIONER: Yes Mr Collinson.  
15:26:01 40  
15:26:01 41 MR COLLINSON: If the Commissioner pleases. Mr White,  
15:26:04 42 you'll be pleased to know I want you to now go back to the  
15:26:08 43 beginning again, that is the first folder, and if you could  
15:26:14 44 turn up, please, it's p.41. Actually it's different than  
15:26:57 45 that. I'll start at a different spot. Could you go to  
15:27:02 46 p.66, please.  
47

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15:27:03 1 COMMISSIONER: Variety is the spice of life.  
15:27:21 2  
15:27:21 3 MR COLLINSON: Just wanting to, as I say, work through the  
15:27:26 4 changes in Ms Gobbo's health over the period. I think you  
15:27:31 5 made the comment, Mr White, that in a general sense  
15:27:36 6 Ms Gobbo was quite a needy person in terms of her  
15:27:43 7 relationship with SDU?---Yes.  
8  
15:27:49 9 And this emerged pretty early on I think as the SDU viewed,  
15:27:58 10 it, this is 15 December 2005, do you see the heading  
15:28:02 11 "Welfare", "Ms Gobbo appeared lonely and enjoyed the  
15:28:06 12 interaction with the DSU"?---Yes.  
13  
15:28:14 14 If you go to p.70 you'll see the heading "Source  
15:28:34 15 profile"?---Yes.  
16  
15:28:35 17 And the last dot point, "Ms Gobbo claimed to only have four  
15:28:40 18 friends that are not associated to either crime or legal  
15:28:43 19 profession". So at this stage you're still building up  
15:28:47 20 your knowledge of her personality; aren't you?---I think  
15:28:51 21 we're still in the assessment phase at this point in time.  
22  
15:29:05 23 Yes. Page 82. This isn't all that useful a reference but  
15:29:24 24 you can see under the heading "Welfare", "Source very  
15:29:29 25 emotional, very tired and almost in tears". At the end of  
15:29:35 26 the call, "Source appreciative of support". If I could  
15:29:44 27 take you to p.96. If you see under heading "Welfare",  
15:30:06 28 again this is, as you say, the assessment phase, "Source  
15:30:10 29 depressed, father not around and missing him as it is  
15:30:14 30 Christmas time". Did she mention to you over the years her  
15:30:20 31 feelings of unhappiness because her father died when she  
15:30:28 32 was relatively young?---She certainly did touch on it but I  
15:30:34 33 can't remember the detail.  
34  
15:30:38 35 Page 113. I just don't need to dwell on this one. She  
15:30:57 36 ends up buying into a car wash business with another  
15:31:00 37 person, doesn't she, around this time?---Yes.  
38  
15:31:05 39 Then p.208. This is ICR 24 and the date is 24 March 2006.  
15:31:28 40 If one looks at point 7 of the page, this is just when Tony  
15:31:37 41 Mokbel disappears in the middle of his trial and Ms Gobbo  
15:31:43 42 appears to have her general sense of happiness change  
15:31:48 43 dramatically to the positive, "Very apparent that  
15:31:52 44 Ms Gobbo's demeanour changed dramatically, now laughs and  
15:31:57 45 jokes a lot. People constantly ask her why she's so  
15:32:00 46 happy". Do you have a recollection of that change in her  
15:32:03 47 mood once Mokbel disappeared for a while?---No.

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1  
15:32:16 2 If I could take you then to p.520. This is now nearly a  
15:32:42 3 year, about a year after the relationship of being a human  
15:32:51 4 source has been undertaken?---Yes.  
5  
15:32:54 6 Under "Welfare" you'll see she reports she's been suffering  
15:32:59 7 stress for the last 13 months and is now becoming tired of  
15:33:02 8 it?---Yes.  
9  
15:33:04 10 At p.522 at point 1 of the page you'll see she says she's  
15:33:16 11 scheduled to see a specialist in the next week and that  
15:33:19 12 she's unable to eat solids?---Yes.  
13  
15:33:29 14 Then if you could go to p.535. You'll see at the foot of  
15:33:50 15 the page this is now 1 November 2006, "3838 has been in  
15:33:54 16 tears for about 1.5 hours today. The meeting with Horthy  
15:33:58 17 has left 3838 upset and reminded her the way he has  
15:34:03 18 previously treated 3838". I'm not sure it's necessarily  
15:34:13 19 the meeting when he grabbed her by the throat, I think  
15:34:16 20 that's much earlier in this year. "3838 described her  
15:34:20 21 health as fucked and needs do something about it.  
15:34:23 22 Discussed these issues, including the options of reducing  
15:34:26 23 the commitment to SDU. VicPol/SDU has no expectation from  
15:34:31 24 3838 and workload will be reduced if she would like to wind  
15:34:36 25 back to reduce stress levels." Then 544. Under "Welfare"  
15:35:03 26 you can see she's having trouble sleeping and dealing with  
15:35:06 27 her status as a human source. Page 581, you mentioned in  
15:35:24 28 your evidence that you recall she was at times grinding her  
15:35:29 29 teeth at night due to stress, you can see a reference to  
15:35:34 30 this at about point 8 of the page?---Yes.  
31  
15:35:40 32 She's recorded as saying she goes for check-ups as normal  
15:35:44 33 stroke sufferers do. Page 590 - no, 591. I think you can  
15:36:02 34 see under "SDU issue" at the point 5 of the page, "Health  
15:36:10 35 issues re loss of weight. 36 kilos"?---Yes.  
36  
15:36:15 37 "Ulcers and unable to sleep, teeth grinding due to stress."  
15:36:20 38 Further down there's a reference to the possibility of a  
15:36:23 39 psychologist to see her?---Yes.  
40  
15:36:29 41 And then 610. You can see under "SDU issue" that the  
15:36:50 42 source describes herself as clinically depressed and  
15:36:55 43 unemployed, "Advised her to call the psychologist. Very  
15:36:59 44 quiet, deadly quiet"?---Yes.  
45  
15:37:04 46 Then 612, she says at point 1 of the page, "General source  
15:37:19 47 stress, being found out, being shot, who knows about her.

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15:37:23 1 Reaching a point of accepting these things. It is someone  
15:37:25 2 else's problems, police. Nothing she or anyone can do to  
15:37:30 3 stop these things. Fate. Advised to unload these issues  
15:37:36 4 to the psych." This is now in early 2007 and if I could  
15:37:44 5 take you to 638. At point 3 of the page you'll see she's  
15:37:57 6 resigned herself that her status may be discovered in the  
15:38:01 7 future. Then p.820. Do you see under "Welfare" it says at  
15:38:47 8 point 7 of the page, "3838 commenced conversation with the  
15:38:55 9 fact that she told all criminals that she was unavailable.  
15:39:00 10 3838 states that she has had another mini break down. 3838  
15:39:03 11 wanted to confirm that tonight's meeting was still in  
15:39:06 12 place". A little further down, "Very upset and emotional".  
15:39:15 13 I suppose just as a general point - you'll have read these  
15:39:22 14 ICRs over the years - it's correct to say, isn't it, that  
15:39:26 15 Ms Gobbo engaged in an extraordinarily intense social  
15:39:32 16 connection with an incredibly wide range of criminals as  
15:39:37 17 revealed in these ICRs?---Yes, but I don't know that this  
15:39:45 18 was greatly different from what she was doing before our  
15:39:48 19 relationship.  
20  
15:39:53 21 You didn't know her then, I suppose, but I think it's fair  
15:40:00 22 to say though, isn't it, that SDU encouraged her to pursue  
15:40:04 23 these relationships?---Some relationships, yes.  
24  
15:40:15 25 There's a distinction between tasking and not tasking,  
15:40:18 26 isn't there?---Yes.  
27  
15:40:21 28 Tasking seems to be some specific job to work on somebody,  
15:40:27 29 but just because you're not tasked doesn't mean you're not  
15:40:30 30 also deputised to go out and circulate in the criminal  
15:40:36 31 community to see what valuable intelligence might fall  
15:40:41 32 out?---That's generally true but as you can see from the  
15:40:47 33 record there's quite a lot of occasions when where we're  
15:40:51 34 saying her, "Don't do this for us. You don't have to do  
15:40:53 35 this for us. You can stop, you can withdraw", so almost  
15:40:58 36 the opposite of tasking.  
37  
15:40:59 38 Yes?---And it waxed and waned obviously depending on who  
15:41:04 39 the criminal entities were.  
40  
15:41:06 41 Yes, it waxed and waned in terms of - I won't go back over  
15:41:11 42 this - but sometimes a decision seems to be made that she  
15:41:14 43 won't be tasked any further but then one sees a couple of  
15:41:18 44 months later she has in fact been tasked, do you accept  
15:41:21 45 that?---I do. As I said a couple of times now, she would  
15:41:26 46 volunteer information and sometimes it was information we  
15:41:30 47 just couldn't ignore.

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1  
15:41:32 2 I'm not suggesting she was ever reluctant to be tasked or  
15:41:37 3 to gather intelligence. It's clearly something she adopted  
15:41:44 4 almost with an excess of enthusiasm, would you agree with  
15:41:47 5 that?---I'd say she was very good at it, yes.  
6  
15:41:56 7 If I can take you to p.904. We're now in mid-2007. Page  
15:42:23 8 904?---Sorry, the entry here is 2008 but I think that's a  
15:42:36 9 misprint.  
10  
15:42:37 11 Yes, it is actually. I think it's an error, it should be  
15:42:40 12 2007. At this time I think this is possibly a meeting with  
15:42:51 13 you and other handlers, yes. Under the "Welfare" heading  
15:43:01 14 at 904 she says she spent the night vomiting and stated  
15:43:06 15 that it is an internal reaction to stress?---I see that.  
16  
15:43:14 17 Do you generally agree or think that her psychological  
15:43:21 18 health declined over the three and a quarter years that you  
15:43:28 19 observed her?---I don't think I'm in a position to provide  
15:43:36 20 opinions as to her psychological health.  
21  
15:43:38 22 Yes?---But she was clearly under a sustained period of  
15:43:43 23 stress. The only professional advice I had in relation to  
15:43:53 24 her psychological state came from the psychologist which I  
15:43:58 25 know you're aware of.  
26  
15:44:02 27 Did the psychologist communicate anything to you about  
15:44:07 28 Ms Gobbo's condition?---Yes, yes.  
29  
15:44:11 30 Was that in writing or orally?---No, I don't - no, it's in  
15:44:18 31 my diary.  
32  
15:44:19 33 I see, I haven't seen your diary. Are you able to just  
15:44:23 34 summarise, if you can recollect it, what the gist of that  
15:44:27 35 advice was or did it vary over time?---No, there's only the  
15:44:32 36 one entry I think and it basically boiled down to something  
15:44:35 37 we already knew, which was that Ms Gobbo had a big ego and  
15:44:40 38 then she also gave me some feedback in relation to whether  
15:44:43 39 she was at risk of suicide or self-harm.  
40  
15:44:47 41 What was - - -  
42  
15:44:48 43 COMMISSIONER: You took us to that during your examination  
15:44:55 44 by Mr Winneke, didn't you?---I think we have discussed it,  
15:44:57 45 Commissioner. The information I got was that the  
15:45:00 46 psychologist didn't think that she was at risk of suicide  
15:45:03 47 or self-harm.

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15:45:05 1  
15:45:05 2 MR COLLINSON: Yes. If I can take you to p.943. You'll  
15:45:26 3 see the entry for 27 June 2007, "Health", this is in  
15:45:32 4 conversation with a handler, "Ms Gobbo can hardly speak.  
15:45:36 5 She sounds terrible. She is in agony with her jaw. Has  
15:45:40 6 had seven Panadeine Forte today and pain not going away.  
15:45:44 7 Thinking of going to [REDACTED] for morphine injection". She  
15:45:53 8 seemed to get into a position where she was having regular  
15:45:57 9 injections of morphine, is that something you  
15:46:00 10 recollect?---I think for the time she had the pain in her  
15:46:04 11 jaw, I think she was - I don't know if she was having  
15:46:06 12 regular morphine injections but I do recall it was a  
15:46:11 13 complaint that lasted a while and she was taking  
15:46:14 14 painkillers for it.  
15  
15:46:15 16 Yes. If I can take you to p.1064. This is July 2007. You  
15:46:36 17 can see at point 4 of the page she's - before we get to  
15:46:42 18 health, that she's worried about death threats that are  
15:46:44 19 going on at the moment in her life, see that at - - -  
15:46:48 20 ?---Yes.  
21  
15:46:53 22 Then under "Health" it says, "She has had three Panadeine  
15:46:59 23 Forte this morning, gone to doctor because pain is so bad,  
15:47:03 24 this is not normal. Talk about how it always comes on with  
15:47:07 25 stress, restless night, grinding her teeth" and so on.  
15:47:12 26 These seem to be regular experiences that she had while  
15:47:15 27 being an informer?---Yes.  
28  
15:47:17 29 Did she ever say to you that she thought her health was  
15:47:21 30 worsening because she was an informer?---Not that I can  
15:47:27 31 recall.  
32  
15:47:31 33 Page 1100. You can see at the foot of the page under  
15:47:49 34 "Health", we're now in August 2007, back to vomiting at  
15:47:53 35 night. She's recently been to Bali and it stopped there.  
15:48:01 36 She I think regularly complained about this vomiting at  
15:48:04 37 night, didn't she, that would be something you'd  
15:48:10 38 recollect?---I think you're taking me to quite a few  
15:48:12 39 entries.  
40  
15:48:14 41 Yes?---I'm aware of it. I don't know that I actually  
15:48:20 42 recall it.  
43  
15:48:21 44 COMMISSIONER: Were you concerned about the amount of  
15:48:22 45 medication she was taking?---I don't recall being concerned  
15:48:26 46 about it, Commissioner.  
15:48:29 47

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15:48:31 1 MR COLLINSON: Page 1150. This is still in August 2007.  
15:48:45 2 Do you see at the top of the page, the first dot point,  
15:48:51 3 "Ms Gobbo talked about going to Chadstone today to buy  
15:48:55 4 birthday presents. She only lasted 15 minutes and had to  
15:48:59 5 leave. Felt claustrophobic with all the people around.  
6 She could not help it. Talk of feelings of withdrawal she  
15:49:04 7 has. Can't stand being around people, just wants to be  
15:49:05 8 left alone". Further down, "General talk re feeling of  
15:49:12 9 depression and the situation she finds herself in. She  
15:49:16 10 thought by getting the Mokbels in gaol it would rid her of  
15:49:19 11 her problems. She feels this is now not the case". You'd  
15:49:25 12 probably recollect, wouldn't you, that her feelings of  
15:49:30 13 stress and anxiety deepened when she came round to the view  
15:49:35 14 that simply putting the Mokbels in gaol hadn't really  
15:49:39 15 helped her?---I think looking at that entry there the issue  
15:49:49 16 is not so much that they're in gaol, it's not over yet  
15:49:53 17 because she's still got to be concerned about the  
15:49:57 18 possibility that her role might come out in various court  
15:49:59 19 cases.  
20  
15:50:00 21 Yes. Putting them in gaol, or at least in the process of  
15:50:06 22 putting them in gaol, didn't help her because she lived  
15:50:11 23 under ever present threat of her role as an informer being  
15:50:16 24 exposed?---Yes.  
25  
15:50:18 26 Or the lesser event, but still highly risky, of her role of  
15:50:23 27 persuading witnesses to give evidence against the Mokbels  
15:50:27 28 being exposed?---Yes.  
29  
15:50:35 30 Then 1161. You'll see at point 7 of the page she's been to  
15:50:49 31 see an oral surgeon. "Her condition is stress related.  
15:50:53 32 She needs three months of not talking to reduce the  
15:50:55 33 swelling. If she was an employee he would write her out a  
15:50:59 34 medical certificate for three months off on WorkCover. She  
15:51:02 35 talks about this is all very well, but how does she get  
15:51:05 36 away from everything in her life. She has not got income  
15:51:09 37 protection insurance because they will not insure her any  
15:51:14 38 more because of her stroke". Do you remember anything  
15:51:16 39 about that?---No.  
40  
15:51:22 41 1174. I think at the middle of the page it says, perhaps  
15:51:33 42 summarises it, "Ms Gobbo is depressed and looking for  
15:51:37 43 sympathy". It's obvious, isn't it, that she regularly  
15:51:40 44 dumped on the handler emotionally in a lot of these  
15:51:45 45 calls?---Yes.  
46  
15:51:53 47 1204, September 2007. More of the same under "Health".

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15:52:12 1 Again, if you look at the fifth dot point she consistently  
15:52:19 2 seems to acknowledge that everything that's happened is her  
15:52:23 3 own doing and now she can't make it stop, in other words  
15:52:25 4 she doesn't seem to blame SDU very much?---That's correct.  
5  
15:52:33 6 Page 1207. She starts talking at about point 7 of the page  
15:52:42 7 about ending the relationship with SDU. In the second-last  
15:52:53 8 paragraph she starts talking about a staged exit?---Yes.  
9  
15:53:13 10 1325, you can see more descriptions to the handler of this  
15:53:40 11 medication she's on and the handler has a discussion with  
15:53:46 12 her about the dangers of taking morphine. 1354, at point 3  
15:54:09 13 of the page - I took you to this I think before - "She  
15:54:13 14 states she knows that she has mental issues over all this".  
15:54:18 15 This is November 2007. "And still seeing these criminals  
15:54:22 16 all the time, she comments that she needs a good psych."  
15:54:41 17 Then 1578, this is January 2008. You'll see at point 3 of  
15:54:59 18 the page, I think this is about the first time she starts  
15:55:06 19 talking about suicide issues, "Mentioned thoughts of  
15:55:10 20 suicide, clarified. Has no enthusiasm for life. Whinging,  
15:55:16 21 has withdrawn from society. Has no social life therefore  
15:55:19 22 feels isolated, therefore feels lonely, which is  
15:55:22 23 depressing, but feels can't get out of it because thinks  
15:55:26 24 self is not good company to be around. Handler discussed  
15:55:29 25 directly use of words 'suicide' and seriousness of same.  
15:55:34 26 Ms Gobbo states has no drive, energy, enthusiasm for  
15:55:37 27 anything. Is not going to go and do anything dramatic, is  
15:55:41 28 just a bit depressed. Gave example of exercising.  
15:55:44 29 Normally would go to the gym but can't be bothered.  
15:55:48 30 Repeated she wouldn't do anything dramatic". You made this  
15:55:53 31 comment about drama queen. At the same time when people  
15:56:02 32 start mentioning suicide that's obviously something you  
15:56:05 33 have to take seriously, do you agree with that?---Yes.  
34  
15:56:08 35 If I can take you to the volume with the new ID number,  
15:56:21 36 2958, p.3. You'll see that she speculates there about  
15:56:42 37 becoming addicted to morphine, do you see that?---Yes.  
38  
15:57:03 39 It says "narcotics" but I think that's a reference to  
15:57:06 40 morphine, isn't it? Then p.59. She says at point 9 of the  
15:57:39 41 page, "Has lost 49 kilograms since talking to police but  
15:57:44 42 talking helps her deal with the stress". I suppose that's  
15:57:50 43 a pretty astonishing amount of weight to lose, isn't  
15:57:57 44 it?---Yes.  
45  
15:58:04 46 Page 105, she's now again - this seems to be in grey for  
15:58:29 47 some reason, perhaps because of the sensitivity of her

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15:58:32 1 health issues, but you can just see there's more  
15:58:35 2 information about the fact that she's on morphine and she's  
15:58:40 3 been prescribed with OxyContin and she's seeing a pain  
15:58:47 4 management specialist at ██████████ Hospital and also seeing a  
15:58:51 5 neurologist at ██████████ They seem to have given her advice  
15:58:57 6 that if she does what they tell her she will be pain free  
15:59:03 7 within 12 months. She has a holiday in Bali I think around  
15:59:11 8 April 2008. If you go to p.125. And records that her  
15:59:23 9 stress levels are back up immediately she returns. Page  
15:59:30 10 133, she starts talking about what she can be doing to be  
15:59:38 11 removing herself from the situation in which she now finds  
15:59:43 12 herself. Page 139 - - - ?---Sorry, what was the reference  
15:59:58 13 you wanted me to look at on 133?  
14  
16:00:03 15 If you look at about point 3 she's speculating there about  
16:00:11 16 ways in which she might remove herself from the situation  
16:00:14 17 she's in? I mean more specifically she seems to be talking  
16:00:29 18 there about leaving Melbourne but not really being able to  
16:00:31 19 do so because her mother is resident there and that money's  
16:00:35 20 a factor why she can't leave?---Yes.  
21  
16:00:39 22 Needing an extended break and holiday and so on. 256.  
16:01:09 23 She's trying to sort of get rid of the circle of crooks in  
16:01:16 24 her life, you'll see that from about point 5 of the page,  
16:01:21 25 "She is slowly knocking off the circle of crooks in her  
16:01:23 26 life. Explained she needs to do this. Talk about she made  
16:01:28 27 the mistake of blending her social life with work way too  
16:01:31 28 much. It has been this way for the past six years. This  
16:01:35 29 is how she found herself in the predicament she was in.  
16:01:39 30 She has been", dropping a few points, "has been making  
16:01:42 31 efforts to plan a few weeks ahead in booking in old normal  
16:01:46 32 friends that used to be in her life but have dropped off  
16:01:49 33 because she has been too busy". If you could go, please,  
16:02:05 34 to p.378. This is June 2008. It says, "Ms Gobbo  
16:02:31 35 complaining of money and lack of work she is getting  
16:02:33 36 because of the dog tag surrounding her. She is unemployed  
16:02:37 37 for the week re dog accusations. Solicitors are saying  
16:02:41 38 that they are not using her because clients are requesting  
16:02:43 39 not to use her. This frustrates her". Is this happening -  
16:02:51 40 are you on that page, Mr White?---No, I'm certainly not. I  
16:02:55 41 thought I was but I'm not.  
42  
16:02:56 43 It's 378?---378.  
44  
16:03:01 45 2 June 2008?---I have that.  
46  
16:03:05 47 It's the middle of the page where she complains that she's

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16:03:10 1 not getting work because of the accusations of her being a  
16:03:13 2 dog. Is this happening because the criminal community  
16:03:20 3 suspects she's a human source or because she has a  
16:03:23 4 reputation as a dog because of her role in suggesting to  
16:03:27 5 particular witnesses that they give evidence against the  
16:03:29 6 Mokbels and so on?---It's hard to say just looking at this  
16:03:35 7 entry.  
8  
16:03:43 9 It's been suggested I look at the last line. I'm not sure  
16:03:48 10 where that - "Ms Gobbo claims Purana would not have got to  
16:03:55 11 that but for her information"?---That's a reference to the  
16:04:03 12 seizure in the previous line.  
13  
16:04:05 14 That's really a different point, isn't it? It's saying  
16:04:08 15 that her information got Purana to the point of being able  
16:04:14 16 to seize that large sum of money in Horthy Mokbel's shares.  
16:04:21 17 Was that shares in an oil company that Horthy Mokbel was  
16:04:30 18 investing in?---I'm not sure.  
19  
16:04:32 20 Page 391. Just another needy call on 5 June 2008. Page  
16:04:56 21 421. This seems to be part of a long telephone call. One  
16:05:20 22 can see the call starts on p.419 and goes right through 420  
16:05:28 23 to 421. You'll note she says at point 7 of the page she is  
16:05:36 24 worried - on p.421, "She is worried though that finding a  
16:05:41 25 job will be very hard. She thinks this is because of the  
16:05:44 26 reputation down here. Google her name and all that comes  
16:05:47 27 up is it's gangland lawyer and the car fire. Her  
16:05:55 28 reputation is all but shot down here she thinks". So I  
16:06:01 29 don't know whether this is her speaking to someone outside  
16:06:03 30 Melbourne. That wouldn't be the case, would it, it would  
16:06:12 31 be a Melbourne-based handler?---No, this would be what  
16:06:16 32 she's saying to this particular handler.  
33  
16:06:20 34 Yeah?---That's how I interpret it.  
35  
16:06:25 36 425, more general discussion about having to move on with  
16:06:43 37 her life. It says in the third dot point under "SDU  
16:06:47 38 welfare management", "She just has to decide where to go  
16:06:51 39 and what job to do". Around this time she seems to have  
16:06:54 40 recognised, Mr White, that she needs to leave the Bar, the  
16:07:01 41 Victorian Bar. Do you recollect her giving that indication  
16:07:03 42 at some point?---Yes, she was considering all sorts of jobs  
16:07:11 43 that were not related to law.  
44  
16:07:14 45 It seems to be she was looking for some kind of fresh start  
16:07:19 46 outside - - - ?---Yes.  
47

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16:07:20 1 - - - outside being a barrister. Page 466, at the foot of  
16:07:35 2 the page under "HS health", you can see she appears to go  
16:07:42 3 on this depression drug called Endep. Do you see  
16:07:52 4 that?---Yes.  
5  
16:07:59 6 At the top of 467, she seems to want to give a bit of a  
16:08:02 7 description about how Endep works.  
8  
16:08:10 9 COMMISSIONER: I think they might have just got that from  
16:08:14 10 the Victorian Health website by the look of it.  
16:08:16 11  
16:08:17 12 MR COLLINSON: Yes. Is that more likely, Mr White, that  
16:08:19 13 the information at the top of p.467 would have been  
16:08:22 14 something the handler derived from some kind of other  
16:08:26 15 source than Ms Gobbo?  
16  
16:08:29 17 COMMISSIONER: If you look at the bottom of 466 it says  
16:08:33 18 it's from the Victorian Health website.  
16:08:36 19  
16:08:36 20 MR COLLINSON: I see, yes?---That's consistent with how the  
16:08:41 21 handlers operated.  
22  
16:08:46 23 Page 489. About point 7 of the page, and this is now July  
16:09:12 24 2008, you can see the dot point, "Ms Gobbo is depressed  
16:09:19 25 which required interaction. Ms Gobbo thinks that should be  
16:09:25 26 institutionalised. Ms Gobbo wants a credit card and a  
16:09:29 27 flight back to Bali". Skip that one. "Ms Gobbo states  
16:09:36 28 that it is not handler's fault and not fair for handler to  
29 have to deal with Ms Gobbo at the moment. The sickness,  
16:09:40 30 mental stability and talk of depression are common themes  
16:09:43 31 spoken by the CHIS". I think I should know what CHIS  
16:09:50 32 is?---Covert human intelligence source.  
33  
16:09:53 34 Yes, thank you. Page 511. This is July 2008, point 6 of  
16:10:17 35 the page. More general conversation "re Gobbo health and  
16:10:19 36 emotions going downhill". 645, again much the same. She's  
16:10:59 37 still taking morphine. Page 705.  
16:11:09 38  
16:11:09 39 COMMISSIONER: At 645 the handlers say to her, or she says,  
16:11:17 40 "She cannot keep throwing pills at the matter and needs to  
16:11:20 41 get expert medical advice". Perhaps that's her saying  
16:11:24 42 that?---I think the reference to "hopefully her doctor will  
16:11:27 43 ring back before 2", it's probably coming from her.  
16:11:31 44  
16:11:31 45 MR COLLINSON: Although, Commissioner, it could be said  
16:11:33 46 that the previous dot point might be read with it and that  
16:11:37 47 might imply that it's the handler giving advice. I mean I

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16:11:43 1 think it's fair to say that the handlers are often, indeed  
16:11:50 2 usually sympathetic with Ms Gobbo's descriptions of her  
16:11:56 3 condition and endeavour to make helpful suggestions.  
4  
16:12:00 5 COMMISSIONER: Yes, I've certainly come across a few  
16:12:02 6 references where they have spoken to her about the need to  
16:12:06 7 speak to talk to her doctors about her medication, and they  
16:12:09 8 do express concern about - - -  
16:12:11 9  
16:12:11 10 MR CHETTLE: Commissioner, the third dot point of that  
16:12:13 11 entry might help.  
12  
16:12:18 13 COMMISSIONER: Yes. Well the second one too. "She's taken  
16:12:21 14 a lot of morphine to counter the pain in her jaw. Advised  
16:12:26 15 her she should go see a doctor about it." But there are  
16:12:30 16 stronger ones than that too I've come across.  
16:12:33 17  
16:12:33 18 MR COLLINSON: Yes. Page 705 - - -  
19  
16:12:35 20 COMMISSIONER: I'm just wondering, you know, if this isn't  
16:12:38 21 really more a matter of address.  
16:12:41 22  
16:12:42 23 MR COLLINSON: Yes.  
24  
16:12:42 25 COMMISSIONER: This witness, we're just going through - the  
16:12:48 26 document's been tendered, it's all there. A lot of it has  
16:12:51 27 been gone through by Mr Winneke. You're doing it in more  
16:12:54 28 detail, I appreciate that. I just wonder if we've really  
16:12:57 29 got the luxury to do it in this sort of detail.  
16:13:00 30  
16:13:01 31 MR COLLINSON: Yes, I accept that, Commissioner. I just  
16:13:03 32 want to round it out.  
33  
16:13:04 34 COMMISSIONER: Yes, sure.  
16:13:05 35  
16:13:06 36 MR COLLINSON: At this particular time, which is coming up  
16:13:08 37 with November 2008, and I am at virtually the end of this.  
16:13:16 38 Mr White, if you could just go to p.705. I just want to -  
16:13:36 39 you can see that at point 5 of the page there there's  
16:13:41 40 references to suicide in the sense that Ms Gobbo's recorded  
16:13:48 41 as saying, "Says would never have believed that Ms Gobbo  
16:13:51 42 would ever contemplated suicide". Presumably that's  
16:13:58 43 something she's saying, isn't it, Mr White?---At point 5?  
44  
16:14:06 45 Yes?---I haven't found it.  
46  
16:14:08 47 It's p.705, point 5. Maybe it's the handler. Let me just

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16:14:19 1 - do you see the heading "HS personal"?---Yes.  
2  
16:14:22 3 And it says, "HS stating won't be in Melbourne next year  
16:14:26 4 for June, July, August, is sick of everything"?---Yes.  
5  
16:14:29 6 Then it says, "Would never have believed that Ms Gobbo  
16:14:34 7 would ever contemplated suicide. Told must talk about  
16:14:38 8 this. Gobbo comes back with 'I would never do anything,  
16:14:41 9 I'm just so frustrated with the pain and all the other  
16:14:45 10 issues'." Is it Ms Gobbo that says, "Would never have  
16:14:48 11 believed that she would ever contemplate suicide", or is  
16:14:52 12 that the handler or is it just not possible to tell?---I  
16:14:58 13 think she must have brought it up because the reference  
16:15:02 14 "told must talk about this" I think would be the handler  
16:15:05 15 saying to her, "We have to talk about this". As you saw  
16:15:08 16 with the previous reference to suicide, the handler  
16:15:11 17 addressed it directly.  
18  
16:15:13 19 Yes?---I think was the term that was used, and the handlers  
16:15:16 20 would know very well this is something that they need to  
16:15:22 21 make sure that they don't ignore.  
22  
16:15:24 23 The particular reason I'm focusing on this is that this is  
16:15:27 24 just very close to the time when it's contemplated that  
16:15:37 25 Ms Gobbo will wear a wire at a meeting with Mr Dale.  
16:15:43 26 Remember that occurs on I think December 7, 2008?---Does  
16:15:48 27 it?  
28  
16:15:49 29 It's 6 or 7. People are telling me it's 7 December 2008.  
16:15:55 30 Can I ask you to go to p.713. You'll see that there's  
16:16:08 31 another discussion on the topic of suicide and, you know,  
16:16:17 32 Ms Gobbo says at the end, "Thinks about it sometimes but  
16:16:20 33 could never do it to her family". But what I wanted to put  
16:16:25 34 to you, and perhaps it will come up tomorrow because I'm  
16:16:31 35 going to take you through the Dale topic tomorrow, but I  
16:16:35 36 take it - you said, I think, issues of suicide raised by  
16:16:43 37 people have to be taken carefully, but I take it you were  
16:16:48 38 aware that at least this issue was being raised by Ms Gobbo  
16:16:52 39 at the time when there was this discussion about her  
16:16:55 40 wearing a wire for Dale?---If the wearing of the wire for  
16:17:01 41 Dale is at this time or comes later, yes.  
42  
16:17:08 43 It's a pretty - I mean quite frankly it's a pretty foolish  
16:17:13 44 thing that Ms Gobbo does from her point of view, isn't it,  
16:17:17 45 to wear a wire for Dale?---Well, I have to get my head  
16:17:33 46 around the discussions and what she was saying at that  
16:17:37 47 time.

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1  
16:17:37 2 Mr Winneke took you through it in a lot of detail and he  
16:17:40 3 took you in particular to numerous references where she  
16:17:46 4 indicated that she was heavily reliant on what you thought  
16:17:52 5 she should do in that regard.  
16:17:55 6  
16:17:56 7 MR CHETTLE: With respect, Commissioner, those were in  
16:17:59 8 relation to making a statement for Petra. That was a  
16:18:02 9 different topic.  
16:18:03 10  
16:18:04 11 MR COLLINSON: Yes, I accept that. Let's come to that a  
16:18:10 12 little later. What I'm really trying to fish around for is  
16:18:13 13 she seems to be at this time at a very low ebb but  
16:18:21 14 nonetheless agrees to wear a wire at this meeting with  
16:18:27 15 Mr Dale. But don't you - I think I've asked the question  
16:18:34 16 and haven't got an answer yet, and it's not your fault, but  
16:18:38 17 don't you think that was a foolish thing for her to do from  
16:18:41 18 her own interests?---I think with the whole issue of  
16:18:51 19 deciding to become a witness against Paul Dale - - -  
20  
16:18:55 21 No, I'm not there yet. It's a series of steps in a way,  
16:19:02 22 isn't it - I'll go to this tomorrow - but initially she  
16:19:05 23 seems to take the position she'll wear a wire but not be a  
16:19:09 24 witness, do you recollect that?---I do. I'm just - she had  
16:19:14 25 discussions with, was it Petra Task Force I think, in  
16:19:20 26 relation to this.  
27  
16:19:25 28 Yes?---And I'm not sure what they sort of addressed with  
16:19:31 29 her in relation to this because to me going down that path  
16:19:34 30 was always going down the path of becoming evidentiary  
16:19:39 31 which meant certain actions had to be taken in relation to  
16:19:42 32 protecting her and I'm not sure whether that was discussed  
16:19:45 33 with her by the Petra investigators or even us at this  
16:19:50 34 point in time. She might have seen that as a way out of  
16:19:53 35 everything.  
36  
16:19:55 37 Yes?---Do you know what I'm referring to?  
38  
16:19:58 39 I think so but just picking up the thread of your point  
16:20:02 40 there. You always realised, didn't you, that if Ms Gobbo  
16:20:06 41 agreed to wear a wire and there was useful information that  
16:20:10 42 was garnered, then she would be subject to enormous  
16:20:15 43 pressure from the police to become a witness?---Yes.  
44  
16:20:23 45 We'll check it out tomorrow but my recollection is that  
16:20:27 46 Ms Gobbo didn't really know that, she thought she might  
16:20:30 47 wear a wire but not commit in any way to being a witness,

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16:20:36 1 that was her position initially, wasn't it?---I'm not sure  
16:20:40 2 about that, Mr Collinson. I don't know that you could  
16:20:44 3 really think anything else. If Paul Dale had said to her  
16:20:49 4 something, for example, such as, "I've arranged to have  
16:20:55 5 Carl Williams killed", you don't need to be brilliant to  
16:20:59 6 work out that that was going to be evidentiary and the  
16:21:01 7 police would want to use it.  
8  
16:21:03 9 Yes?---And that was always a possibility if she met with  
16:21:07 10 Dale wearing a wire.  
11  
16:21:09 12 But to return to my question, don't you think she did a  
16:21:13 13 very foolish thing even to wear a wire from the perspective  
16:21:18 14 of her own interests?---Well, again, I would like to know  
16:21:25 15 what information she had and what she got from the Petra  
16:21:29 16 investigators, because if she had decided that she could  
16:21:33 17 potentially be a witness just by reason of having worn a  
16:21:36 18 wire, then certain things would have to have been done to  
16:21:40 19 protect her and she might have seen that as the way to get  
16:21:43 20 out of all of this and start afresh. I'm hoping you  
16:21:49 21 understand what I'm saying because I'm not allowed to make  
16:21:52 22 reference to - talk about it .  
23  
16:21:56 24 I think I'm beginning to grasp it. You're positing that it  
16:22:01 25 was a means of catapulting herself into a certain  
16:22:04 26 protection program?---Yes, thank you.  
27  
16:22:08 28 I'd suggest to you that, on the documents, doesn't really  
16:22:11 29 seem to be her motivation. Is that a recollection you've  
16:22:15 30 got or are you just positing that as a - - - ?---No, I'm  
16:22:19 31 saying to you that when I had the eventual discussion with  
16:22:25 32 her that was the topic that was discussed, because that  
16:22:28 33 could be the only way she could ever become a witness. Now  
16:22:31 34 I don't know if those discussions were had with her before  
16:22:33 35 she wore the wire, either by the SDU team or the Petra  
16:22:38 36 investigators.  
37  
16:22:40 38 Yes. Where I'm coming to is it just seems to be about the  
16:22:45 39 same time she is speaking of suicide and so on that she's  
16:22:52 40 being put in a position to make a decision about wearing a  
16:22:56 41 wire for Dale. I mean that much is clear, isn't it?---Yes.  
42  
16:23:02 43 You must have known at the time that she was in an  
16:23:07 44 apparently depressed state?---I knew that she was highly  
16:23:16 45 stressed, we've just gone through that material. I must  
16:23:19 46 have known what impact that was having on her.  
47

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16:23:23 1 What I'm suggesting to you is really it wasn't fair to ask  
16:23:30 2 Ms Gobbo in the condition she was in at the end of November  
16:23:36 3 2008 to decide all by herself whether it was the right  
16:23:42 4 thing to wear a wire for Dale?---Well I'll have to wait  
16:23:50 5 until we go through the material tomorrow because I don't  
16:23:53 6 know what's in there. I don't know if it's something she  
16:23:57 7 volunteered or that we, the SDU, asked her to do or that  
16:24:00 8 they, the Petra investigators, asked her to do.  
9  
16:24:04 10 Well I think it's fair to say that it was Petra that asked  
16:24:08 11 her to do it but very quickly SDU comes into the decision  
16:24:13 12 making apparatus for whether she should do it or not, you'd  
16:24:17 13 remember that, wouldn't you?---We certainly had some  
16:24:24 14 involvement in - well, we had opinions about whether it  
16:24:27 15 should be done or not, yes.  
16  
16:24:31 17 I don't seem to be able to get a direct answer on this.  
16:24:34 18 What I'm really suggesting to you is in the light of what  
16:24:37 19 seems to be her very unhappy psychiatric condition at this  
16:24:43 20 time, she was just not in a proper position to make a  
16:24:48 21 decision to do that without advice from somebody who could  
16:24:57 22 look at the pluses and minuses from her point of view.  
23  
16:25:00 24 COMMISSIONER: And to add to what Mr Collinson said, we do  
16:25:04 25 know that she had lost 46 kilos from the material. There's  
16:25:08 26 some other reference to her doctor saying she was seriously  
16:25:13 27 under weight, she was getting treated for depression and  
16:25:16 28 she was on heavy painkillers for her jaw pain. That's the  
16:25:21 29 sort of background the handlers are knowing about at this  
16:25:24 30 time?---Yes.  
31  
16:25:26 32 MR COLLINSON: Just when I put the information in the ICRs  
16:25:30 33 together like that - and thank you, Commissioner, for that  
16:25:33 34 additional information - it's just this juxtaposition of  
16:25:38 35 Ms Gobbo seeming to be really at the worst state she's been  
16:25:43 36 in for the three and a quarter years, or three years now  
16:25:48 37 that she's been an informer, and she's asked to make this  
16:25:51 38 decision when really, I suggest, she just was not well  
16:25:56 39 placed mentally to do that. What's your view,  
16:26:01 40 Mr White?---Well I think that's probably right and we  
16:26:06 41 didn't want her to go down this path, as you know. Did we  
16:26:12 42 think enough about her mental state at the time? I don't  
16:26:16 43 know. Honestly, I don't know whether she volunteered to do  
16:26:21 44 this to the Petra investigators until we go through the  
16:26:24 45 material.  
46  
16:26:24 47 I think she did. I think she did. I mean they asked her

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16:26:29 1 to and it depends what you mean by volunteered. I mean she  
16:26:33 2 agreed to, but she agonised over it. You don't recollect  
16:26:38 3 that?---No  
16:26:42 4  
16:26:42 5 COMMISSIONER: You do recollect we went through only a day  
16:26:45 6 or so ago that she was seeking your guidance constantly  
16:26:50 7 about whether she - what you thought she should do, you  
16:26:53 8 recall that?---Yes.  
9  
16:26:55 10 Yes?---Yes. And she did ask me in relation to that  
16:26:59 11 specific issue about becoming a witness, what my opinion  
16:27:05 12 was, and I know we'll go through this tomorrow, so.  
16:27:09 13  
16:27:10 14 MR COLLINSON: Were the Petra people aware of her health  
16:27:17 15 condition when they were asking her to assist in this  
16:27:22 16 way?---Well they were briefed about her but I can't recall  
16:27:28 17 now what they were specifically told.  
18  
16:27:32 19 If that's a convenient time, Commissioner?  
16:27:35 20  
16:27:36 21 COMMISSIONER: Yes, all right.  
16:27:37 22  
16:27:38 23 MR COLLINSON: We'll take things up tomorrow.  
24  
16:27:39 25 COMMISSIONER: How are we going, Mr Collinson?  
16:27:41 26  
16:27:42 27 MR COLLINSON: I've made my promise that I'll finish  
16:27:44 28 tomorrow.  
29  
16:27:44 30 COMMISSIONER: Yes. I think, and this is really something  
16:27:47 31 for you to take into account too, Mr Chettle, I think the  
16:27:52 32 material is all here in the tendered ICRs and diaries and  
16:27:57 33 so forth and that can be referred to. So perhaps if you  
16:28:01 34 can use summaries of that to get to the point that you're  
16:28:05 35 seeking to make with it so that we can get there a bit  
16:28:09 36 faster than just going through constantly one thing after  
16:28:12 37 another.  
16:28:13 38  
16:28:13 39 MR CHETTLE: Commissioner, I obviously will only get a  
16:28:15 40 start tomorrow. I intend in the ensuing time to thin it  
16:28:18 41 right out.  
42  
16:28:20 43 COMMISSIONER: Thank you. Mr Chettle, in your case too it  
16:28:23 44 is re-examination.  
16:28:24 45  
16:28:25 46 MR CHETTLE: I understand that.  
47

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16:28:26 1 COMMISSIONER: Yes. Then the other thing I was going to  
16:28:28 2 mention, we'll do some housekeeping matters tomorrow at  
16:28:31 3 9.30, Ms Enbom. I think you've been informed of that  
16:28:36 4 through your solicitors.  
16:28:37 5  
16:28:38 6 MS ENBOM: I haven't, no.  
7  
16:28:39 8 COMMISSIONER: The solicitors haven't yet? No, just  
16:28:41 9 wanting to know what's happening with delays in PII claims  
16:28:46 10 on various exhibits and so forth going back some time and  
16:28:50 11 transcripts and ICRs and so forth which we're trying to  
16:28:56 12 move forward and get something into the public domain.  
16:29:00 13  
16:29:01 14 MS ENBOM: Yes.  
15  
16:29:01 16 COMMISSIONER: We'll talk about that tomorrow, but you  
16:29:03 17 should have an email about it waiting for you when you get  
16:29:07 18 out of court today.  
16:29:09 19  
16:29:09 20 MS ENBOM: Yes. I'll have a look at that overnight.  
21  
16:29:13 22 COMMISSIONER: If it hasn't filtered down to everybody,  
16:29:52 23 we'll be adjourning at 3.40 tomorrow. We'll adjourn now.  
16:29:56 24  
16:29:56 25 <(THE WITNESS WITHDREW)  
16:29:57 26  
16:29:58 27 ADJOURNED UNTIL FRIDAY 23 AUGUST 2019  
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