

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

ROYAL COMMISSION INTO THE MANAGEMENT  
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Monday, 18 November 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	Mr S. Holt QC Ms K. Argiropoulos
Counsel for State of Victoria	Mr P. McDermott
Counsel for Nicola Gobbo	Mr R. Nathwani
Counsel for DPP/SPP	Ms K. O'Gorman
Counsel for CDPP	Mr D. Holding
Counsel for Police Handlers	Mr G. Chettle Ms L. Thies
Counsel for AFP	Ms I. Minnett
Counsel for Chief Commissioner of Police	Mr P. Silver
Counsel for T. Mokbel	Ms L. Ristivojevic

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09:56:00 1 COMMISSIONER: I note the appearances are Mr Woods, you're  
09:56:03 2 here with Ms Tittensor today for the Commissioner.  
09:56:06 3  
09:56:08 4 MR WOODS: Yes, Commissioner.  
5  
09:56:09 6 COMMISSIONER: Mr Nathwani for Ms Gobbo, Mr Holt and  
09:56:11 7 Ms Argiropoulos for Victoria Police. Mr McDermott for the  
09:56:14 8 State, Mr Chettle and Ms Thies for the handlers.  
09:56:18 9 Mr Holding and Ms Haban-Beer for the Commonwealth DPP,  
09:56:22 10 Ms O'Gorman for the DPP, Mr Silver for Mr Ashton,  
09:56:28 11 Ms Minnett for the AFP. For the witness Mr Bickley, a  
09:56:33 12 pseudonym, we have Mr Campbell Thomson. Thank you,  
09:56:36 13 Mr Thomson.  
09:56:37 14  
09:56:38 15 MR THOMSON: If the Commissioner please.  
16  
09:56:40 17 COMMISSIONER: Before we get underway, there are two  
09:56:43 18 applications for leave to appear. One by Ms Ristivojevic.  
19  
09:56:52 20 MS RISTIVOJEVIC: Ms Ristivojevic.  
21  
09:56:53 22 COMMISSIONER: Yes. For Mr Mokbel. And also an  
09:56:56 23 application on the papers for Mr Cooper.  
09:57:00 24  
09:57:01 25 MR WOODS: That's correct.  
26  
09:57:02 27 COMMISSIONER: Yes. We'll deal with those first.  
09:57:04 28  
09:57:04 29 MR WOODS: Yes. I might leave Ms Ristivojevic to make her  
09:57:09 30 application for leave.  
31  
09:57:11 32 MS RISTIVOJEVIC: Thank you, Your Honour. It's an  
09:57:13 33 application to appear on behalf of Mr Antonios Mokbel and  
09:57:19 34 seek leave to appear and be present during the evidence of  
09:57:23 35 the witness Mr Bickley.  
36  
09:57:25 37 COMMISSIONER: Yes. I understand it's accepted that  
09:57:31 38 Mr Mokbel would have an interest in the witness's evidence  
09:57:37 39 but it also raises some security concerns, is that right?  
09:57:47 40  
09:57:48 41 MR WOODS: Yes, Commissioner. It's my submission that  
09:57:51 42 given some of the implications that arise in relation to  
09:57:53 43 this witness, that what would be preferable in my  
09:57:56 44 submission is that the order that should be made is that  
09:58:00 45 both those two individuals that the Commissioner has just  
09:58:04 46 named, that's Ms Ristivojevic's client and Mr Cooper, are  
09:58:12 47 granted leave in that they're able to be provided the

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09:58:15 1 transcripts of today's hearing. They would need to be  
09:58:17 2 subject to a couple of levels of review and that anything  
09:58:21 3 arising out of those transcripts that affect those two  
09:58:25 4 people they can certainly raise with the Commission and  
09:58:28 5 deal with as they wish to, but otherwise I'd submit that  
09:58:35 6 they shouldn't allowed to be in the hearing room during the  
09:58:37 7 evidence.  
8  
09:58:40 9 COMMISSIONER: What would be intended then, and what you  
09:58:42 10 propose, is they would get more than the publicly redacted  
09:58:46 11 transcript, they would get a copy of the transcript  
09:58:51 12 redacted but with their interests in mind so that anything  
09:58:54 13 that was relevant to disclosure in respect of them - - -  
09:58:57 14  
09:58:58 15 MR WOODS: Yes.  
16  
09:58:58 17 COMMISSIONER: - - - would be provided.  
09:59:00 18  
09:59:01 19 MR WOODS: Yes, a bespoke transcript for each that is  
09:59:03 20 peculiar to their circumstances, that's right. That's  
09:59:05 21 what's submitted, Commissioner.  
22  
09:59:07 23 COMMISSIONER: All right. I'll just perhaps hear from  
09:59:12 24 Mr Thomson next.  
09:59:14 25  
09:59:15 26 MR THOMSON: Your Honour, I don't have any problems with  
09:59:17 27 that course if I get a chance to be involved in the  
09:59:19 28 redaction process of the transcripts to protect the  
09:59:22 29 interests of my client. I agree with Mr Woods' proposal to  
09:59:27 30 that extent.  
31  
09:59:28 32 COMMISSIONER: Yes. There is of course an order, there  
09:59:31 33 will be an order in place before the witness gives evidence  
09:59:34 34 that there's no publication of any material which could  
09:59:39 35 identify or tend to identify his identity or whereabouts  
09:59:50 36 and those - - -  
09:59:52 37  
09:59:52 38 MR THOMSON: That would stretch a long way, Commissioner,  
09:59:54 39 with respect, because it's all very well redacting names or  
10:00:00 40 places or particular events but by putting two and two  
10:00:06 41 together it's pretty easy to get up to four.  
42  
10:00:10 43 COMMISSIONER: Well for those who are familiar with the  
10:00:13 44 scenario they won't have any doubt about who **Mr Bickley** is.  
10:00:17 45  
10:00:18 46 MR THOMSON: Yes.  
47

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10:00:18 1 COMMISSIONER: That's going to be impossible to stop. It's  
10:00:26 2 clear. It's more to protect those who don't know, because  
10:00:30 3 those who already know already know.  
10:00:32 4  
10:00:32 5 MR THOMSON: I agree.  
6  
10:00:33 7 COMMISSIONER: You can't unknow, I can't make an order to  
10:00:36 8 unknow things.  
10:00:37 9  
10:00:38 10 MR THOMSON: But the wider the spread the greater the  
10:00:40 11 chance of people who don't know getting knowledge.  
12  
10:00:43 13 COMMISSIONER: Yes, yes, but then there's also the  
10:00:46 14 entitlement to be balanced against that, is the entitlement  
10:00:51 15 for those affected persons to understand the true position.  
10:00:54 16  
10:00:54 17 MR THOMSON: I understand that, Your Honour.  
18  
10:00:55 19 COMMISSIONER: Which has been closed to them for a very  
10:00:57 20 long time.  
10:00:58 21  
10:00:59 22 MR THOMSON: I'm alive to that.  
23  
10:01:00 24 COMMISSIONER: Yes.  
10:01:00 25  
10:01:01 26 MR THOMSON: But I'm also alive to the very real risks that  
10:01:04 27 could face Mr Bickley.  
28  
10:01:05 29 COMMISSIONER: Yes, yes, understood. And also counsel, if  
10:01:13 30 given leave, would be subject to an undertaking in terms -  
10:01:21 31 have you got the undertaking there, please. The terms of  
10:01:24 32 the undertaking are that they'll only discuss with their  
10:01:27 33 client the aspects of confidential material relevant to  
10:01:31 34 obtaining instructions for potential cross-examination of  
10:01:34 35 witnesses and inform their clients of any relevant  
10:01:38 36 non-publication orders and/or extant orders and criminal  
10:01:43 37 sanctions that would apply for breach and will not disclose  
10:01:45 38 confidential information orally in writing to any other  
10:01:49 39 person. I understand what you - - -  
10:01:51 40  
10:01:52 41 MR THOMSON: Your Honour, my firm view is that neither  
10:01:54 42 party should be permitted to be here at the hearing.  
43  
10:01:57 44 COMMISSIONER: Yes.  
10:01:57 45  
10:01:58 46 MR THOMSON: That any transcript they're provided with I  
10:02:00 47 should have leave to vet and - - -

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1  
10:02:06 2 COMMISSIONER: Obviously you'll have an opportunity to make  
10:02:08 3 submissions about that. I'm not going to say that you have  
10:02:12 4 the veto on it.  
10:02:14 5  
10:02:15 6 MR THOMSON: I'm not saying absolute veto. Your Honour, I  
10:02:18 7 note the terms of the varied suppression order last week,  
10:02:21 8 14 November, which are in strict terms and, with respect,  
10:02:24 9 the Commission has to be very careful as to spreads of  
10:02:27 10 information which could lead to danger. In my  
10:02:33 11 submission - - -  
12  
10:02:33 13 COMMISSIONER: That's true but it also - there has to be  
10:02:37 14 disclosure to affected persons.  
10:02:41 15  
10:02:41 16 MR THOMSON: It's a balancing process where one has to come  
10:02:46 17 down on the side of safety, with respect, in certain cases.  
18  
10:02:52 19 COMMISSIONER: Perhaps this isn't the time now to have  
10:02:54 20 that. If I give you the opportunity to make submissions  
10:02:56 21 about the transcript before it's circulated, that might be  
10:03:01 22 the time to make those submissions.  
10:03:06 23  
10:03:07 24 MR THOMSON: If Your Honour please.  
25  
10:03:07 26 COMMISSIONER: Mr Holt?  
10:03:08 27  
10:03:08 28 MR HOLT: We agree with the course proposed by counsel  
10:03:11 29 assisting, Commissioner.  
30  
10:03:12 31 COMMISSIONER: All right. That would be a case of me  
10:03:15 32 granting leave to appear to both - - -  
10:03:17 33  
10:03:17 34 MR WOODS: Cooper and Mokbel.  
35  
10:03:19 36 COMMISSIONER: Yes. On the basis that they are not present  
10:03:25 37 in the room whilst the witness gives evidence but will  
10:03:31 38 afterwards be provided with a - - -  
10:03:36 39  
10:03:36 40 MR WOODS: I think the order could just say with  
10:03:39 41 transcripts. It's already on the record that those  
10:03:41 42 transcripts will be considered and redacted accordingly.  
43  
10:03:45 44 COMMISSIONER: With transcripts redacted as permitted by  
10:03:51 45 the Commission.  
10:03:53 46  
10:03:53 47 MR WOODS: Yes.

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1  
10:03:56 2 MS RISTIVOJEVIC: Commissioner, if I may be heard.  
3  
10:03:58 4 COMMISSIONER: Of course.  
5  
10:03:58 6 MS RISTIVOJEVIC: In relation to our application, we  
10:04:00 7 persist with the application to be present. It is one  
10:04:02 8 thing for parties to vet and redact and attempt to have  
10:04:08 9 disclosed within the transcripts of this witness's evidence  
10:04:13 10 to allow the affected person, that is our client, to be  
10:04:17 11 informed of what's deemed as relevant evidence. Our client  
10:04:21 12 is in the process of giving instructions to his legal team  
10:04:24 13 in relation to matters surrounding this witness and his  
10:04:29 14 involvement with Ms Gobbo and the making of statements and  
10:04:33 15 being a witness against our client. There are matters not  
10:04:36 16 known to the parties at the Bar table that are known to  
10:04:39 17 Mr Mokbel that may not be evident in the transcripts and  
10:04:43 18 the vetting of the transcripts. We persist to be present  
10:04:46 19 during the evidence of this witness given that our client  
10:04:49 20 is directly affected by not only previous evidence given by  
10:04:53 21 this witness, but no doubt evidence that will be given  
10:04:55 22 during these proceedings, and we persist with the  
10:04:58 23 application.  
24  
10:04:59 25 COMMISSIONER: I understand that, Ms Ristivojevic. I am  
10:05:04 26 however satisfied that the interests of justice are best  
10:05:10 27 served by me granting leave to appear but on the limited  
10:05:15 28 basis that you will not be present whilst the witness gives  
10:05:21 29 evidence but that you will be provided as soon as possible  
10:05:26 30 with a transcript redacted where necessary to protect the  
10:05:32 31 safety of the witness and the same will apply in respect of  
10:05:36 32 Mr Cooper's application for leave. Thanks Ms Ristivojevic.  
33  
10:05:41 34 MS RISTIVOJEVIC: Thank you, Your Honour. May I be  
10:05:44 35 excused, Your Honour?  
10:05:44 36  
10:05:44 37 COMMISSIONER: Yes.  
10:05:45 38  
10:05:45 39 MR WOODS: Just before Ms Ristivojevic leaves, I should  
10:05:49 40 say, Commissioner, all of those sorts of issues that have  
10:05:52 41 been identified in general terms are the sorts of things  
10:05:53 42 that we would certainly welcome from Mr Mokbel and his  
10:05:54 43 counsel to be informed of and there will be a way for those  
10:05:57 44 things to be taken into account. I understand the  
10:05:59 45 difficulty given a redacted version of the transcript but  
10:06:02 46 if there are things known to her client that should be  
10:06:04 47 known to us, we're very happy to hear them.

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1  
10:06:07 2 COMMISSIONER: Yes. It probably would be useful if at the  
10:06:14 3 end of the day you could have a brief conference with  
10:06:18 4 Ms Ristivojevic. Hopefully the witness's evidence will  
10:06:21 5 finish today.  
10:06:22 6  
10:06:22 7 MR WOODS: Yes.  
8  
10:06:23 9 COMMISSIONER: At some point perhaps you could have a  
10:06:25 10 conversation with Ms Ristivojevic about any  
10:06:28 11 cross-examination that she might like you to take undertake  
10:06:31 12 on behalf of her client.  
10:06:32 13  
10:06:33 14 MR WOODS: Certainly.  
15  
10:06:33 16 COMMISSIONER: And similarly with Mr Cooper's counsel.  
10:06:36 17  
10:06:36 18 MR WOODS: Yes.  
19  
10:06:38 20 COMMISSIONER: All right then. This witness is going to  
10:06:45 21 give evidence in a closed hearing and there are certain  
10:06:49 22 orders that I intend to make now.  
23  
10:06:52 24 Pursuant to s.24 of the Inquiries Act access to the  
10:06:54 25 Inquiry during the evidence of Mr Bickley, a pseudonym, is  
10:06:58 26 limited to legal representatives and staff assisting the  
10:07:01 27 Royal Commission, the following parties with leave to  
10:07:05 28 appear in the private hearing and their legal  
10:07:07 29 representatives: the State of Victoria, Victoria Police,  
10:07:09 30 including Media Unit representatives, Graham Ashton,  
10:07:13 31 Director of Public Prosecutions and Office of Public  
10:07:15 32 Prosecutions, Commonwealth Director of Public Prosecutions,  
10:07:19 33 Ms Nicola Gobbo, SDU handlers, Australian Federal Police  
10:07:24 34 and Mr Bickley. The legal representatives of the following  
10:07:32 35 parties with leave to appear - are there any?  
10:07:35 36  
10:07:35 37 MR WOODS: No, there shouldn't be others, as I understand  
10:07:39 38 it, just accredited media I think.  
39  
10:07:41 40 COMMISSIONER: All right, I'll just remove that then.  
10:07:41 41 Media representatives accredited by the Royal Commission  
10:07:45 42 are allowed to be present in the hearing room. The hearing  
10:07:47 43 is to be recorded but not streamed or broadcast until  
10:07:50 44 further order. Subject to any further order there is to be  
10:07:53 45 no publication of any material, statements, information or  
10:07:56 46 evidence given, made or referred to before the Commission  
10:08:00 47 which could identify or tend to identify the real identity

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10:08:03 1 of the person using the pseudonym Mr Bickley or his  
10:08:06 2 whereabouts. A copy of this order is to be posted on the  
10:08:10 3 door of the hearing room. All right then.  
10:08:14 4  
10:08:15 5 MR WOODS: Thank you, Commissioner.  
6  
10:08:16 7 COMMISSIONER: Thank you.  
8  
10:08:17 9 (IN CAMERA PROCEEDINGS FOLLOW)  
10:08:17 10  
11  
12  
13  
14  
15  
16  
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10:08:17 1 MR WOODS: I invite Mr Bickley to go into the witness box.  
2  
10:08:21 3 COMMISSIONER: Yes, thank you. Would you like to take the  
10:08:37 4 oath or affirmation?---Oath is fine.  
5  
10:08:41 6 Oath. And although you're taking the oath using the  
10:08:42 7 pseudonym, of course the oath binds you in your true  
10:08:45 8 identity?---Yes.  
10:08:47 9  
10:08:47 10 <MR BICKLEY, sworn and examined:  
11  
10:09:04 12 COMMISSIONER: Yes Mr Thomson.  
10:09:05 13  
10:09:06 14 MR THOMSON: Mr Bickley, have you made a statement in this  
10:09:08 15 matter at the request of the Commission?---I have.  
16  
10:09:11 17 And was that statement signed on 5 October this year?---It  
10:09:15 18 was.  
19  
10:09:15 20 And have you subsequently made amendments to that statement  
10:09:20 21 and circulated those amendments to the parties?---I have.  
22  
10:09:24 23 Do you have a copy of that in front of you?---I do.  
24  
10:09:27 25 Is the original statement in black and are the amendments  
10:09:29 26 in red?---Correct.  
27  
10:09:31 28 And is that statement as amended true and correct?---It is.  
10:09:34 29  
10:09:37 30 COMMISSIONER: Yes, I think that's Exhibit 741A and B.  
10:09:41 31  
10:09:42 32 #EXHIBIT RC 741A - (Confidential) Statement of Mr Bickley  
10:09:48 33 signed 5/10/19.  
10:09:48 34  
10:09:49 35 #EXHIBIT RC 741B - (Redacted version.)  
36  
10:09:55 37 COMMISSIONER: Perhaps we should have a C and D version as  
10:09:58 38 well to go to Mr Mokbel's lawyers and a version to go to  
10:10:06 39 Mr Cooper's lawyers.  
10:10:07 40  
10:10:08 41 #EXHIBIT RC741C - (Redacted version.)  
10:10:09 42  
10:10:09 43 #EXHIBIT RC741D - (Redacted version.)  
10:10:12 44  
45 <Cross BY MR WOODS:  
46  
10:10:12 47 On that point, Mr Bickley, you sent a few documents,

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10:10:15 1 together with your statement, when it was originally  
10:10:18 2 provided, being some fax cover sheets and things like  
10:10:21 3 that?---Correct.  
4  
10:10:22 5 I'm going to identify a couple of things for the record  
10:10:25 6 before we go into your evidence so that they're tendered at  
10:10:28 7 the start of your evidence. I don't need to do it during  
10:10:31 8 your evidence?---Sure.  
9  
10:10:32 10 Firstly, you provided a 20 June 2006 fax from Magazis to  
10:10:36 11 Gobbo regarding a variation of bail conditions, do you  
10:10:39 12 recall that?---I do.  
13  
10:10:40 14 Commissioner, these can probably be tendered as a bundle,  
10:10:44 15 so I'll just go through what they are. Secondly - that  
10:10:48 16 document number I'll read out is COM.0086.0001.0002 is the  
10:10:57 17 statement. That attachment ends in, is the same number but  
10:11:01 18 ending in 3. Then following that you sent through also a  
10:11:04 19 fax confirmation of that above fax being sent; is that  
10:11:08 20 correct?---Correct.  
21  
10:11:09 22 That's marked with the number 4. Then marked with the  
10:11:12 23 number 5 is a fax from Magazis regarding a restraining  
10:11:17 24 order as to assets, you agree with that?---Yes.  
25  
10:11:20 26 And marked as number 6 was a fax from Magazis to Victoria  
10:11:26 27 Police member Mr Rowe of 14 August 2006 confirming that  
10:11:31 28 Mr Rowe was happy for your bail conditions to be varied; is  
10:11:35 29 that correct?---That's correct.  
30  
10:11:36 31 There's a couple more things to tender, Commissioner, but  
10:11:39 32 if they could be tendered either as a separate exhibit or  
10:11:42 33 part of the statement exhibit.  
34  
10:11:43 35 COMMISSIONER: We'll do them as 742A and B. Bundle of  
10:11:49 36 faxes. Do you have any dates for that?  
10:11:51 37  
10:11:52 38 MR WOODS: They're of various dates. 20 June 2006 to 14  
10:11:55 39 August 2006 is the range.  
40  
10:11:58 41 COMMISSIONER: Right.  
10:11:58 42  
10:11:59 43 #EXHIBIT RC742A - (Confidential) Bundle of faxes 20/06/006  
10:12:05 44 to 14/08/06.  
10:12:05 45  
10:12:05 46 #EXHIBIT RC742B - (Redacted version.)  
10:12:06 47

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10:12:07 1 MR WOODS: I don't know whether you require it to be on the  
10:12:08 2 record, Commissioner, but there was obviously an order of  
10:12:12 3 the County Court allowing this proceeding to go ahead  
10:12:18 4 today. I might at least identify that for the record. That  
5 was 14 November 2019.  
6  
10:12:19 7 COMMISSIONER: We might make it an exhibit.  
10:12:19 8  
10:12:20 9 #EXHIBIT RC743A - (Confidential) County Court order dated  
10:12:23 10 14/11/19.  
10:12:23 11  
10:12:23 12 #EXHIBIT RC743B - (Redacted version.)  
10:12:25 13  
10:12:26 14 MR WOODS: Then four more documents which are the documents  
10:12:29 15 pursuant to the variation of that suppression order are  
10:12:31 16 able to be utilised for the purposes of this hearing. The  
10:12:35 17 first of them is the transcript of the plea hearing before  
10:12:38 18 Judge Williams on 9 May 2007. That document number is  
10:12:45 19 RCMPPI.0042.0001.0003. They can probably be tendered as a  
10:12:58 20 bundle. I'll read out that the others are. Secondly, the  
10:12:59 21 presentment C0504741.1 certified on 17 April 2007, and  
10:13:08 22 that's RCMPI.0042.0001.0004. There's the reasons for  
10:13:15 23 sentence of Judge Williams dated 9 May 2007 and that's the  
10:13:20 24 same numbers at the start but ending in a 5. Then there's  
10:13:24 25 a report of Mr Watson-Munro dated 8 May 2007 which ends in  
10:13:29 26 a 6.  
27  
10:13:33 28 COMMISSIONER: Those documents relating to the plea are  
10:13:38 29 744.  
10:13:39 30  
10:13:39 31 #EXHIBIT RC744A - (Confidential) Four documents pursuant to  
10:12:29 32 variation of suppression order dated  
10:13:40 33 14/11/19.  
10:13:40 34  
10:13:41 35 #EXHIBIT RC744B - (Redacted version.)  
10:13:42 36  
10:13:44 37 MR WOODS: Thanks Commissioner. Mr Bickley, you're here  
10:13:48 38 pursuant to a notice to attend that requires your  
10:13:51 39 attendance at the Commission today, that's  
10:13:53 40 correct?---Correct.  
41  
10:13:54 42 You understand that what we'll be exploring is various  
10:13:58 43 aspects of your relationship with Nicola Gobbo and Victoria  
10:14:03 44 Police during the period 2005 to 2008/2009, you agree, you  
10:14:11 45 understand?---Yes.  
46  
10:14:12 47 You understand, I take it, that what's been revealed

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10:14:17 1 through these processes is that there was three periods of  
10:14:21 2 registration of Nicola Gobbo as a human source, that's  
10:14:23 3 something you're now aware of?---I am.  
4  
10:14:26 5 You're also aware that it's the final period of that  
10:14:30 6 registration, just before that final period of registration  
10:14:34 7 and during it that you had relevant dealings with Nicola  
10:14:35 8 Gobbo and Victoria Police?---Yes.  
9  
10:14:37 10 And in fact she was acting as your lawyer during a period  
10:14:42 11 of time between 2005 and 2007, do you agree?---I do.  
12  
10:14:50 13 And you understand, because I think you took some role or  
10:14:56 14 paid some attention to the proceedings that came before  
10:14:59 15 this Royal Commission being announced, that namely there  
10:15:02 16 was an argument as to whether the OPP was able to write to  
10:15:07 17 you and explain the situation that had persisted in the  
10:15:11 18 background, you're aware of that?---I am.  
19  
10:15:13 20 You ultimately received a letter from the OPP explaining,  
10:15:16 21 at least in part, what some of the dealings between Nicola  
10:15:19 22 Gobbo and Victoria Police were?---Correct, I did.  
23  
10:15:22 24 The Commission's Terms of Reference require it to, firstly,  
10:15:31 25 determine the number and extent to which cases may have  
10:15:34 26 been affected by those dealings between Nicola Gobbo and  
10:15:37 27 Victoria Police, you understand that?---I do.  
28  
10:15:39 29 You understand that you're able to assist at least with  
10:15:41 30 some factual evidence as to what occurred that might assist  
10:15:46 31 the Commissioner in that regard as to how cases may have  
10:15:49 32 been affected?---Yes.  
33  
10:15:51 34 Secondly, the Commission is to look at the conduct of  
10:15:53 35 current and former members of Victoria Police about their  
10:15:56 36 disclosures about recruitment, handling and management of  
10:15:59 37 Nicola Gobbo as a human source and you understand that  
10:16:02 38 during your period of dealing with her that largely through  
10:16:05 39 that period she was acting as a human source?---Yes.  
40  
10:16:13 41 Just before we move on to the details of 2005 to 2007, in  
10:16:16 42 the statement that you've provided to the Commission you  
10:16:18 43 say that Victoria Police contacted you on 16 June 2019 of  
10:16:23 44 this year?---Yes.  
45  
10:16:24 46 Correct? Who was it that contacted you?---I was contacted  
10:16:28 47 by [REDACTED]

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BICKLEY XXN - IN CAMERA

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1  
10:16:32 2 Right?---Who had - - -  
3  
10:16:33 4 What was it that was being - what discussion did they have  
10:16:37 5 with you?---The discussion essentially pertained to  
10:16:45 6 cooperating with police and siding with police and banding  
10:16:49 7 together to fight or defend these proceedings or their  
10:16:55 8 position in these proceedings.  
9  
10:16:58 10 Where, in a court or in these proceedings or what was  
10:17:01 11 explained to you?---What was explained to me was they had  
10:17:04 12 representation and they gave me contact details to those  
10:17:08 13 contact those representatives.  
14  
10:17:09 15 Representation for who?---For police, for VicPol. They  
10:17:13 16 indicated that I needed legal - they suggested that I take  
10:17:16 17 legal advice and they offered that legal advice by way of  
10:17:21 18 contacting their counsel to be able to actually make the -  
10:17:25 19 have discussions around police paying for my representation  
10:17:30 20 in relation to this Royal Commission.  
21  
10:17:31 22 Do I understand that the reason they identified for you was  
10:17:33 23 that Mr Rowe was going to be giving evidence and that some  
10:17:36 24 of his evidence would touch on your story?---Correct.  
25  
10:17:39 26 And so your interests might be affected and so they were  
10:17:42 27 offering to you, advising you of that and offering to  
10:17:46 28 assist in your representation?---Correct.  
29  
10:17:48 30 Did that come about in the end?---No, it didn't.  
31  
10:17:51 32 You laugh. Why is that?---Because it's synonymous with the  
10:17:56 33 level of support offered by Victoria Police throughout  
10:17:59 34 these years.  
35  
10:18:00 36 Did you contact those individuals or did you - - - ?---I  
10:18:02 37 did.  
38  
10:18:02 39 What was the response that you got?---The response was  
10:18:05 40 vague at best.  
41  
10:18:06 42 Okay. So when you say you were offered representation; is  
10:18:10 43 that right?---Yes, I sought the services of my own legal  
10:18:16 44 representative to make contact. Sorry, I advised my legal  
10:18:20 45 representative that this was on offer.  
46  
10:18:22 47 Yes?---And my understanding is that my legal representative

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10:18:28 1           tried to make contact with that office.  
2  
10:18:31 3           Yes?---But was met with hesitation and ambiguity in terms  
10:18:36 4           of whether or not that representation by police would be  
10:18:38 5           extended.  
6  
10:18:39 7           Ultimately it wasn't extended I take it?---Ultimately it  
10:18:43 8           wasn't, no.  
9  
10           And that conversation was relayed to you by your legal  
11           representative, is that right?---Correct.  
12  
10:18:53 13          I want to ask you some questions about what led up to the  
10:18:53 14           criminal proceedings where you entered a plea in  
10:18:57 15           2007?---M'hmm.  
16  
10:18:57 17          I'm going to take you back to the period in August 2005 and  
10:19:01 18           the arrest that followed, do you understand?---Yes, I do.  
19  
10:19:04 20          Ultimately the charges that you pleaded to that are  
10:19:07 21           indicated in the presentment that I identified a moment ago  
10:19:09 22           were that between 5 and 15 August 2005 you trafficked a  
10:19:14 23           large commercial quantity of MDMA, you understand that?---I  
10:19:18 24           do.  
25  
10:19:18 26          The second one was, as I understand it, on your arrest you  
10:19:22 27           had a quantity of cocaine and you pleaded guilty to that as  
10:19:25 28           well?---I did.  
29  
10:19:26 30          You were charged, arrested and remanded in custody on the  
10:19:34 31           evening of 5 August 2005?---Yes.  
32  
10:19:37 33          You spent 23 days in custody?---I did.  
34  
10:19:40 35          You ultimately pleaded guilty to those two charges?---I  
10:19:43 36           did.  
37  
10:19:44 38          On 9 May 2007, the day of the plea, you were sentenced to  
10:19:47 39           three years' imprisonment which was wholly  
10:19:50 40           suspended?---Correct.  
41  
10:19:52 42          I want to ask a bit about the background of how you came to  
10:19:57 43           be offending. You were in about your early 30s, early to  
10:20:01 44           mid-30s in the mid-2000s?---Yep, around 32, yep.  
45  
10:20:05 46          You didn't have any previous convictions at that  
10:20:08 47           stage?---No.

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1  
10:20:08 2 The sentencing judge said, on the basis of the plea that  
10:20:12 3 was made on your behalf by Mr Dunn QC, that you'd come from  
10:20:16 4 a good family, you agree with that?---Yes.  
5  
10:20:18 6 He describes you, the judge, as obviously an intelligent  
10:20:23 7 person with entrepreneurial skills and that you were  
10:20:27 8 hard-working, you agree with that?---Yes.  
10:20:29 9  
10:20:29 10 The situation was that before your involvement or contact  
10:20:33 11 with Mr Mokbel you'd owned a cleaning business first; is  
10:20:41 12 that right?---Correct.  
13  
10:20:41 14 That was a successful business to a point and then its  
10:20:44 15 success waned, is that right?---No, that continued to be  
10:20:47 16 successful.  
17  
10:20:48 18 I see. Did you continue to won that business afterwards  
10:20:50 19 when you had the chemical business?---Yes.  
20  
10:20:52 21 You started up a chemical business though, presumably as an  
10:20:55 22 offshoot of the cleaning business?---Correct.  
23  
10:20:58 24 Where chemicals are used; is that right?---Correct.  
25  
10:21:00 26 That business was called Chemical Image?---It was.  
27  
10:21:05 28 Immediately in that time prior to 15 August, or in fact  
10:21:11 29 immediately in the time prior to your contact with Mokbel I  
10:21:15 30 should say, you'd had some personal upheaval in your  
10:21:20 31 life?---Yes.  
32  
10:21:21 33 You'd had a long-term relationship end?---Yes.  
34  
10:21:24 35 And you'd a had a very short-term relationship, the product  
10:21:29 36 of which was a child?---Correct.  
37  
10:21:31 38 And the psychologist who gave evidence on your behalf, the  
10:21:35 39 report that was drafted, described you as being under a  
10:21:38 40 great deal of stress at the time that you were introduced  
10:21:42 41 to Mr Mokbel; is that right?---Yes.  
42  
10:21:48 43 I take it that you were using cocaine at the time?---Yes.  
44  
10:21:54 45 You, at the chemical shop some time in 2004 or 5, I would  
10:22:03 46 assume it is, is that about right, when you first met  
10:22:05 47 Mokbel?---2004.

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1  
10:22:06 2 So that gentleman comes in wearing a bum-bag and casually  
10:22:09 3 dressed and tells you what's his profession?---He was a  
10:22:15 4 builder/brick cleaner.  
5  
10:22:18 6 Brick cleaner. And he asks to buy a large amount of  
10:22:21 7 sulphuric acid to clean bricks with?---Initially it wasn't  
10:22:26 8 a large amount. It was a sizeable amount but nothing to be  
10:22:29 9 alarmed about.  
10  
10:22:30 11 In one of the statements that you make ultimately you say,  
10:22:35 12 "A couple of years ago a male whom I know as Tony Mokbel",  
10:22:40 13 you didn't know that at the time as you say, "walked in off  
10:22:43 14 the street. I'd never seen him before and at the time I  
10:22:46 15 did not know who he was. He stated that he was a  
10:22:48 16 bricklayer and wanted to clean some bricks. He asked if we  
10:22:52 17 had anything to clean them with, any sort of acid. I told  
18 him that we stocked acid and he asked specifically for  
10:22:56 19 sulphuric acid". It's right that he then asked for a  
10:22:59 20 higher level of purity than you were able to provide; is  
10:23:03 21 that right?---Correct.  
22  
10:23:03 23 And at that stage he purchased 50 litres?---Yes.  
24  
10:23:08 25 And he said that he wanted to come back and did he just  
10:23:12 26 come back later on?---No, he said he wanted to come back  
10:23:15 27 and get some more, he's got a big job to do.  
10:23:16 28  
10:23:16 29 You agreed on a price of \$25 per 5 litre container,  
10:23:21 30 correct?---Yes.  
31  
10:23:22 32 He handed you a sum or attempted to hand you or did hand  
10:23:30 33 you the sum of \$2500 in cash?---Correct.  
34  
10:23:34 35 What did you say when he handed you that amount of money  
10:23:36 36 for a much smaller purchase?---I just said it's way too  
10:23:38 37 much.  
38  
10:23:38 39 Yes. And what was his response?---He said no problem.  
40  
10:23:41 41 Did he take the rest back?---No.  
42  
10:23:43 43 Then it appears that there's other meetings between you and  
10:23:50 44 Mokbel as he comes back to the shop on a number of  
10:23:52 45 occasions afterwards; is that correct?---Correct.  
46  
10:23:55 47 He starts asking for other chemicals that are restricted



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10:23:59 1 chemicals?---Eventually, yes.  
2  
10:24:03 3 At one stage during it he asked you if you knew who he was;  
10:24:07 4 is that right?---Yes, this was after some time. You know,  
10:24:10 5 we're talking months. So, yeah, he asked me if I knew who  
10:24:14 6 he was.  
7  
10:24:14 8 Did you have any suspicions at that stage about why he was  
10:24:17 9 buying all these chemicals?---No, I still didn't because I  
10:24:21 10 wasn't sure that they were precursors for making drugs.  
11  
10:24:24 12 So then he eventually says, "Do you know what I am?", and  
10:24:28 13 gives you his name. Is that a name you recognise, Tony  
10:24:31 14 Mokbel?---No, I didn't recognise the name, I had to Google  
10:24:34 15 it.  
16  
10:24:34 17 You Googled it and you learnt a little bit about  
10:24:39 18 him?---Yes.  
19  
10:24:39 20 What was your reaction on finding out who it was that had  
10:24:43 21 been buying these chemicals?---Fear, to be perfectly  
10:24:47 22 honest, then shock.  
23  
10:24:48 24 He then asks you for some chillers - so he asked for the  
10:24:49 25 restricted chemicals, I understand it, and you said you  
10:24:52 26 can't get restricted chemicals unless the purchaser has a  
10:24:56 27 particular need for them and he wasn't able to identify a  
10:24:59 28 need; is that right?---Correct.  
29  
10:25:01 30 He then asked to purchase some chillers and you were able  
10:25:04 31 to get those for him, they had no restrictions on  
10:25:10 32 them?---Correct.  
33  
10:25:11 34 Is it that occasion when he asks after your partner and  
10:25:14 35 your child, or when did that happen?---No, this was  
10:25:15 36 actually when they came into my factory and almost took  
10:25:18 37 control over the factory.  
38  
10:25:19 39 Is this later after those first few meetings?---Later on  
10:25:21 40 when they brought in some pill presses and things like  
10:25:25 41 that.  
42  
10:25:26 43 He asks about your partner and child. Are they things that  
10:25:29 44 you've discussed with him beforehand?---No, never.  
45  
10:25:31 46 What was your reaction on Tony Mokbel mentioning those  
10:25:34 47 things to you?---Clearly I was fearful, considering what

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10:25:36 1 was going on in tandem.  
2  
10:25:39 3 So the relationship developed. The sentencing judge says  
10:25:41 4 that whilst there was clearly this overbearing nature of  
10:25:47 5 the Mokbel relationship, there was also inevitably an  
10:25:51 6 element of greed in what came afterwards, you accept  
10:25:54 7 that?---I do.  
8  
10:25:55 9 All right?---Sorry, and I also contend that there was a  
10:26:01 10 mutual respect, to a degree, that developed.  
11  
10:26:05 12 Okay, I understand. So then - so this period of time  
10:26:12 13 culminates in taking over a factory and then what I want to  
10:26:16 14 talk about is this particular Quills offending. You  
10:26:19 15 understand Quills is the operation that led to the  
10:26:21 16 arrest?---Yes.  
17  
10:26:22 18 And the charge is between the 5th and the 15th of August.  
10:26:26 19 Now it appears from the police documents that what was  
10:26:31 20 alleged against you, that it was under Mokbel's direction  
10:26:34 21 and encouragement you took the steps to manufacture the  
10:26:37 22 large commercial quantity of ecstasy, you accept that's  
10:26:41 23 correct?---Yes.  
24  
10:26:43 25 Now, it's on 15 August, and I think it's the evening of 15  
10:26:48 26 August, that the police attend at your home?---It was early  
10:26:53 27 morning.  
28  
10:26:53 29 Early morning, okay. So there's a knock on the door.  
10:26:58 30 According to Flynn's diary it says it's at 20:50. Do you  
10:27:06 31 think that's correct?---Actually it might have been but we  
10:27:10 32 maybe left there early morning.  
33  
10:27:11 34 I think you were taken to another premises and then brought  
10:27:14 35 back to those premises as well but we'll go through that.  
10:27:17 36 What Flynn's diary says, and I understand these things are  
10:27:20 37 a long time ago, but he says that he knocks on the door and  
10:27:25 38 that you answer it. Do you recall that happening?---Yes, I  
10:27:27 39 do.  
40  
10:27:28 41 Okay. Do you remember how many officers were with  
10:27:32 42 him?---May have been three or four.  
43  
10:27:34 44 He then cautions you, you agree?---Yes.  
45  
10:27:37 46 And places you under arrest?---Yes.  
47

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10:27:41 1 He says - he asks you whether or not you want to exercise  
10:27:45 2 your right to a lawyer and you say, "Yes, I suppose", do  
10:27:49 3 you agree with that?---Yes.  
4  
10:27:51 5 He then says, "Which lawyer do you wish to call?" To which  
10:27:56 6 you answer, "I have no idea"?---Correct.  
7  
10:27:58 8 Do you agree with that? Then Flynn's diary says that he  
10:28:02 9 explains the process, the premises will be searched under  
10:28:05 10 search warrant and separate premises - I take it you know  
10:28:08 11 what those premises are - will also be searched pursuant to  
10:28:13 12 a warrant, is that all right; is that correct?---Yes.  
13  
14 And you'll then be taken to the MDID offices to be formally  
15 interviewed?---M'hmm  
16  
10:28:18 17 You agree this was all explained to you at the time?---Yes.  
18  
10:28:23 19 Then at 21:34 there's a video interview that commences at  
10:28:32 20 the front door, it seems to be of those premises, do you  
10:28:36 21 remember there being a camera there?---Yeah, I think they  
10:28:39 22 just in situ sort of did a bit of a walk through.  
23  
10:28:42 24 All right. And they reconfirmed their caution and  
10:28:45 25 reconfirmed your rights to legal counsel?---Correct.  
26  
10:28:48 27 Then at 21:36, which is only two minutes later, that  
10:28:52 28 interview is apparently suspended, that accords with your  
10:28:55 29 memory?---Yes.  
30  
10:28:56 31 Then you're taken to the other premises in Coburg and  
10:29:03 32 there's a search that's carried out of those premises as  
10:29:06 33 well and you're there with Flynn and other  
10:29:09 34 detectives?---Yes.  
35  
10:29:10 36 Is that right?---Yes.  
37  
10:29:12 38 Then at 22:38 there's a video interview continuing with  
10:29:18 39 you. You tell them that there aren't drugs at those  
10:29:21 40 premises, you say there's no weapons at the premises and  
10:29:24 41 you say that there's no cash at those premises. Pausing  
10:29:26 42 there, I should say you'd said there was \$8,000 or so in  
10:29:31 43 the first premises where you were arrested?---Correct.  
44  
10:29:33 45 All right. So you accept you told Flynn and the other  
10:29:36 46 officers those things at the Coburg address?---Yes.  
47

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10:29:39 1 Okay. Then it seems that you're taken back at 11 pm, back  
10:29:47 2 to the first premises where the search warrant is executed,  
10:29:51 3 the premises you were arrested at in Brunswick?---Yes.  
4  
10:29:55 5 And then there's a recommencement of the video interview,  
10:29:58 6 caution, rights and a search warrant was served on you, you  
10:30:02 7 agree?---Yes.  
8  
10:30:03 9 And then that video is suspended a couple of minutes later  
10:30:06 10 and then you're taken in handcuffs at the front of your  
10:30:10 11 body to the police premises?---Yes, that sounds right.  
12  
10:30:15 13 2.21 in the morning, so we've now moved on to the early  
10:30:18 14 morning of 16 August, Flynn's diary says that the video  
10:30:22 15 recommences and that they, each of the exhibits that  
10:30:25 16 they've collected are shown to you, you agree?---Yes.  
17  
10:30:31 18 And then that's concluded about seven minutes later and  
10:30:36 19 that property is taken away by the police. After various  
10:30:42 20 back and forth it seems to be that early in the morning, so  
10:30:47 21 at 5.57 am, Mr Rowe's diary says that the interview  
10:30:52 22 commences with you at that stage. You remember there being  
10:30:55 23 an interview early in the morning?---I do .  
24  
10:30:57 25 And do you remember Mr Rowe being there?---I do.  
26  
10:31:00 27 Do you remember who the other officer was?---I'm not sure  
10:31:03 28 whether it was - - -  
29  
10:31:06 30 Male, female?---Could have been female. May have been  
10:31:10 31 Burrows.  
32  
10:31:11 33 Burrows, yes, okay. Is that your recollection, that it was  
10:31:15 34 someone called Burrows or you don't know?---I only identify  
10:31:18 35 as Burrows. I remember it was a female but I couldn't  
10:31:21 36 remember the name. I know that now as being - - -  
37  
10:31:23 38 Certainly Burrows has a diary that talks about the  
10:31:26 39 interview and the timing of the interview and what Burrows'  
10:31:31 40 diary says is that interview is suspended at 5.59, Rowe's  
10:31:37 41 diary and Burrows' diary both say the same thing, for you  
10:31:41 42 to contact a solicitor. Do you remember there being a  
10:31:43 43 pause in the interview for the purposes of obtaining legal  
10:31:46 44 representation?---I do. I was actually asked at the start  
10:31:49 45 of the first part of the interview whether I wanted legal  
10:31:52 46 representation and I said, "No, I'm happy to continue."  
47

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10:31:57 1 What Rowe's diary says is that the phone number for -  
10:32:02 2 firstly, did you know the name Nicola Gobbo at that  
10:32:05 3 stage?---No, I didn't.  
4  
10:32:06 5 Is it someone you'd ever heard about before?---No.  
6  
10:32:09 7 Did you know that Tony Mokbel was close to a female  
10:32:16 8 barrister?---No, not at that stage.  
9  
10:32:20 10 What Rowe's diary says is that the phone number for Nicola  
10:32:23 11 Gobbo is obtained by DSC Burrows and was then given to  
10:32:30 12 you?---Okay.  
13  
10:32:31 14 Is that how you recall that playing out?---No, my  
10:32:33 15 recollection is that the phone number was called or  
10:32:37 16 dialled.  
17  
10:32:37 18 By who?---By I think Rowe from memory.  
19  
10:32:40 20 Was that in front of you?---Yes, it was actually. It was a  
10:32:45 21 desk phone.  
22  
10:32:46 23 Okay?---Then the phone was actually, the handset was handed  
10:32:50 24 to me.  
25  
10:32:50 26 Okay. Who told you who they were calling?---My  
10:32:54 27 understanding or my recollection is that Rowe said that he  
10:32:59 28 can contact a legal representative on my behalf and he did  
10:33:04 29 so.  
30  
10:33:06 31 Did he ask you, did he give you a number of options about a  
10:33:10 32 legal representative or did he just ring a legal  
10:33:13 33 representative?---No, just a legal representative.  
34  
10:33:16 35 What happened as a result of that phone call, was it on  
10:33:20 36 loud speaker or was he - - - ?---No, it wasn't. It went  
10:33:23 37 straight to Messagebank. Sorry, rang out, went to  
10:33:27 38 Messagebank and I just simply left a message.  
39  
10:33:30 40 So Rowe's diary says, "Attempt made to contact mobile phone  
10:33:32 41 number", and he lists a number. He then writes that there  
10:33:34 42 was recorded message to contact another landline and then  
10:33:39 43 another mobile phone number. I take it because you say he  
10:33:44 44 had the phone to his ear and it wasn't on loud speaker this  
10:33:47 45 is something that Rowe's doing rather than handing the  
10:33:50 46 phone to you; is that right?---He's done that then handed  
10:33:53 47 the phone to me and I've left a message.

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1  
10:33:55 2 I see, okay. So he just dialled and then gave it to  
10:33:57 3 you?---Correct. I didn't know the number.  
4  
10:33:59 5 Sure. Had he explained who it was at that stage who he was  
10:34:02 6 calling?---No.  
7  
10:34:03 8 You understand the importance of this because it's not  
10:34:05 9 until a month later that Nicola Gobbo is registered as a  
10:34:09 10 police informer, which is why I'm interested in these  
10:34:12 11 events a month beforehand?---Right.  
12  
10:34:15 13 The interview recommences and then on 17 August, we'll go  
10:34:23 14 through the events that happened on that day, but suffice  
10:34:26 15 it to say you stay in custody from the time of your arrest  
10:34:29 16 for 23 days. Arrest on the 15th, those events we've just  
10:34:33 17 gone through in the early hours of the 16th. Now, on the  
10:34:37 18 17th you have contact with a number of solicitors and a  
10:34:43 19 barrister; is that right?---Correct.  
20  
10:34:44 21 Okay. Who's the first person that you have contact with on  
10:34:48 22 the 17th?---My understanding, or from my recollection I  
10:34:53 23 think it was both Zarah Garde-Wilson and Nicola Gobbo.  
24  
10:35:01 25 As I understood the chronology, and I might be wrong,  
10:35:03 26 Mr Hargreaves first, or did he come later on?---No, he came  
10:35:06 27 later on.  
28  
10:35:07 29 Okay?---Afterwards, perhaps. In which case I stated that -  
10:35:11 30 no, that's right, he came later on and I stated that I  
10:35:14 31 already had legal representation and I wasn't sure exactly  
10:35:17 32 who had sent him.  
33  
10:35:19 34 Where were you when Ms Garde-Wilson - did Ms Garde-Wilson  
10:35:26 35 and Nicola Gobbo attend at the same time?---I believe so.  
10:35:30 36 Because a lot happened in those first few days and I was  
10:35:33 37 extremely jaded because I was trying to process everything,  
10:35:38 38 but my understanding was that I had Zarah Garde-Wilson and  
10:35:45 39 Nicola attend at the same time. At that stage my  
10:35:48 40 understanding was or my recollection is that Zarah  
10:35:53 41 Garde-Wilson held a note up to the glass at the Custody  
10:35:56 42 Centre and that stated that she was there from Tony.  
10:36:00 43  
10:36:00 44 You say in your statement that she advised Mokbel had sent  
10:36:04 45 her "and to keep my mouth shut as she would be acting for  
10:36:09 46 me. This was communicated by way of written note and held  
10:36:12 47 up to the glass window?---Correct.

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BICKLEY XXN - IN CAMERA

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These claims are not yet resolved.

1  
10:36:13 2 Is that what occurred?---Correct.  
3  
10:36:14 4 Did she have Gobbo with her at that time?---I believe so,  
10:36:17 5 or one would have followed the other shortly after.  
6  
10:36:20 7 You don't recall whether they were the - - - ?---I don't  
10:36:24 8 recall exactly, I'm sorry.  
9  
10:36:24 10 Do you recall that they were both working together in your  
10:36:27 11 interests or they were separate legal representatives who  
10:36:31 12 were turning up separately to try and represent you?---It  
10:36:35 13 was kind of like separately but eventually they formed a  
10:36:40 14 bit of a team.  
15  
10:36:42 16 How is it - so given the fact that the message was left by  
10:36:45 17 you the day before, did you have another conversation with  
10:36:49 18 Gobbo, to the best of your recollection, between that phone  
10:36:52 19 call in the early hours of the 16th and her attending on  
10:36:57 20 the 17th?---No.  
21  
10:37:03 22 As Ms Garde-Wilson someone that you knew at the time she  
10:37:06 23 attended?---No, I didn't know her as well.  
24  
10:37:09 25 Okay?---Again, it was just these people turned up and once  
10:37:12 26 they said that they were associated with Mr Mokbel then I  
10:37:15 27 was - I was obviously trusting at that stage these people.  
10:37:20 28  
10:37:20 29 I see. Because he was obviously someone that you'd spent  
10:37:24 30 quite a deal of time with?---Correct.  
31  
10:37:26 32 You understood that he had some pretty serious interests to  
10:37:29 33 protect as well?---Correct.  
34  
10:37:33 35 Did you have a conversation with Gobbo on that day about  
10:37:37 36 the future of the proceedings against you and what you  
10:37:40 37 could expect?---Yes, she kind of outlined to me what to  
10:37:43 38 expect, the process, and kind of put me at ease a little  
10:37:47 39 bit by informing me as to where from here.  
40  
10:37:50 41 Do you recall whether Garde-Wilson was with her at that  
10:37:53 42 time or whether it was separately?---No, this was a  
10:37:54 43 conversation with just Nicola.  
44  
10:37:57 45 This is in a room together or is it still with the glass  
10:38:00 46 between you?---I think it's still with the glass between  
10:38:02 47 us.

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1  
10:38:02 2 What did she explain to you about looking after your  
10:38:05 3 interests?---That she was there to represent me and  
10:38:11 4 understand the actual charges against me and advise me from  
10:38:14 5 there on.  
6  
10:38:15 7 Did you have faith in the fact that she would be able to  
10:38:18 8 look after your interests?---I did when she told me who she  
10:38:23 9 was, who instructed her to come and visit me.  
10  
10:38:26 11 She's told you that Mokbel has told her to come along.  
10:38:31 12 Now, was it your understanding that she was Mokbel's lawyer  
10:38:36 13 or your lawyer? What did you understand the situation to  
10:38:39 14 be, the legal relationship?---I didn't know that she was  
10:38:42 15 actually representing Mokbel because I didn't realise he  
10:38:46 16 had any outstanding matters. My understanding was that she  
10:38:48 17 was engaged to come and represent my interests.  
18  
10:38:51 19 Okay. Did you have any reason to think that she might not  
10:38:55 20 be looking after your interests?---No, not at that stage.  
21  
10:39:02 22 Gobbo visits you again just prior to you being transferred  
10:39:05 23 to MAP, Melbourne Assessment Prison?---Yes.  
24  
10:39:08 25 Do you recall that occasion?---I do.  
26  
10:39:10 27 Do you remember the conversation that you had with her?---I  
10:39:16 28 think the conversation was more around my dealings with  
10:39:20 29 Mr Mokbel and, you know, how I found myself in that  
10:39:25 30 situation and just a broad view of the, I guess the  
10:39:28 31 historical nature of events.  
32  
10:39:30 33 I assume also you were pretty keen to get yourself out of  
10:39:33 34 custody at that stage and on bail?---Absolutely, as soon as  
10:39:35 35 possible, yes.  
36  
10:39:36 37 Is that a conversation you had with Gobbo?---I did.  
38  
10:39:38 39 Okay. What were the arrangements that were made at least  
10:39:41 40 in a general sense?---She said that she would sort that  
10:39:44 41 out, not to worry about it.  
42  
10:39:46 43 Did she indicate to you that she'd be able to get you  
10:39:49 44 bail?---Yep.  
45  
10:39:50 46 All right. Now, did she discuss with you at this stage the  
10:40:00 47 possibility that you might be able to, the colloquial term

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BICKLEY XXN - IN CAMERA



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These claims are not yet resolved.

10:40:05 1 is roll, on any other individuals and get yourself a  
10:40:09 2 benefit from that?--No, no.  
3  
10:40:11 4 Okay. Is that something that occurred to you or the police  
10:40:13 5 had suggested to you during their time with you?--I had  
10:40:18 6 Rowe and Mansell visit me while I was in the Custody Centre  
10:40:20 7 and asking if I was prepared to make a statement and I said  
10:40:24 8 no, so I refused.  
9  
10:40:25 10 Okay?--And then in the MAP, as I said, when Nicola had  
10:40:29 11 visited, she advised me to start considering taking an  
10:40:37 12 early plea to get a maximum discount.  
13  
10:40:39 14 She told you that [REDACTED] and [REDACTED], who were [REDACTED]  
10:40:49 15 [REDACTED] in [REDACTED] she told you that they had rolled [REDACTED]  
10:40:53 16 [REDACTED]?--Yes.  
17  
10:40:54 18 And did she encourage you in any way to do the same as what  
10:41:02 19 they had done?--No, she didn't. She said that - and I  
10:41:06 20 think it was very clear from my position was that I had a  
10:41:09 21 sense of, at that stage a sense of loyalty to Mr Mokbel, so  
10:41:14 22 I was very steadfast and resolute in not making any  
10:41:18 23 statement against anybody at that stage.  
24  
10:41:20 25 Were you aware that she was representing [REDACTED] as  
10:41:25 26 well?--No idea.  
27  
10:41:26 28 Did she ever tell you that?--No.  
29  
10:41:28 30 Did you find out that she was representing [REDACTED] when he had  
10:41:31 31 decided to roll?--No.  
32  
10:41:39 33 The records show that you're released on bail on 6  
10:41:43 34 September 2005; is that correct?--Correct.  
35  
10:41:47 36 You're then - how did you - who collected you from  
10:41:52 37 custody?--Well I was actually released I think from the  
10:42:05 38 courts.  
39  
10:42:06 40 Okay, sure. Did you go home or - - - ?--Yeah, so I think  
10:42:10 41 I was collected by a friend of mine, Joe Camilleri, and my  
10:42:15 42 first meeting or my first task to do after that was to meet  
10:42:22 43 with Mr Mokbel, which I did.  
44  
10:42:25 45 I see. Did he take you to Mokbel or did you go home  
10:42:28 46 first?--I think I went home first and then later on that  
10:42:31 47 evening.

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1  
10:42:32 2 Is it Camilleri who took you to see Mokbel?---I believe so,  
10:42:36 3 yeah.  
4  
10:42:37 5 Do you remember the conversation that you had with Mokbel  
10:42:40 6 that evening?---Yeah, it was quite a candid conversation.  
10:42:43 7 Again, he was just giving me some assurances about that he  
10:42:48 8 would look after my family, to just not bother going  
10:42:52 9 through the hassle of a trial and just to enter a plea.  
10:42:56 10 Which was kind of similar, similar advice I was getting  
10:43:01 11 from Nicola.  
12  
10:43:03 13 So Nicola and Mokbel were suggesting the same  
10:43:06 14 thing?---Correct.  
15  
10:43:06 16 About an early plea?---Yep.  
17  
10:43:09 18 Did he talk about with you the risks to him if you were to  
10:43:12 19 give information or assist police in any way?---No. Not at  
10:43:16 20 that stage, no.  
21  
10:43:18 22 Was Gobbo talking to you about the possibility of you  
10:43:23 23 cooperating with police?---Not at that stage. No, she was  
10:43:27 24 encouraging me to take an early plea to get a maximum  
10:43:32 25 discount.  
26  
10:43:34 27 You talk in your statement about now being a very different  
10:43:39 28 person to the gullible young man you were back then, you  
10:43:44 29 recognise those words?---I do.  
30  
10:43:45 31 Is that a reference to your association with Mokbel and the  
10:43:49 32 criminality that came out of that, or is it a reference to  
10:43:53 33 what you now know about Nicola Gobbo's relationship with  
10:43:56 34 police in the background?---It's kind of a combination of  
10:44:00 35 things. It's not only piecing together what transpired but  
10:44:04 36 also getting myself involved and not seeing the warning  
10:44:07 37 signs prior to that. And I think it's more the fact that  
10:44:10 38 I'd never come across such criminality before and certainly  
10:44:13 39 what led to that criminality, it really spiralled out of  
10:44:17 40 control very quickly. And like I said in my statement, it  
10:44:20 41 was probably something that I could have put a stop to but  
10:44:24 42 against my better judgment I didn't.  
43  
10:44:26 44 You don't obviously resile from the fact that you were  
10:44:29 45 heavily involved in some of these criminal activities in  
10:44:34 46 that period of life?---No, no that's a true account of what  
47 transpired.

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These claims are not yet resolved.

1  
10:44:37 2 I won't go into details but you've obviously turned your  
10:44:38 3 life around in a pretty significant way since; is that  
10:44:44 4 right?---Yeah, to the best I can.  
5  
10:44:46 6 In September 2005, so a couple of weeks after your release,  
10:44:50 7 as you now know Gobbo was registered as a human source, you  
10:44:53 8 agree?---Yes.  
9  
10:44:57 10 At that period of time you understood, I take it from what  
10:45:01 11 you've said, that she was acting as your lawyer in late  
10:45:04 12 September 2005?---Yes.  
13  
10:45:07 14 During the period September 2005 until [REDACTED] 2006, and  
10:45:14 15 just pausing there, you understand that [REDACTED] 2006 is  
10:45:17 16 when the conversation between you and [REDACTED]  
10:45:21 17 occurs?---Right.  
18  
10:45:23 19 So what I'm talking about is the period after your release  
10:45:26 20 and before that conversation occurs?---Yes.  
21  
10:45:28 22 Nicola Gobbo and Victoria Police were having regular  
10:45:32 23 face-to-face and telephone conversations about pretty much  
10:45:35 24 everyone known to Nicola Gobbo and those included you - I  
10:45:40 25 suppose that doesn't surprise you now?---No.  
26  
10:45:44 27 She told the police about Mokbel's reaction upon your  
10:45:51 28 arrest and she said it was clear that Mokbel was paying  
10:45:55 29 your legal fees and it's correct that the only lawyer you  
10:45:59 30 paid throughout all of these machinations was Mr Magazis  
10:46:08 31 and Mr Dunn; is that right?---Correct.  
32  
10:46:11 33 Otherwise the bills as far as you knew were being paid by  
10:46:12 34 someone else?---Yes.  
35  
10:46:14 36 You assumed that would have been Mr Mokbel?---Correct. I  
10:46:17 37 was given assurances by him himself.  
38  
10:46:20 39 I see. He said that he would pay your legal  
10:46:23 40 fees?---Correct.  
41  
10:46:23 42 On 16 September - I should say also there's a reference in  
10:46:27 43 Ms Gobbo's fee book later on in the situation where you  
10:46:31 44 were wanting to get your bail varied where she appeared on  
10:46:35 45 your behalf and rendered a fee through Mr Magazis, so there  
10:46:40 46 might have been a fee paid by you then; might that be  
10:46:44 47 correct?---Yeah, well all the fees went to Magazis.

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BICKLEY XXN - IN CAMERA

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These claims are not yet resolved.

1  
10:46:46 2 Sure. On 16 September 2005 Gobbo tells the police that  
10:46:50 3 she's striving to turn you around, to try and get you to  
10:46:58 4 roll. That doesn't come as a surprise to you?---It doesn't  
10:47:02 5 now.  
6  
10:47:02 7 She also said that you at that stage on 16 September 2005  
10:47:06 8 wanted to turn on the world. Is that something that you  
10:47:09 9 had indicated to Gobbo at that stage?---No.  
10  
10:47:15 11 On 22 September 2005 Gobbo advises the police that Mokbel  
10:47:19 12 is concerned about you providing information against him.  
10:47:24 13 Now that's obviously not a conversation that you're part  
10:47:27 14 of. Did Mokbel say to you at this stage around September  
10:47:30 15 2005 that he was concerned about you rolling on him?---No,  
10:47:34 16 but he would regularly physically pat me down.  
17  
10:47:40 18 I see, to check if you had a wire or not?---Yes. And he  
10:47:44 19 would do it in such a way that it was more of a - kind of  
10:47:50 20 indirectly he would actually create a bit of a story and  
10:47:53 21 say, "You know, for argument's sake if you were wearing a  
10:47:57 22 wire, blah blah blah", and then he would go through the  
10:48:01 23 motions.  
24  
10:48:02 25 I see. I see?---So it would never be as direct as patting  
10:48:05 26 me down before talking to him or anything like that. It  
10:48:08 27 was not like that. It was more in the - it was a more kind  
10:48:09 28 of approach whereby there would be some sort of story that  
10:48:13 29 he would actually create and as part of that story  
10:48:16 30 demonstrate how somebody, if they were wearing a wire, how  
10:48:21 31 you could pat them down.  
32  
10:48:23 33 I take it it was hardly a surprising thing in the world  
10:48:26 34 that you were in at that stage that someone in Mokbel's  
10:48:29 35 position would want to pat you down to check if you were  
10:48:32 36 wired up anyway, is that right?---Yeah, but it was probably  
10:48:33 37 the first time I was actually really concerned, you know I  
10:48:36 38 was really concerned because I thought maybe there's a  
10:48:38 39 breach of trust there.  
40  
10:48:39 41 I see?---And we had a fairly good level of trust between us  
10:48:42 42 leading up to that arrest and shortly after it.  
43  
10:48:48 44 Gobbo told Victoria Police that you must have something  
10:48:54 45 very big on Mokbel at around this period of time. Is that  
10:49:00 46 something that you said to her or something that you assume  
10:49:02 47 she was surmising?---No, she must have been surmising

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*BICKLEY XXN - IN CAMERA*

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These claims are not yet resolved.

10:49:08 1 because I didn't realise the extent or level of involvement  
10:49:12 2 until these proceedings.  
3  
10:49:13 4 The level of involvement between Victoria Police and her or  
10:49:18 5 Mokbel and her?---No, myself and Mokbel, in relation to  
10:49:21 6 Mokbel.  
7  
10:49:22 8 4 November 2005 Gobbo provides your phone number to the  
10:49:27 9 police. No surprise to you now I suppose that that was the  
10:49:32 10 case?---No.  
11  
10:49:33 12 And on 28 November 2005 Gobbo meets with you and then goes  
10:49:39 13 back to her handlers at Victoria Police and relays a  
10:49:43 14 conversation about the AFP wanting you to make a statement  
10:49:47 15 against Mokbel. Is that something you recall?---Yeah,  
10:49:51 16 look, it happened on a number of occasions where police  
10:49:53 17 would contact me and ask if I was going to make a  
10:49:56 18 statement, if I was prepared to make a statement and I just  
10:50:00 19 blatantly refused.  
20  
10:50:01 21 Were the AFP one of the Police Forces who did that?---I  
10:50:06 22 believe so.  
23  
10:50:06 24 Okay. She also talks about between November 2005 and  
10:50:13 25 February 2006 that there's an alleged attempt by you to  
10:50:18 26 bribe a police officer to get charges against you dropped.  
10:50:23 27 Now it seems that there's a bit of conjecture about that in  
10:50:26 28 the materials. What's your recollection about those  
10:50:28 29 conversations?---I have no recollection of saying such a  
10:50:31 30 thing.  
31  
10:50:31 32 Do you recall people saying to you that that's a good way  
10:50:34 33 to get charges dropped?---Yeah, clearly it was introduced  
10:50:38 34 to me.  
35  
10:50:39 36 Do you know who introduced it to you?---I may have had a  
10:50:45 37 conversation from memory with the - I can't with certainty,  
10:50:58 38 no.  
39  
10:51:01 40 So there's a suggestion in the materials that, well it's  
10:51:07 41 suggested by Gobbo I should say to the police, that  
10:51:10 42 Camilleri was involved in a proposed payment to a  
10:51:17 43 particular police officer for that purpose. Is it a  
10:51:21 44 conversation you might have had with Camilleri at the  
10:51:25 45 time?---Perhaps. Again, I can't recall.  
46  
10:51:27 47 Do you know if it progressed, if that attempt was

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10:51:29 1 made?---No.  
2  
10:51:31 3 You don't know or you know it wasn't?---I'm certain it  
10:51:33 4 wasn't because I didn't hand over any money.  
5  
10:51:36 6 Do you know if it was done on your behalf by  
10:51:39 7 Mr Mokbel?---No, I don't.  
8  
10:51:40 9 14 March 2006 Gobbo tells the police that [REDACTED] had [REDACTED]  
10:51:44 10 [REDACTED] supplied to him by you and that you had paperwork for  
10:51:49 11 other [REDACTED] when the police searched your factory, is  
10:51:52 12 that the sort of thing that you would have explained to  
10:51:55 13 Gobbo?---Yes.  
14  
10:51:58 15 She provides the car registration and make and model of the  
10:52:02 16 vehicle that you were driving to the police on 20 March  
10:52:06 17 2006. I won't go through all of these bits of information  
10:52:10 18 but essentially during that period of time she was  
10:52:13 19 supplying police with a large volume of information about  
10:52:16 20 you?---Well this is news to me.  
21  
10:52:18 22 Yeah, okay. Between September 2005 and [REDACTED], this  
10:52:25 23 same period of time, she's informing on [REDACTED] as well.  
10:52:34 24 You know who [REDACTED] is?---I do.  
25  
10:52:37 26 [REDACTED] is the person you had the discussion with on [REDACTED]  
10:52:41 27 [REDACTED] 2006?---I did.  
28  
10:52:42 29 Because it's relevant to your situation I'll explain to you  
10:52:47 30 that Gobbo was also purporting to act on [REDACTED] behalf  
10:52:51 31 through this period of time as well. Is that something you  
10:52:54 32 knew at the time?---No. Sorry, up until that point I'd  
10:53:02 33 never heard of or never met [REDACTED]  
34  
10:53:04 35 This is up until the conversation on [REDACTED] 2006?---Yes.  
36  
10:53:08 37 Yeah, I understand. We'll talk about that in a fair bit of  
10:53:11 38 detail soon?---Sure.  
39  
10:53:14 40 Essentially the situation, the evidence before the  
10:53:17 41 Commission is that Victoria Police and Gobbo were  
10:53:21 42 conspiring to have [REDACTED] arrested, caught red-handed  
10:53:29 43 [REDACTED] and that on arrest Gobbo would attend ostensibly  
10:53:34 44 in the capacity as [REDACTED] lawyer and that Victoria  
10:53:38 45 Police and Ms Gobbo together would then put pressure on him  
10:53:41 46 to roll. That's the evidence that the Commission's heard  
10:53:44 47 in recent times. I suppose that probably sounds like a bit

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These claims are not yet resolved.

10:53:48 1 of a familiar story to you?---It kind of coincides with the  
10:53:52 2 version of events that occurred with me after a period of  
10:53:55 3 time as well.  
4

10:53:58 5 Okay?---Sorry, there seems to be a pattern there.  
6

10:54:01 7 The evidence before the Commission is that in a similar  
10:54:06 8 situation to what you were in, [REDACTED] didn't know that  
10:54:08 9 Gobbo was informing about him behind his back as  
10:54:11 10 well?---Right.  
11

10:54:12 12 Okay. Now, essentially he's arrested on [REDACTED] 2006,  
10:54:17 13 caught red-handed as I suggested a moment ago. That's with  
10:54:22 14 Gobbo's assistance and Gobbo attends on that night. He  
10:54:26 15 then spends the next few days [REDACTED] as you've  
10:54:30 16 later found out, trying to [REDACTED] as  
10:54:35 17 possible. Did you know or have you learnt since if there  
10:54:38 18 are other individuals other than yourself that were  
10:54:40 19 affected [REDACTED] in those few days after his  
10:54:43 20 arrest?---I have.  
21

10:54:53 22 At p.4 of your statement you talk about a mobile phone  
10:54:59 23 that's provided to you. I want to ask some questions that  
10:55:04 24 relate to that. You at this stage in early to mid-2006  
10:55:14 25 knew the location of - were there [REDACTED] or  
10:55:20 26 more?---Two.  
27

10:55:20 28 They were essentially in your power and custody or where  
10:55:22 29 they somewhere that - - - ?---Correct.  
30

10:55:23 31 They were, okay?---Yeah.  
32

10:55:24 33 You wanted to get rid of them?---Yes.  
34

10:55:26 35 Because you didn't want to have them to be found and be  
10:55:31 36 implicated in that activity?---Correct. And I didn't want  
10:55:34 37 it to be, again, a breach of my bail condition.  
38

10:55:36 39 Of course. Were they ones that had been involved in the  
10:55:40 40 [REDACTED] offending or were they other - - - ?---Both were.  
41

10:55:45 42 What do you do as a result of your concern about [REDACTED]  
10:55:49 43 [REDACTED] being at a location?---By this stage I wasn't  
10:55:53 44 getting - I wasn't in direct communication with Mr Mokbel.  
45

10:55:58 46 Can I pause you there. You understand that, and this might  
10:56:03 47 simply be a reminder, that in March during his trial for

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These claims are not yet resolved.

10:56:08 1 Commonwealth offences Mokbel left the jurisdiction - well,  
10:56:10 2 disappeared?---Yeah, but the information that I was  
10:56:13 3 translating to my barrister at the time.  
4

10:56:16 5 Which is Nicola Gobbo?---Which is Nicola Gobbo, was my  
10:56:21 6 inability to contact him and this was the mutual contact  
10:56:24 7 that we had between us. So my only dealings with Nicola  
10:56:28 8 was to discuss my case or to actually contact Tony.  
9

10:56:31 10 Yes?---So I had [REDACTED] and I wanted to get rid of  
10:56:34 11 them and so I expressed that.  
12

10:56:36 13 Were you the owner of [REDACTED] or were they Mokbel's  
10:56:39 14 [REDACTED]?---They were Mokbel's [REDACTED].  
15

10:56:42 16 Sorry, keep going?---And I'd communicated that to her, that  
10:56:44 17 I needed to speak with him because I needed to get rid of  
10:56:48 18 them.  
19

10:56:48 20 Yes?---This happened through a couple of months and on  
10:56:54 21 several occasions.  
22

23 So are we talking - just to try and place it in time as  
10:56:55 24 best we can?---This is between November and March.  
25

10:56:57 26 Go ahead. Were you specific with her about there being  
10:57:02 27 [REDACTED] that you needed to dispose of?---Correct.  
10:57:06 28 Correct. And in the end Tony absconded and the only other  
10:57:12 29 contact I had from Tony's crew was a gentleman called Radi.  
30

10:57:18 31 Yes?---Who took one of them and I still had one in my  
10:57:23 32 possession.  
33

10:57:26 34 I want to specifically ask about the mobile phone?---Yep.  
35

10:57:30 36 How did that come about?---Nicola had called me and said  
10:57:33 37 that she received mail, which is really a code for contact  
10:57:40 38 from Tony, and wanted me to get in touch with a particular  
10:57:46 39 individual, who I now know is [REDACTED].  
40

10:57:50 41 Yes?---And he could sort me out in terms of getting rid of  
10:57:55 42 the [REDACTED] That was the indication.  
43

10:57:57 44 It was for that specific reason or were there other  
10:58:00 45 reasons?---No, no, that was the only reason.  
46

10:58:02 47 This was a continuation of the conversation that you had



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These claims are not yet resolved.

10:58:03 1 had with Nicola to say, "I need to get rid of [REDACTED]  
10:58:07 2 [REDACTED]?---Leading up to that, correct.  
3  
10:58:08 4 Where did the phone come from?---Nicola.  
5  
10:58:12 6 Do you recall handing her the phone?---Yeah, I met her at  
10:58:16 7 the Wheat Café outside her chambers, which we normally did  
10:58:20 8 over a coffee to discuss matters, and she handed me the  
10:58:23 9 phone, gave me some instruction. I was either to - and I  
10:58:29 10 can't recall whether I had called [REDACTED] or [REDACTED]  
10:58:31 11 had contacted me.  
12  
10:58:32 13 All right?---But I was - - -  
14  
10:58:35 15 But it was on that phone?---Only that phone, correct.  
16  
10:58:38 17 Did she tell you where the phone had come from?---No.  
18  
10:58:41 19 Did you have any understanding where the phone had come  
10:58:43 20 from?---No, I didn't even ask. I just assumed it was  
10:58:46 21 through Tony.  
22  
10:58:47 23 Placing that in time, we were talking about November to  
10:58:50 24 March a moment ago, was that in this period of time we're  
10:58:54 25 talking about or was that later?---No, that's - it could be  
10:58:57 26 March.  
27  
10:58:58 28 Yeah?---It could be slightly before or slightly after.  
29  
10:59:02 30 Did you have a conversation with [REDACTED] on that phone?---I  
10:59:04 31 did.  
32  
10:59:04 33 When was that, do you know?---I don't recall.  
34  
10:59:07 35 But this is not the conversation, the face-to-face  
10:59:10 36 conversation that we're talking about on [REDACTED]?---No.  
10:59:13 37 No, this was to organise a meeting to catch up in person.  
38  
10:59:16 39 You explained that you wanted to get rid of Mokbel's [REDACTED]  
10:59:20 40 [REDACTED] What conversation did you have with [REDACTED] on the  
10:59:23 41 phone when you did have a conversation?---I think it was  
10:59:26 42 more a question of meeting at a mutually defined place that  
10:59:31 43 we both were comfortable with to talk in person and not  
10:59:34 44 over the phone, because he was concerned about talking over  
10:59:38 45 the phone.  
46  
10:59:38 47 Did you meet?---Yeah, we did.

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1  
10:59:40 2 What did you discuss?---We didn't discuss handing over [REDACTED]  
10:59:43 3 [REDACTED] we discussed [REDACTED] or [REDACTED] of [REDACTED]  
4  
10:59:49 5 Did you explain to him the reason why you wanted to have  
10:59:52 6 contact in relation to these [REDACTED]?---That was my  
10:59:56 7 assumption and I indicated as much.  
8  
11:00:00 9 You indicated that to him, that you needed to get rid of  
11:00:03 10 them?---Yes.  
11  
11:00:04 12 But he was keen on [REDACTED] rather than - - -  
11:00:07 13 ?---Correct.  
14  
11:00:08 15 - - - that occurring. There was a discussion about  
11:00:12 16 money?---There was.  
17  
11:00:13 18 What was the discussion?---I said I need some money. He  
11:00:16 19 said yep, no worries. And we had organised to meet a  
11:00:21 20 second time.  
21  
11:00:22 22 Yes?---In which case when we did meet he handed me a  
11:00:26 23 quantity of cash. I can't recall whether it was \$2500 or  
11:00:32 24 3, I can't recall the amount, but it wasn't a sizeable  
11:00:35 25 amount.  
26  
11:00:36 27 It wasn't enough for the task that was being asked of  
11:00:39 28 you?---No, and clearly in that time I did not act on it and  
11:00:43 29 I certainly didn't do anything about it.  
30  
11:00:45 31 I understand?---I was happy to take the money.  
32  
11:00:48 33 Just moving forward. I've told you what happened on the  
11:00:50 34 [REDACTED] which is that [REDACTED] arrested and he spends those  
11:00:55 35 days [REDACTED] I want to ask about the meeting  
11:00:59 36 that you have with him on the [REDACTED], which you found out he  
11:01:03 37 [REDACTED] during that conversation. Where did it take  
11:01:06 38 place?---It was at [REDACTED] in [REDACTED] from  
11:01:10 39 memory.  
11:01:11 40 He was someone that was known to you not by face but you'd  
11:01:14 41 had a conversation with him on the phone  
11:01:17 42 previously?---Correct.  
43  
11:01:18 44 Was it only the one conversation you'd had with him prior  
11:01:19 45 to that?---No, no I had met with him once prior to that.  
11:01:24 46 This was a second meeting.  
47

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11:01:25 1 Yes?---In which case he brought me a quantity of cash.  
2  
11:01:28 3 Yes. Sorry, that was when he brought the cash that wasn't  
11:01:29 4 enough?---Yes.  
5  
11:01:30 6 Then later on on the [REDACTED] there's this other face-to-face  
11:01:33 7 meeting at [REDACTED]?---Correct.  
8  
11:01:35 9 Who organised that meeting?---He did.  
10  
11:01:37 11 Did he call you on the phone that you'd be given or a  
11:01:40 12 different phone?---He would have contacted me because he  
11:01:42 13 was - I had, I think I had attempted to contact him a  
11:01:47 14 couple of times and it was met with no answer, so I just  
11:01:52 15 relied on him contacting me.  
16  
11:01:54 17 Were you aware that at that stage that gentleman was [REDACTED]  
11:01:56 18 [REDACTED] himself for [REDACTED]?---No.  
19  
11:02:01 20 That he had been charged with?---No.  
21  
11:02:02 22 No, okay. Did you have any discussion with him about his  
11:02:07 23 relationship with Gobbo, professional or personal?---No.  
24  
11:02:13 25 When did you first learn that that was - I think you had  
11:02:16 26 suspicions in the time after that and before your arrest  
11:02:19 27 that he might have [REDACTED] Firstly, is that  
11:02:22 28 right?---Yeah, yeah. We both, we kind of - well, he  
11:02:25 29 indicated as much to me and I jokingly indicated as much to  
11:02:29 30 him, so we kind of were very jovial and sketchy about where  
11:02:34 31 to from here.  
32  
11:02:35 33 He ultimately gave [REDACTED] statements but one of them is  
11:02:39 34 about this conversation. I'll get that brought up on the  
11:02:43 35 screen if I might. It's COM.0064.0001.0002. I'm after the  
11:02:53 36 sixth page of that document. This will come up on the  
11:02:56 37 screen there so you can see it?---Oh yes.  
38  
11:02:59 39 Given it's a closed hearing I don't think there's a problem  
11:03:01 40 with the others at the Bar table seeing it but this is  
11:03:05 41 [REDACTED] statement about Mr Bickley. Obviously you  
11:03:12 42 became pretty aware of the police processes of getting  
11:03:15 43 statements from people and using them in proceedings down  
11:03:18 44 the track, but this is his statement that was to be used  
11:03:21 45 against you?---Sure.  
46  
11:03:23 47 He says that it was 2.16 pm on [REDACTED] 2006, that's - that

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11:03:30 1 accords with your memory?---Yes.  
2  
11:03:32 3 He meets you in [REDACTED], you've already  
11:03:35 4 given that evidence. There's a conversation that is  
11:03:39 5 recorded, as I understand it. Now I haven't heard, I  
11:03:42 6 haven't read a transcript of that conversation but I have  
11:03:45 7 seen this summary of it. Just have a read through that,  
11:03:51 8 you don't have to read it out loud, and tell me if you  
11:03:56 9 understand that to be correct?---Sure. I can't recall  
11:04:11 10 otherwise.  
11  
11:04:12 12 Yeah, okay, sure. Nothing in there particularly would  
11:04:17 13 surprise you?---No.  
14  
11:04:18 15 You might not agree with all of the minute details but it  
11:04:21 16 was generally along those lines?---Yeah.  
17  
11:04:24 18 That can be taken off the screens now.  
19  
11:04:28 20 COMMISSIONER: Has that been tendered already?  
11:04:30 21  
11:04:31 22 MR WOODS: I don't think it has been.  
23  
11:04:32 24 COMMISSIONER: Do you want to tender it?  
11:04:33 25  
11:04:33 26 MR WOODS: Yes, if I might. It's a [REDACTED] 2006 statement  
11:04:37 27 of [REDACTED].  
28  
11:04:39 29 COMMISSIONER: Yes.  
11:04:39 30  
11:04:40 31 #EXHIBIT RC745A - (Confidential) Statement of [REDACTED]  
11:04:42 32 dated [REDACTED] 06.  
11:04:42 33  
11:04:42 34 #EXHIBIT RC745B - (Redacted version.)  
11:04:46 35  
11:04:47 36 WITNESS: I suppose after reading that as well, there may  
11:04:51 37 have been some exaggeration incorporated into that and a  
11:04:55 38 bit of bravado.  
11:04:57 39  
11:04:57 40 MR WOODS: Yes, sure?---As you do when you talk amongst,  
41 you know.  
11:05:00 42  
11:05:02 43 I understand. Bravado on your behalf because of the nature  
11:05:03 44 of the conversation you're having?---Correct.  
45  
11:05:08 46 I'm going to talk a little bit about the period from [REDACTED]  
11:05:11 47 [REDACTED] so the day after this conversation, until 13 June

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11:05:16 1 which was the day that you were - I think you were  
11:05:20 2 arrested. You were certainly taken into custody. So you  
11:05:23 3 were arrested on 13 June?---Yes.  
4  
11:05:26 5 Ostensibly in relation to what had happened in that  
11:05:31 6 conversation; is that right?---Yes.  
7  
11:05:35 8 There's evidence available to the Commission from Victoria  
11:05:39 9 Police's records of their interactions with Nicola Gobbo,  
11:05:43 10 these formal source handling documents where they record  
11:05:48 11 what was said and what they said to the source, that on 2  
11:05:54 12 May 2006 you told Gobbo that you believed that [REDACTED] had  
11:05:59 13 [REDACTED]; is that correct?---Yes.  
14  
11:06:06 15 That you also told Gobbo that you had been informed that  
11:06:10 16 you would be arrested because of the conversation that had  
11:06:13 17 happened with [REDACTED]. Is that something you recall?---I  
11:06:18 18 don't recall that part.  
19  
11:06:19 20 It might follow from the previous part?---Yeah, sure.  
21  
11:06:25 22 Then from 4 June 2006 up to your arrest on 13 June 2006  
11:06:31 23 Gobbo provided her opinion as to whether or not, if when  
11:06:36 24 arrested, you might inform on other people and assist  
11:06:43 25 police by rolling, do you understand that?---Yes.  
26  
11:06:46 27 Is that a conversation that you had had with her about if  
11:06:49 28 you were arrested, here's what you might do?---Yeah, by  
11:06:57 29 that stage we had a number of conversations and my  
11:07:01 30 recollection is that Ms Gobbo was increasingly frustrated  
11:07:07 31 with - she expressed her frustration with Mr Mokbel.  
32  
11:07:12 33 On what basis?---On the basis that she was just I think -  
11:07:17 34 it was a conversation around payments and stagnated  
11:07:20 35 payments. It was also a conversation - - -  
36  
11:07:22 37 So she was owed money by Mokbel?---My understanding was  
11:07:26 38 yes.  
39  
11:07:27 40 What else?---That is what I was led to believe. That she  
11:07:31 41 was fed up with - I think just more being at his beck and  
11:07:35 42 call.  
43  
11:07:36 44 Yeah, okay?---And she just said that she's just so  
11:07:43 45 inundated with his matters that there's little time to do  
11:07:46 46 anything else.  
47

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11:07:46 1 She told the police in this in between period after the  
11:07:48 2 conversation before the arrest that you will assist police  
11:07:53 3 when you're arrested if you're granted bail. I want to ask  
11:07:56 4 you a couple of things about that. Did you understand her  
11:07:59 5 to still to be acting as your lawyer in this period of  
11:08:02 6 time?---Yes.  
7

11:08:03 8 Had you spoken to her about an offer to assist police if  
11:08:06 9 they were to arrest you for this conversation?---I think it  
11:08:11 10 was more the case that she recommended I assist the police.  
11

11:08:14 12 She suggested that to you?---She was priming, now that I  
11:08:17 13 know, she was priming that idea for a couple of months  
11:08:21 14 prior to that.  
15

11:08:21 16 In the same period of time she was saying to the police the  
11:08:25 17 sorts of things that she thought you might be able to help  
11:08:28 18 with were you to roll when you were arrested?---I don't  
11:08:33 19 know that.  
20

11:08:33 21 I assume that you weren't saying those things to Gobbo  
11:08:36 22 prior to your arrest?---No.  
23

11:08:39 24 On 7 June 2006 Gobbo was asked by the police, so these  
11:08:45 25 members of the police that she was dealing with, "for  
11:08:47 26 angles in gaining Bickley's assistance on arrest".  
11:08:52 27 Inevitably that's not something that you knew?---No.  
28

11:08:56 29 She told police that they should grant Bickley bail so that  
11:09:02 30 you could further a business idea and "to talk short and to  
11:09:06 31 the point and no threats like last time he was  
11:09:10 32 interviewed". Is that something you've learnt since or  
11:09:13 33 you're only learning now?---I'm only learning now. Because  
11:09:16 34 I mean I think the police realised that once they'd  
11:09:20 35 threatened me I just sort of closed up.  
36

11:09:21 37 You closed up the first time around with the Quills  
11:09:26 38 arrests?---Correct.  
39

11:09:27 40 There's an audio recording, I won't play it, but it's on 9  
11:09:31 41 June 2006. She provides her opinion as to whether you  
11:09:34 42 might assist the police and she says that if you're handled  
11:09:37 43 properly "I think he will turn". Again, you understood her  
11:09:41 44 to be acting for you at that stage?---Yes.  
45

11:09:42 46 And that's not instructions you'd given her to tell the  
11:09:45 47 police about your position?---No.

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1  
11:09:48 2 All right. So 30 June 2006 you're arrested,  
11:09:52 3 correct?---Yes.  
4  
11:09:53 5 And that arrest, I think as we've said, occurred as a  
11:09:57 6 result of that conversation. Who arrested you?---From  
11:10:00 7 memory it was Flynn, Rowe and Hayes I believe.  
8  
11:10:05 9 Do you remember where you were at the time of  
11:10:07 10 arrest?---Yeah, just off King Street, driving my car  
11:10:11 11 around. They had cornered me. I felt like I was  
11:10:16 12 Australia's Most Wanted.  
13  
11:10:18 14 Right, I see. Well you may well have been on that  
11:10:21 15 particular day. Upon - well, just before we get there.  
11:10:34 16 You weren't charged - you've never been charged with  
11:10:39 17 anything arising out of the [REDACTED] conversation with  
11:10:43 18 [REDACTED]---I was advised that I would be charged on summons.  
19  
11:10:49 20 They said they will charge you on summons?---Absolutely.  
21  
11:10:52 22 But they never have?---To this day I haven't received  
11:10:56 23 anything.  
24  
11:10:56 25 I'm going to talk a little bit more about what they were  
11:11:00 26 saying to you about whether or not you'd be charged and the  
11:11:02 27 strength of the case against you in due course?---Sure.  
28  
11:11:09 29 When you agreed to assist and to make statements against  
11:11:13 30 other people what I want to understand is whether that  
11:11:16 31 occurred immediately upon your arrest, during the  
11:11:21 32 discussion process that happens at St Kilda Road or at some  
11:11:25 33 other time. Doing the best you can can you remember when  
11:11:29 34 it was you said you'd assist?---My recollection was it was  
11:11:33 35 during discussions at St Kilda Road. I was taken, as I was  
11:11:38 36 taken into St Kilda Road I was taken up to a boardroom and  
11:11:41 37 sat down and we had a discussion. This was myself, Flynn,  
11:11:46 38 first time I met Jim O'Brien. He was kind of fairly  
11:11:52 39 aggressive and straightforward.  
40  
11:11:53 41 Just before we get to that conversation, I'm very  
11:11:56 42 interested in it, but we have what Rowe says about this  
11:12:00 43 time of your arrest and the reason I'm asking the questions  
11:12:04 44 is it's important to understand at what stage you made that  
11:12:09 45 decision to assist?---Yeah. So between the arrest and  
11:12:11 46 going to St Kilda Road Police Station - can I use foul  
11:12:14 47 language?

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BICKLEY XXN - IN CAMERA

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These claims are not yet resolved.

1  
11:12:16 2 No, I understand. In this room you certainly can?---His  
11:12:21 3 words were, "You're fucked."  
4  
11:12:24 5 Whose words were they?---Paul Rowe.  
6  
11:12:26 7 Can you explain his tone? Was he aggressive, was he  
11:12:29 8 dismissive?---No, he was jovial about it, surprisingly.  
11:12:32 9 And I'm laughing myself and I'm saying, "You've got to be  
11:12:39 10 kidding me."  
11  
12 And he explained that you were fucked on the basis of what,  
11:12:41 13 the [REDACTED] - - - ?---[REDACTED].  
14  
11:12:42 15 So he specifically identified that?---Conspiracy to  
11:12:42 16 manufacture large commercial quantity.  
17  
11:12:44 18 Did he explain that it was a conspiracy charge?---Yes.  
19  
11:12:49 20 When he said "you're fucked", what did you understand that  
11:12:52 21 to mean?---Immediately my suspicions of being [REDACTED] with  
11:12:58 22 those conversations with [REDACTED] were realised.  
23  
11:13:02 24 What was your understanding, specifically with the term  
11:13:06 25 "you're fucked", as to the strength of the case the police  
11:13:08 26 had against you in relation to - - - ?---They indicated  
11:13:10 27 that the evidence was very strong.  
28  
11:13:13 29 I'm going to come back to that. What Rowe says about the  
11:13:16 30 arrest is, this is in his statement to the Commission, "I  
11:13:20 31 recall very shortly after his arrest Bickley was adamant  
11:13:24 32 that he couldn't go back to gaol and indicated a  
11:13:26 33 willingness to cooperate with police. We'd previously had  
11:13:29 34 discussions about this. I recall he said this either at  
11:13:33 35 the site of the arrest or shortly after he was placed in  
11:13:35 36 the car. I do not have a note of this in my diary".  
11:13:40 37 What's your evidence about when you said that you were  
11:13:42 38 willing to assist the police?---It wasn't until after I had  
11:13:46 39 a discussion.  
40  
11:13:47 41 With the police or with Gobbo?---No, I spoke to Gobbo and  
11:13:50 42 Gobbo indicated that I should do everything I can to help  
11:13:54 43 myself and that was to assist with police. So there was  
11:13:58 44 that discussion first, conversation with police and they  
11:14:02 45 indicated there were two doors.  
46  
11:14:03 47 Okay. I'm going to dissect that in a bit of detail. His

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BICKLEY XXN - IN CAMERA



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11:14:07 1 statement goes on, this is Rowe's statement goes on to say,  
11:14:11 2 "My diary records that some time after Bickley was arrested  
11:14:17 3 he briefly called Ms Gobbo on his mobile and spoke with  
11:14:20 4 her. Bickley also spoke to Ms Gobbo between 1.56 pm and  
11:14:22 5 2.15 pm when he was in an interview room". I take it you  
11:14:27 6 agree that they were the two conversations with  
11:14:29 7 Ms Gobbo?---Yes.  
8  
11:14:29 9 I want to go through those events in a bit of detail. Rowe  
11:14:38 10 suggests that your offer of assistance was either at the  
11:14:45 11 moment of arrest or in the car. I understand your evidence  
11:14:48 12 to be it was neither, it was later on?---Correct.  
13  
11:14:52 14 When you were at the station?---Correct.  
15  
11:14:54 16 And after the conversation with Flynn and O'Brien?---Yep,  
11:14:56 17 and the ultimatum that I was given.  
18  
11:14:58 19 After a conversation with Gobbo as well?---Correct.  
20  
11:15:03 21 So it was after a conversation with all of them?---Yes. So  
11:15:03 22 I sought her advice. So police proposed - sell, gave me an  
11:15:05 23 ultimatum, I sought further advice, then I made the  
11:15:09 24 decision.  
25  
11:15:09 26 On the day of the arrest there's obviously that  
11:15:12 27 conversation, there's a brief conversation on the phone and  
11:15:16 28 then there's the 1.56 to 2.15 conversation when you're in  
11:15:21 29 an interview room. That was another phone  
11:15:23 30 conversation?---Yes.  
31  
11:15:23 32 She doesn't attend on that day?---No.  
33  
11:15:28 34 At the time of your arrest, rather than the investigating  
11:15:34 35 officials ringing your lawyer, Ms Gobbo, it's in fact [REDACTED]  
11:15:37 36 [REDACTED] who ring Ms Gobbo and tell them about your  
11:15:41 37 arrest. Are you surprised that it was [REDACTED] and not  
11:15:44 38 investigators who are telling Ms Gobbo about your  
11:15:47 39 arrest?---Now?  
40  
11:15:49 41 Now?---Yes, I am, yeah.  
42  
11:15:52 43 All right. It might go without saying but when you were  
11:16:00 44 talking to Gobbo seeking her advice about these  
11:16:03 45 conversations that we'll go into some detail about, you  
11:16:07 46 were talking to her in what capacity? What did you  
11:16:10 47 understand your relationship to be with Ms Gobbo?---She was

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BICKLEY XXN - IN CAMERA

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11:16:12 1 my barrister, so.  
2  
11:16:14 3 Okay. You made your first statement on that particular  
11:16:23 4 day, which is essentially a dot point saying, "Here are the  
11:16:28 5 other statements that I'll be able to make in due course",  
11:16:30 6 is that right?---I recall that, yes.  
7  
11:16:31 8 I want to ask, obviously before you make that statement you  
11:16:33 9 have this conversation in the boardroom. Do you ever have  
11:16:39 10 a formal interview take place on 13 June?---No.  
11  
11:16:44 12 You don't go into an interview room?---No.  
13  
11:16:47 14 The person who takes you in there is Flynn?---Yes.  
15  
11:16:51 16 Okay. Who's in the room?---As I said - actually in the  
11:16:56 17 room, Jim O'Brien walks into the room after we've already  
11:16:59 18 sat down.  
19  
11:17:00 20 So Rowe's told you you're fucked in the car?---Yes.  
21  
11:17:03 22 Does he take you to the room or - - - ?---I believe Rowe  
11:17:06 23 and Flynn were in the room. They brought me to the room.  
24  
11:17:09 25 Yes?---And then Jim O'Brien walks in.  
26  
11:17:13 27 Did you know who Jim O'Brien was?---No, but he came in like  
11:17:18 28 a storm.  
29  
11:17:19 30 Like a storm. What was his demeanour?---Just very  
11:17:23 31 aggressive.  
32  
11:17:23 33 Aggressive in what way?---Just I think more trying to  
11:17:26 34 actually express the gravity of the situation that I was  
11:17:29 35 in.  
36  
11:17:29 37 Was he loud, was he gruff, was he quiet, was he  
11:17:32 38 threatening? What was he?---He was loud and threatening.  
39  
11:17:34 40 What did he say to you?---He just said that, you know,  
11:17:37 41 there's two doors. You know, one goes to gaol.  
42  
11:17:40 43 Yes?---The other one leads to cooperating and making some  
11:17:46 44 statements against your main person.  
45  
11:17:48 46 Do you have any recollection about how long this  
11:17:50 47 conversation went for with those individuals?---It didn't

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BICKLEY XXN - IN CAMERA

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These claims are not yet resolved.

11:17:53 1 actually go on for very long to be honest. Maybe an hour.  
2  
11:17:56 3 You've described O'Brien's demeanour. Did that demeanour  
11:18:01 4 change or was he like that throughout the meeting?---No,  
11:18:05 5 no, I think it toned down once I had made a decision.  
6  
11:18:08 7 What about Flynn's demeanour?---Flynn was almost - believe  
11:18:12 8 it or not the best way I can describe Flynn was almost  
11:18:14 9 sympathetic.  
10  
11:18:16 11 All right?---So it was kind of a little bit, in one way  
11:18:24 12 comforting because I felt like I had an ally you know in  
11:18:27 13 terms of the situation that I was in. But clearly I don't  
11:18:30 14 look at it like that now.  
15  
11:18:32 16 No. The description you've given might be described as  
11:18:34 17 good cop, bad cop, is that - - - ?---That is how I see it  
11:18:36 18 now, yes.  
19  
11:18:37 20 So Flynn's sympathy and making you feel comfortable. How  
11:18:40 21 did he express that to you?---He was just very engaging  
11:18:43 22 and, you know, very quiet, very calm, collected. You know,  
11:18:44 23 he was still matter of fact but the type of questioning was  
11:18:46 24 more about welfare and, you know, how I was and, you know,  
11:18:51 25 it wasn't so much about focusing on charges or the  
11:18:54 26 situation.  
27  
11:18:55 28 And the term that "you're fucked" that Rowe had given you,  
11:19:00 29 was that a term or words to that effect repeated in this  
11:19:04 30 particular room?---No, it wasn't. That was only in the  
11:19:06 31 car.  
32  
11:19:06 33 Was Rowe in the room with the other two?---I believe so,  
11:19:09 34 from memory.  
35  
11:19:10 36 But You might not be right about that?---I might not be  
11:19:13 37 right.  
38  
11:19:14 39 You certainly remember those two, Flynn and  
11:19:16 40 O'Brien?---Yeah, yeah, absolutely. Because it was the  
11:19:18 41 first time I'd met Jim O'Brien.  
42  
11:19:20 43 You say that the demeanour, O'Brien's bad cop demeanour,  
11:19:26 44 changed once you made the decision. Now I want to  
11:19:30 45 understand what, if any, involvement there was by Nicola  
11:19:34 46 Gobbo in making that decision?---Only in the conversation I  
11:19:36 47 had and that was the advice she had given me.

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BICKLEY XXN - IN CAMERA

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1  
11:19:40 2 When did that conversation take place, was it during that  
11:19:42 3 meeting?---It was, yes. So before making a decision on  
11:19:47 4 this I contacted her again. I said I needed to seek advice  
11:19:50 5 and I made contact with her.  
6  
11:19:55 7 All right. Then did you have the conversation in front of  
11:19:59 8 O'Brien and Flynn or did have you it separately?---I can't  
11:20:03 9 recall whether they left the room or not. Look, I can't  
11:20:07 10 recall I'm sorry.  
11  
11:20:09 12 But you spoke to her. What did she say to you?---She said  
11:20:12 13 that I've got to actually look after myself. "Tony's gone.  
11:20:16 14 You've got to run your own race."  
15  
11:20:19 16 So she said, "Tony's gone, you've got to run your own  
11:20:23 17 race". Did she talk about the decisions that other people  
11:20:26 18 in a similar position had made, people in a similar  
11:20:30 19 position to the position you were in?---No, I can't recall.  
11:20:37 20 I can't confirm that that was the case. I think she was  
11:20:38 21 just focussed more on, and she seemed to be more concerned  
11:20:39 22 about my own welfare.  
23  
11:20:41 24 Did that come as a surprise to you given her advice earlier  
11:20:44 25 on in the Quills arrest?---Yeah, my - I could understand it  
11:20:48 26 though because of the - - -  
27  
11:20:50 28 The situation had changed?---The situation had changed and  
11:20:55 29 I found myself now facing further charges. And I thought  
11:20:57 30 the advice she was giving me was prudent.  
31  
11:21:06 32 Just for identification for tendering I'm going to get that  
33 first statement you made after that decision to be brought  
11:21:08 34 up on your screen and the Commissioner's screen. It's  
11:21:10 35 VPL.0200.0002.0390. This is taken on 13 June 2006 on the  
11:21:18 36 day of your arrest and essentially what this statement does  
11:21:23 37 is, it says you'll make a statement concerning Tony Mokbel  
11:21:29 38 - if that could just be on the Commissioner's screen. It  
11:21:33 39 might not matter but in any event. On my screen. Sorry, I  
11:21:36 40 did say that. The statements that you would be able to  
11:21:41 41 make implicating a number of people, being Tony Mokbel,  
11:21:44 42 Radi, [REDACTED], one of them [REDACTED] and the other one  
11:21:51 43 - I can't remember the other one's name - you weren't sure  
11:21:53 44 of his name either, and also [REDACTED] from [REDACTED],  
11:21:56 45 being [REDACTED], do you remember that?---Yes, but  
11:22:02 46 the latter - the [REDACTED] I never made a statement  
11:22:04 47 against.

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BICKLEY XXN - IN CAMERA

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1  
11:22:05 2 You didn't ultimately make a statement, yes, that's right.  
11:22:07 3 Firstly, that was taken by Mr Rowe?---Yeah, it was written  
11:22:10 4 by Mr Rowe as well.  
5  
11:22:11 6 Written by Rowe and you - I'll tender that now and I might  
11:22:16 7 ask you a couple of questions about it. Commissioner,  
11:22:18 8 that's 13 June 2006.  
11:22:20 9  
11:22:20 10 #EXHIBIT RC746A - (Confidential) Statement of Bickley dated  
11:22:22 11 13/06/06.  
11:22:22 12  
11:22:22 13 #EXHIBIT RC746B - (Redacted version.)  
11:22:24 14  
11:22:25 15 I just want to understand - you're in that room. O'Brien,  
11:22:30 16 Flynn, perhaps Rowe, conversation with Gobbo. On the basis  
11:22:35 17 of that conversation, you can correct me if I'm not  
11:22:38 18 summarising your evidence properly, you decide to  
11:22:41 19 roll?---Yes.  
20  
11:22:41 21 How does this statement come about? Can you recall how it  
11:22:45 22 was drafted?---I think it was just - it was initially just,  
11:22:49 23 like I said, notes taken and from memory I think it was  
11:22:53 24 actually finalised at a later date.  
25  
11:22:56 26 Okay. We might just turn over to the next page. It seems  
11:23:03 27 to be that it's signed on 13th of the 6th 2006 at 9.59 pm.  
28 Might that be correct? I should say, there are other  
11:23:12 29 statements you ultimately made, one of them a 22 page  
11:23:17 30 statement about Mr Mokbel?---Yeah. I don't recall whether  
11:23:18 31 it was done on the day because I remember that I had to get  
11:23:21 32 back home because I had somebody there.  
33  
11:23:25 34 Okay?---And police allowed me to leave.  
35  
11:23:27 36 So you're pretty confident you didn't sign it on the  
11:23:30 37 13th?---No. I may have made the statement verbally.  
38  
11:23:34 39 Yes?---But it may have been written and signed on another  
11:23:36 40 date.  
41  
11:23:39 42 Ultimately nothing might turn on that?---But I don't  
11:23:43 43 dispute what's being said there.  
44  
11:23:45 45 Yes, sure. I'm going to address the other statements,  
11:23:47 46 albeit briefly in due course, but the next day, being 14  
11:23:51 47 June - so firstly, you're taken home. Where was your car?

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11:23:55 1 Your car was left, I assume, on the roadside?---Yes.  
2  
11:23:59 3 How did you get back home after this?---I can't recall  
11:24:04 4 whether or not I was dropped back off to where my vehicle  
11:24:06 5 was or dropped off straight home. I can't recall. It  
11:24:10 6 might have even been straight home I think.  
11:24:11 7  
11:24:11 8 The next day Gobbo talks to Victoria Police and this is in  
11:24:15 9 the consolidated ICRs at p.329. So this is 14 June 2006.  
11:24:23 10 She says - so one of handlers has called her back. She  
11:24:29 11 says that she's annoyed at Jim O'Brien for being gruff. I  
11:24:34 12 assume that's being gruff with her, gruff with you?---Oh,  
11:24:38 13 okay.  
14  
11:24:39 15 Did you explain to her that O'Brien had been gruff with  
11:24:41 16 you?---Yeah, I think I may have. Because that was my  
11:24:44 17 recollection of that first meeting.  
18  
11:24:46 19 Perhaps that's the way to read it. All right. And in fact  
11:24:51 20 we saw a little bit earlier that she was advising the  
11:24:55 21 police of the best way to approach you should you be  
11:24:59 22 arrested and she suggested that an approach like that  
11:25:02 23 wouldn't work, so perhaps that's her reporting back that  
11:25:06 24 that approach was used nevertheless?---Yes.  
25  
11:25:08 26 You do remember telling her about O'Brien's  
11:25:13 27 demeanour?---Yes  
28  
11:25:13 29 She explains to you, and this can be brought up on the  
11:25:16 30 Commissioner's, mine and the witness's screen, she explains  
11:25:20 31 that she's annoyed at O'Brien for being gruff. She says,  
11:25:26 32 "Bickley is scared at what he's going to do". I assume  
11:25:28 33 that's a fair reflection of how you felt at that  
11:25:33 34 stage?---Yes. Or concerned. You know, it's a lot to take  
11:25:35 35 in.  
36  
11:25:36 37 Yes. You'd agreed to roll on what you understood to be  
11:25:38 38 dangerous people; is that right?---Correct.  
39  
11:25:40 40 She said you're quite emotional about it all, is that  
11:25:43 41 right, that's how you felt at the time?---Potentially,  
11:25:46 42 yeah. Again, I can't recall. It was a lot at that take  
11:25:48 43 in, as I said.  
44  
11:25:51 45 You explained to her that you wanted your bail changed if  
11:25:55 46 possible to one or two days a week. What had it been up  
11:25:59 47 until that point?---Daily.

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1  
11:26:01 2 The reason for my question is it seems a remarkable thing  
11:26:06 3 that the day after the arrest for these new charges you  
11:26:11 4 felt in a position to be able to say, "By the way, I want  
11:26:13 5 to report less often", other than the threat that they'd  
11:26:18 6 just given you about potentially going inside. Was this  
11:26:20 7 because of the agreement that you'd reached with the police  
11:26:24 8 in relation to assisting them?---That, and also the fact  
11:26:26 9 that I came to understand my value to police.  
10  
11:26:29 11 You said you wanted your bail varied and that's something  
11:26:33 12 that ultimately happened; is that right?---Yes.  
13  
11:26:42 14 She says that you didn't want your solicitor to know that  
11:26:46 15 you'd agreed to assist in the way you had; is that  
11:26:50 16 right?---Yeah, that accords with what I was telling my  
11:26:55 17 counsel.  
18  
11:26:56 19 On the 15th of the 6th there's another conversation between  
11:27:01 20 Gobbo and Victoria Police where there's to be an  
11:27:05 21 application the next day for the variation of bail and I  
11:27:08 22 suggested to you a little while ago that it might have been  
11:27:11 23 Gobbo who represented you in that bail variation. Do you  
11:27:14 24 know if you went to court on that occasion? I should say  
11:27:21 25 Mr Magazis was your solicitor at this stage?---Yeah, yeah.  
11:27:24 26 So I may have gone to court, yeah, but look, again, I don't  
11:27:27 27 recall specifically.  
28  
11:27:29 29 In Gobbo's fee book we see that she ultimately writes a fee  
11:27:32 30 for that matter, "Briefed to appear at bail variation of" -  
11:27:38 31 unfortunately my printout of it is very small but it might  
11:27:41 32 be \$840. You were paying for Ms Gobbo's services through  
11:27:47 33 Mr Magazis yourself at this stage?---Yes. I paid Theo  
11:27:52 34 Magazis because at this stage Mr Mokbel's no longer around.  
35  
11:27:56 36 Okay. It appears from the records available to the  
11:28:01 37 Commission that Gobbo has negotiated an agreement directly  
11:28:06 38 with Purana members that the application would proceed by  
11:28:11 39 consent, the application to vary your bail. Do you recall  
11:28:15 40 conversations about seeking or obtaining the police's  
11:28:19 41 consent to the bail variation?---My understanding, or my  
11:28:25 42 recollection would be that Nicola would have dealt directly  
11:28:28 43 with the police.  
44  
11:28:29 45 Okay?---And sorted that out, her and Theo.  
46  
11:28:32 47 I don't need to bring them up on the screen but some of the

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11:28:35 1 documents that you're still in possession of from this time  
11:28:38 2 are the documents around this time dealing with how the  
11:28:41 3 variation would be?---Yes, they are tested at those events.  
4  
11:28:46 5 In fact they're communications Gobbo is a party to?---Yeah,  
11:28:49 6 but she's getting instruction from Theo Magazis on my  
11:28:54 7 behalf.  
8  
11:28:55 9 19 June 2006 she speaks to a handler at Victoria Police and  
11:28:58 10 says that she'd spoken to the prosecutor who didn't have  
11:29:01 11 any knowledge of an arrangement for your bail variation to  
11:29:05 12 occur and she seems to be pressing that there is some kind  
11:29:07 13 of agreed position from police to come back, agreed  
11:29:12 14 position from police that you would obtain the variation.  
11:29:14 15 Were you aware of any hiccups about getting the police's  
11:29:18 16 consent?---No.  
17  
11:29:24 18 In another of these ICR records, which are the records of  
11:29:27 19 communications between Gobbo and the police, it indicates  
11:29:32 20 that the police subsequently contacted the prosecutor in  
11:29:36 21 relation to the arrangement and what the ICR says is that  
11:29:40 22 "Bickley's bail variation by consent is on tomorrow am".  
11:29:46 23 This is something that is recorded there, but "Gobbo spoke  
11:29:49 24 to prosecutor and they have no knowledge of 'consent' as  
11:29:52 25 arranged by Operation Purana detectives as per previous  
11:29:56 26 conversations with one of the handlers. Handler to check  
11:29:59 27 situation and ring back". The handler then speaks to Ryan,  
11:30:03 28 one of the gentlemen in the room with you. "The matter had  
11:30:07 29 been overlooked and was to be rectified first thing  
11:30:10 30 tomorrow." Again, you weren't aware of these machinations  
11:30:14 31 happening in the background?---No.  
32  
11:30:18 33 I just want to ask a couple more questions about your  
11:30:23 34 motivation to provide the statements as you did. You've  
11:30:29 35 been pretty clear about it, that pressure was brought to  
11:30:34 36 bear and you spoke to Gobbo and that's what led to the  
11:30:36 37 decision, that's right? At the time of your arrest on 13  
11:30:41 38 June, I take it that because of the matters that you were  
11:30:45 39 already on bail for you knew that if you were arrested for  
11:30:49 40 something else you'd be going inside without  
11:30:52 41 bail?---Correct.  
42  
11:31:01 43 Now that you know that it was - what Gobbo had done in  
11:31:06 44 relation to - or in general terms you know what Gobbo's  
11:31:12 45 role had been in relation to [REDACTED], who was in a  
11:31:15 46 similar situation to you, i.e. on bail for some serious  
11:31:18 47 charges and then apprehended for some new offending, you



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11:31:23 1 can see, I take it, the similarity of the positions that  
11:31:27 2 yourself and [REDACTED] were in?---Yes, I do.  
3  
11:31:32 4 In fact you can see also that it was the same lawyer who  
11:31:36 5 was acting on behalf of the two of you in relation to those  
11:31:39 6 events, you agree?---Yep.  
7  
11:31:47 8 Rowe's statement to the Commission - I'll ask that this be  
11:31:52 9 brought up on the screen, this is on the witness's and the  
11:31:56 10 Commissioner's and my screen, this is VPL.0014.0035.0028.  
11:32:05 11 He talks firstly - this is from paragraph 95 onwards. It  
11:32:11 12 will come up on the screen in a moment. He talks firstly  
11:32:14 13 about the arrest and that seems to be the same as your  
11:32:17 14 evidence and the fact that you were on bail at the time.  
11:32:21 15 He says that he recalls shortly after the arrest that you  
11:32:26 16 were adamant that you couldn't go back to gaol and you  
11:32:28 17 indicated a willingness to cooperate with police. Now your  
11:32:31 18 position is that that was indicated during the meeting with  
11:32:35 19 Flynn and O'Brien and after speaking with Ms Gobbo; is that  
11:32:38 20 right?---That's right.  
21  
11:32:42 22 "We'd previously had discussions with him about this." You  
11:32:45 23 said in the period following your August 2005 arrest and  
11:32:48 24 prior to your June 2006 arrest that you did have various  
11:32:51 25 propositions put to you by the police; is that  
11:32:54 26 right?---Yes, yes continuously.  
27  
11:32:55 28 You don't dispute that. All right. He then talks at 97  
11:33:00 29 about the conversations you have with Gobbo. He says, "I  
11:33:03 30 did not prevent Ms Gobbo speaking to him", this is you,  
11:33:07 31 "because I understood that I could not refuse a person in  
11:33:09 32 custody's request to speak to a lawyer of their choice".  
11:33:13 33 Now at this stage Mr Rowe knows that she's an agent of  
11:33:18 34 police. Does that cause you concerns that no one told you  
11:33:21 35 not to speak Gobbo?---Two things concern me. The fact that  
11:33:24 36 Mr Rowe knew that Ms Gobbo was my legal representative.  
37  
11:33:28 38 Yes?---And that I was in constant contact with her.  
39  
11:33:32 40 You're saying he did know those things?---Yes, he did, yes.  
11:33:36 41 He approached me on a number of occasions to try and make a  
11:33:39 42 statement, which I refused. And also at this particular  
11:33:42 43 point in time he knew exactly who I would be calling.  
44  
11:33:48 45 He knew - sorry?---Exactly who I'd be calling.  
46  
11:33:51 47 He says that he can't do anything about that because it's

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11:33:54 1 up to you to choose who your lawyer is. Do you understand  
11:33:58 2 what he's saying there?---Yes.  
3  
11:34:02 4 Given what you now know do you think it was an appropriate  
11:34:05 5 thing for them not to guide you in another direction as to  
11:34:08 6 legal representation?---That would have been the time to do  
11:34:14 7 it. Actually, even before that because to be perfectly  
11:34:16 8 honest, and I've got to take you back to 2005 just briefly,  
11:34:21 9 the introduction to Ms Gobbo was made by Mr Rowe.  
10  
11:34:24 11 Yes?---And - - -  
12  
11:34:28 13 Albeit at that stage the records show she wasn't a  
11:34:31 14 registered source?---That's okay. I didn't know who to  
11:34:34 15 call.  
16  
11:34:34 17 No, I understand?---So the suggestion was made and the  
11:34:39 18 phone call was made and I simply spoke, or I tried to speak  
11:34:42 19 with somebody but was met with an answering service. But  
11:34:46 20 further on from that I actually then continued to use  
11:34:48 21 Ms Gobbo as my legal representative, because (a) it was  
11:34:51 22 being paid for by Mr Mokbel, and (b) she was very much  
11:34:57 23 aware of my events.  
24  
11:35:24 25 I see. If that's a convenient time, Commissioner?  
26  
11:35:28 27 COMMISSIONER: We'll have the mid-morning break now.  
28  
29 (Short adjournment.)  
30  
11:53:38 31 COMMISSIONER: Yes Mr Woods.  
11:53:39 32  
11:53:39 33 MR WOODS: Thank you Commissioner. I was taking you  
11:53:46 34 through some aspects of Mr Rowe's statement to the  
11:53:52 35 Commission. And he says that, paragraph 100 he says - he  
11:54:07 36 commenced making a statement to the police on 14 June 2006  
11:54:14 37 and he had further dealings with Bickley on 3, 13 and 20  
11:54:19 38 July as recorded in his diary, and you accept you did have  
11:54:24 39 dealings with him fairly regularly after that?---Yes.  
11:54:27 40  
11:54:28 41 What was his demeanour with you in the days after your  
11:54:33 42 agreement to provide statements?---Is this Rowe?  
43  
11:54:34 44 Yes?---It's always been fairly consistent.  
11:54:36 45  
11:54:37 46 Which is?---You know, quite jovial about it.  
11:54:39 47

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11:54:40 1 He says at paragraph 101 that, "Despite efforts to have  
11:54:44 2 Bickley represented by other lawyers in the period from  
11:54:48 3 January 2007 to May 2008 Ms Gobbo became involved  
11:54:52 4 informally in providing advice to Bickley". Were you aware  
11:54:57 5 of the police's or anyone else's efforts to have you  
11:55:00 6 represented by someone other than Gobbo?---No.  
11:55:02 7  
11:55:03 8 Did Rowe explain to you that you needed to get someone else  
11:55:06 9 other than Gobbo to represent you?---No.  
11:55:08 10  
11:55:12 11 Did anyone present themselves to you as a possible  
11:55:15 12 alternative to Nicola Gobbo as your barrister in the period  
11:55:21 13 January 2007 to May 2008?---No.  
11:55:23 14  
11:55:26 15 All right. He says, "On 4 January 2007 I spoke to Ms Gobbo  
11:55:29 16 by phone and asked her about the status of Mr Bickley's  
11:55:34 17 upcoming trial. I understood Ms Gobbo was informally  
11:55:37 18 advising Bickley at this stage so I contacted her". That  
11:55:40 19 was your understanding, she was acting as your legal  
11:55:43 20 advisor at that period of time?---Yes.  
11:55:45 21  
11:55:45 22 At this stage you were going to go through a committal and  
11:55:49 23 plead not guilty rather than enter a plea, is that  
11:55:52 24 right?---Correct.  
11:55:53 25  
11:55:55 26 Ms McAuley comes along, he says on 30 January 2007 he  
11:56:02 27 speaks with Bickley's new solicitor Margaret McAuley. How  
11:56:07 28 is it that Margaret McAuley came to represent you?---Police  
11:56:10 29 had arranged that.  
11:56:10 30  
11:56:11 31 Why did they explain to you that you were getting  
11:56:13 32 Ms McAuley to represent you? What was their  
11:56:18 33 explanation?---Well - - -  
11:56:21 34  
11:56:22 35 Okay.  
11:56:23 36  
11:56:23 37 MR HOLT: Commissioner, can I just speak to my friend?  
11:56:31 38  
11:56:32 39 MR WOODS: I might leave that issue for now. He says - in  
11:56:44 40 fact I might leave that issue as well. All right. Now,  
11:56:49 41 there was some machinations in the background, if we can  
11:56:53 42 move forward to your plea, that occurred on 9 May 2007  
11:57:03 43 where Mr Dunn represented you, you remember that?---Yes.  
11:57:07 44  
11:57:07 45 You recall that Ms Gobbo, there was some discussion about  
11:57:12 46 Ms Gobbo giving evidence on your behalf at the plea, is  
11:57:15 47 that something you knew about?---Yes, I did.

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11:57:17 1  
11:57:17 2 Who explained that to you?---Mr Dunn.  
11:57:19 3  
11:57:21 4 What did you understand - just broadly speaking, was the  
11:57:25 5 nature of that evidence to be that you'd been able to  
11:57:30 6 assist the police?---Correct.  
11:57:32 7  
11:57:42 8 There was an exchange in evidence with Mr Rowe last week,  
11:57:48 9 who was giving evidence, where he was asked this question.  
11:57:51 10 This is at transcript 9217 and 9218. Where Ms Tittensor,  
11:57:59 11 counsel assisting, put to Mr Rowe, "Yes, and he was someone  
11:58:03 12 who would have been in a difficult situation", this is  
11:58:06 13 talking about you, "In respect of getting bail again  
11:58:09 14 because of, he was already on one count of bail for a  
11:58:12 15 serious drug offence was the question?" Mr Rowe's answer  
11:58:16 16 was, "Yes but, you know, that's subject to us having  
11:58:19 17 sufficient evidence to charge him at that point in time".  
11:58:22 18 Just to position that evidence. What they're talking about  
11:58:26 19 here is the conversation that you had with [REDACTED] and  
11:58:33 20 whether or not there was sufficient evidence to charge you  
11:58:35 21 at that point of time. You've already given evidence in a  
11:58:39 22 jovial way in the motor vehicle on the way to the station  
11:58:43 23 he had said that, Rowe had told you that you're  
11:58:46 24 fucked?---Correct.  
11:58:47 25  
11:58:47 26 Whilst it was jovial, did you take it to be only a joke and  
11:58:51 27 that you weren't fucked or did you understand the situation  
11:58:54 28 to be that you were actually in a lot of trouble?---No, I  
11:58:56 29 was in trouble because I had been advised by my barrister  
11:59:01 30 that I called whilst on site and she said to me, "This is  
11:59:05 31 what you're facing, this is the situation".  
11:59:07 32  
11:59:07 33 Rowe is then asked in evidence last week, "Was that the  
11:59:12 34 case in this instance, he was not charged at the time but  
11:59:16 35 there was some prospect of charges in relation to these new  
11:59:20 36 matters hanging over his head?" You've given evidence  
11:59:22 37 about that, saying they said they might charge you on  
11:59:26 38 summons down the track, is that right?---No, they said  
11:59:29 39 definitively they would charge me on summons.  
11:59:30 40  
11:59:30 41 They said they will?---Yes.  
11:59:32 42  
11:59:32 43 Even when you'd said you're happy to make statements and  
11:59:38 44 implicate people?---There was no more talk of that after  
11:59:38 45 that.  
11:59:38 46  
11:59:38 47 It was only before that they said they would charge you on

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11:59:39 1 summons?---Correct.  
11:59:40 2  
11:59:40 3 In answer to that question Rowe says, "Yes and no", this is  
11:59:44 4 about the prospect of that charge hanging over your head.  
11:59:47 5 He said, "The issue with those charges was effectively it  
11:59:50 6 was just a conversation". He says, "So, you know,  
11:59:53 7 conspiracy charge, yeah, it's an agreement but you need  
11:59:56 8 some sort of other, you know, corroborative evidence to  
12:00:00 9 show the intent of that agreement going forward and we  
12:00:03 10 didn't have that. My", it might be a mistake there, "My  
12:00:08 11 simply had a [REDACTED] so my view always was  
12:00:11 12 that it was insufficient to charge him". Okay. That's  
12:00:15 13 Rowe's evidence to this Commission. What did Rowe tell you  
12:00:19 14 about the strength of the case against you in relation to  
12:00:21 15 the conversation with [REDACTED] ---He said it was overwhelming  
12:00:24 16 because he had me on [REDACTED] conspiring to  
12:00:28 17 manufacture drugs.  
12:00:29 18  
12:00:29 19 Did he ever give you any indication that there might not be  
12:00:33 20 enough evidence to charge you with that?---Never.  
12:00:38 21  
12:00:38 22 Did he give you any indication that there was any ambiguity  
12:00:41 23 or any further evidence they needed to get together?---No.  
12:00:43 24  
12:00:46 25 Ms Tittensor then asked him, "That wasn't what was held out  
12:00:50 26 to Mr Bickley though, was it?" And Rowe says, "Well, I'd  
12:00:56 27 never get in that discussion with him, we'd just arrest him  
12:01:00 28 for those charges and" and then the sentence finishes. Did  
12:01:04 29 he get in the discussion with you about the strength of the  
12:01:07 30 case against you?---Yeah, clearly he highlighted to me  
12:01:14 31 that, and that's what led to the discussion about the two  
12:01:18 32 doors.  
12:01:18 33  
12:01:18 34 Okay. That was Flynn and O'Brien?---Yeah, following on  
12:01:23 35 from that, that car ride.  
12:01:25 36  
12:01:25 37 I'm particularly interested, given that Rowe has  
12:01:28 38 specifically said to the Commissioner, "We didn't have  
12:01:31 39 enough evidence to charge him with the [REDACTED]  
12:01:33 40 conversation"?---Never indicated as much to me and in fact  
12:01:37 41 said there was overwhelming evidence.  
12:01:38 42  
12:01:39 43 Did he say that before the conversation with Flynn and  
12:01:42 44 O'Brien?---Before then. This was in the car ride between  
12:01:45 45 where I was arrested and St Kilda Road police station and  
12:01:49 46 after me speaking to Ms Gobbo.  
12:01:50 47

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12:01:51 1 I take it from what you've said about the discussion that  
12:01:57 2 happened in the boardroom, that the strength of that  
12:01:59 3 potential charge was also indicated to you by at least  
12:02:03 4 O'Brien?---Yes.  
12:02:03 5  
12:02:03 6 Did he give any description to you of the legal position  
12:02:07 7 you found yourself in because of the conversation with  
12:02:16 8 [REDACTED]---Yes, I breached my bail.  
12:02:18 9  
12:02:18 10 Right. Did he say that you were going to be charged with  
12:02:20 11 something?---Charged on summons.  
12:02:21 12  
12:02:22 13 What about Flynn?---They were in the same room so we sat  
12:02:25 14 around. I was advised that I was going to be charged on  
12:02:29 15 summons.  
12:02:29 16  
12:02:29 17 Was there any ambiguity or reluctance from them about  
12:02:33 18 whether or not you had - this is prior to your decision -  
12:02:35 19 - - ?---No.  
12:02:36 20  
12:02:36 21 - - - to roll?---They were absolute.  
12:02:38 22  
12:02:39 23 You say in your statement, "I was advised by Ms Gobbo to  
12:02:43 24 help myself by cooperating with police. She advised that  
12:02:47 25 it's every man for themselves and that Mokbel has his own  
12:02:51 26 proceedings to worry about". Is that something that Gobbo  
12:02:54 27 explained to you?---Yes.  
12:02:54 28  
12:02:56 29 And you say you relented, "As the prospect of going to gaol  
12:03:00 30 was something I was not willing to do and I agreed to work  
12:03:03 31 with police as I found myself in a hopeless  
12:03:07 32 situation"?---Correct.  
12:03:07 33  
12:03:08 34 That's correct? You say subsequent to your  
12:03:12 35 arrest?---Sorry, what also made it easier at the time was  
12:03:16 36 because Mr Mokbel wasn't around.  
12:03:17 37  
12:03:18 38 He'd disappeared?---He'd disappeared, and with that all the  
12:03:22 39 support that was there prior to his disappearance.  
12:03:29 40  
12:03:29 41 And that was well-publicised at the time, it was in all the  
12:03:29 42 papers that Mokbel had disappeared, yes. So you say also  
12:03:30 43 in your statement, "Pertaining to my subsequent arrest on  
12:03:33 44 13 June 2006 Ms Gobbo expressed deep sorrow for my  
12:03:38 45 situation given that she had provided me with the mobile  
12:03:42 46 phone, but she was adamant police had me under surveillance  
12:03:45 47 and that was the reason for the arrest. I did not consider

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12:03:49 1 that the phone she gave me was in fact a means to entrap me  
12:03:50 2 into finally cooperating with police". Can you just  
12:03:53 3 explain to the Commissioner, how did she express her deep  
12:03:57 4 sorrow for the situation you were in?--When we had a  
12:04:01 5 debrief afterwards, because again, you know, she was right  
12:04:04 6 across my activities, I was sitting there a bit shell  
12:04:10 7 shocked because I couldn't understand how or why, you know,  
12:04:14 8 I couldn't piece together the phone's come through from  
12:04:18 9 Nicola, to contact a person that I had never met before. I  
12:04:25 10 thought that it was coming through, because it was a  
12:04:28 11 contact of Mr Mokbel's, I felt compelled to meet with him.

12:04:31 12  
12:04:31 13 Yes?--And I thought it was for the purposes of getting rid  
12:04:34 14 of some machinery that I had of his, so I felt compelled to  
12:04:38 15 do that because they weren't mine. And, you know, trying  
12:04:42 16 to actually make sense of it I still couldn't picture it  
12:04:46 17 because I had absolute trust in Ms Gobbo. And she felt  
12:04:50 18 guilty because she had, she expressed her guilt because she  
12:04:55 19 had provided me the phone.

12:04:57 20  
12:04:57 21 The telephone, I see. I want to ask just one more question  
12:04:59 22 about those dealings with [REDACTED]. As the Commission  
12:05:04 23 understands it there is, [REDACTED] position is that he  
12:05:11 24 had given Ms Gobbo something in the range of [REDACTED] for  
12:05:18 25 various purposes in either late 2005 or early 2006, it  
12:05:23 26 might be late 2005. This is something you wouldn't have  
12:05:26 27 known at the time?--No.

12:05:27 28  
12:05:28 29 But what he explains to the Commission was that [REDACTED] of that  
12:05:33 30 was to be hers for legal fees she had incurred representing  
12:05:39 31 him up until that date and perhaps going forward. [REDACTED] of  
12:05:42 32 it was his, [REDACTED] that was to be given back to him, and  
12:05:46 33 he says that there was [REDACTED] of it that he gave, "It was  
12:05:54 34 [REDACTED] of that I gave at a meeting to you". Might it have  
12:05:58 35 been [REDACTED] that he handed over on that occasion?--Could  
12:06:01 36 have been, I can't refute that because I can't recall.  
12:06:06 37 That may well be.

12:06:06 38  
12:06:06 39 The money that you were handed was handed to you by [REDACTED],  
12:06:13 40 not by anyone else?--Correct.

12:06:16 41  
12:06:18 42 He says that it was a deposit for a [REDACTED]. Might that  
12:06:22 43 be right?--Yep, and as I said that was the initial reason  
12:06:25 44 for the meeting.

12:06:26 45  
12:06:26 46 Okay. So he would take it off your hands for a sum of  
12:06:30 47 money?--Yes.

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12:06:31 1  
12:06:31 2 The discussion with him developed into a request for [REDACTED]  
12:06:35 3 to actually be [REDACTED] you?---Correct.  
12:06:38 4  
12:06:38 5 Yes, okay?---I must ask the question because I still don't  
12:06:44 6 know definitively to this date.  
12:06:45 7  
12:06:46 8 Sure?---The origin of the phone.  
12:06:49 9  
12:06:51 10 It appears to be [REDACTED] ---Okay.  
12:06:56 11  
12:06:56 12 Yes?---Okay.  
12:06:56 13  
12:06:58 14 All right. Now, it might go without saying but I'm going  
12:07:06 15 to ask you in any event, had you known that Nicola Gobbo,  
12:07:12 16 the person who was providing you advice at the time, was in  
12:07:15 17 fact a registered informer and an agent of the police would  
12:07:19 18 you have sought her advice?---No.  
12:07:21 19  
12:07:21 20 Would you have had her acting as your lawyer?---No.  
12:07:25 21  
12:07:26 22 Would you have given her instructions given the risks to  
12:07:32 23 the confidentiality of the information that you would be  
12:07:34 24 providing to her?---No.  
12:07:35 25  
12:07:38 26 Would it have assisted you in facing the allegations that  
12:07:42 27 were made against you in relation to the [REDACTED]  
12:07:45 28 conversation to know that sitting behind that conversation  
12:07:49 29 was that [REDACTED] own lawyer, Gobbo, had done to [REDACTED] a  
12:07:55 30 very similar thing that occurred to you down the track,  
12:07:58 31 would that have been a worthwhile thing for police to have  
12:08:00 32 disclosed to you when they arrested you for those matters  
12:08:03 33 on 13 June 2006?---Yeah, absolutely.  
12:08:06 34  
12:08:08 35 At your plea Mr Rowe gave some evidence and he was  
12:08:15 36 essentially giving evidence about the assistance that we've  
12:08:20 37 spoken about that you provided to police. You recall Rowe  
12:08:23 38 giving evidence there?---Yes.  
12:08:24 39  
12:08:28 40 He says, the question is asked of him, that when you were,  
12:08:34 41 "When you undertook to do that, did he turn it around and  
12:08:42 42 end up making you aware of that in his statement and is one  
12:08:45 43 of the areas where he's going to be used as a witness",  
12:08:49 44 Rowe says, "No, no, he's not. That conversation relating  
12:08:54 45 to the, you know, then the tape is changed over, if you  
12:08:58 46 like, so as such we were aware of that prior to speaking  
12:09:02 47 with CD". His Honour says, "Was that used as any sort of



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12:09:06 1 lever to get him to cooperate?" What I understand is being  
12:09:10 2 spoken about here at your plea is the potential of charging  
12:09:14 3 you with the [REDACTED] conversation. Rowe says certainly in  
12:09:18 4 his mind no doubt. Now that seems to accord in your  
12:09:23 5 evidence in your mind it was used as a lever, that was one  
12:09:26 6 of the significant things, in fact the only significant  
12:09:29 7 things that made you roll?---It's the only lever.

12:09:31 8  
12:09:32 9 In fact prior to that 13 June 2006 arrest, is it the  
12:09:36 10 situation you hadn't made any indication that you would  
12:09:38 11 roll?---I maintained my position and after numerous  
12:09:42 12 attempts by police to get me to make a statement I was  
12:09:47 13 steadfast and resolute in declining.

12:09:50 14  
12:09:51 15 Rowe says at your plea as well, he was asked a question,  
12:09:52 16 "It was agreed no charges would be laid relating to that?"  
12:09:56 17 He says, "That's correct, yes". Did they express that  
12:09:59 18 agreement to you, the quid pro quo, that if you did assist  
12:10:03 19 them in the way you did they wouldn't proceed with the  
12:10:08 20 charge or was it just left?---No, no, it was indicated. I  
12:10:11 21 guess it was part of the deal.

12:10:12 22  
12:10:13 23 You understand that all of the people that you spoke to at  
12:10:18 24 the time of making that decision were either police  
12:10:21 25 officers or agents of the police, you understand that  
12:10:23 26 now?---Yes.

12:10:24 27  
12:10:28 28 All right. I want to ask you some questions about the  
12:10:38 29 period between 13 June and the plea hearing on 9 May 2007.  
12:10:48 30 So there were following that initial statement that I  
12:10:52 31 tendered a while ago, which was the dot point one taken  
12:10:55 32 with Rowe, there are a number of other statements but prior  
12:10:58 33 to your plea there seem to have been two. The first of  
12:11:02 34 those, and I'll get it brought up on the screen so that you  
12:11:05 35 can identify it, is 20 July 2006, another statement taken  
12:11:09 36 by Rowe. This VPL.0200.0002.0393. This is, while it's  
12:11:18 37 being brought up, it's a 22 page fairly detailed statement  
12:11:22 38 about a lot of the matters we've talked about today, the  
12:11:25 39 history of meeting Mokbel and how those criminal activities  
12:11:29 40 commenced. Just have a look on the screen in front of you.  
12:11:31 41 You recognise that statement?---Yes.

12:11:33 42  
12:11:34 43 I'm not going to read it out but that can go on everyone  
12:11:38 44 else's screen as far as I'm concerned. So I tender that,  
12:11:44 45 Commissioner.

12:11:44 46  
12:11:44 47 COMMISSIONER: What date is that one, please?

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12:11:46 1  
12:11:47 2 MR WOODS: 20 July 2006 taken by Rowe.  
12:11:51 3  
12:11:54 4 #EXHIBIT RC747A - (Confidential) Statement dated 20/6/06.  
12:11:57 5  
12:11:57 6 #EXHIBIT RC747B - (Redacted version.)  
12:11:59 7  
12:12:00 8 Then another statement on 9 May 2007 which is the actual  
12:12:03 9 day of your plea and sentence. Can you remember making a  
12:12:07 10 statement that day, or signing a statement that  
12:12:12 11 day?---Yeah, I know I made a second statement but whether  
12:12:14 12 it was on that date or not I can't recall.  
12:12:17 13  
12:12:17 14 This is, so 9 May 2007, it's VPL.0200 - - -?---Actually, I  
12:12:23 15 don't think I would have made a statement on that date.  
12:12:27 16 I'll tell you why. Because I remember that it was kind of  
12:12:32 17 midmorning that we had this meeting and then afterwards I  
12:12:35 18 was just over the moon and overcome with emotion, so I  
12:12:38 19 wouldn't have been making a statement after that.  
12:12:40 20  
12:12:41 21 Might you have just signed a statement?---Maybe, yep.  
12:12:43 22  
12:12:43 23 This was one was taken by Hayes, you know who Hayes  
12:12:48 24 is?---Craig Hayes, yes.  
12:12:49 25  
12:12:50 26 The statement, this is a separate one, I'll get that  
12:12:53 27 brought up to identify it, VPL.0200.0002.0415. This is a  
12:13:00 28 relatively brief three page statement about a telephone  
12:13:04 29 intercept and Radi using the term, "Six mother fuckers",  
12:13:10 30 which was either six kilos of ecstasy powder or 6,000  
12:13:14 31 ecstasy tablets and you were confirming what that meant, do  
12:13:17 32 you recall that?---Yes.  
12:13:17 33  
12:13:17 34 You might have signed it on the day?---Yeah, what would  
12:13:20 35 have happened, if anything, he would have driven just past,  
12:13:23 36 got me to sign it and have me read it first of course.  
37  
12:13:29 38 Yes?---Sign off on it and keep going.  
12:13:29 39  
40 Okay. You can see that they're perfectly comfortable  
41 swearing and you swearing as well?---Yeah, I can. I'm  
42 getting used to it.  
43  
12:13:35 44 All right, so I want to take you forward - - -  
12:13:40 45  
12:13:40 46 COMMISSIONER: You want to tender that one too?  
12:13:42 47

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12:13:43 1 MR WOODS: Yes, I want to tender that, Commissioner.  
12:13:43 2  
12:13:43 3 COMMISSIONER: What is the date of that one?  
12:13:44 4  
12:13:45 5 MR WOODS: 9 May 2007.  
12:13:46 6  
12:13:48 7 #EXHIBIT RC748A - (Confidential) Statement dated 9/5/07.  
12:13:49 8  
12:13:50 9 #EXHIBIT RC748B - (Redacted version.)  
12:13:53 10  
12:13:56 11 I just want to ask a couple of questions. In the period  
12:14:00 12 after 13 June 2000 and before the plea, were you in any  
12:14:09 13 state of uncertainty about whether you would proceed to  
12:14:12 14 enter a plea, was it still up in the air at that stage or  
12:14:16 15 what was your frame of mind?--No, already at this stage it  
12:14:21 16 was, Nicola had advised to, that would be the best course  
12:14:27 17 of action.  
12:14:28 18  
12:14:28 19 Yes. Did you waiver from that at all?--I showed my  
12:14:33 20 hesitation at first because I wanted to see really what all  
12:14:36 21 the options were. There really wasn't one.  
22  
12:14:39 23 Yeah, okay?--So from then on it was just about giving as  
12:14:42 24 much information and essentially filling the gaps that  
12:14:46 25 police could not explain or weren't sure about, I was able  
12:14:50 26 to provide a complete picture for them.  
12:14:52 27  
12:14:52 28 In fact in the background, I won't go through all of the  
12:14:56 29 entries, but what Gobbo was saying to Victoria Police is  
12:14:59 30 that, that she'd given advice to you to continue to  
12:15:05 31 assisting and be of as much assistance as you possibly  
12:15:08 32 could be to get the maximum benefit when you did enter your  
12:15:13 33 plea, is that right?--That accords with my belief.  
12:15:16 34  
12:15:18 35 In January 2007, so a few months before the plea, it  
12:15:24 36 appears that you were having difficulties obtaining  
12:15:27 37 representation for the plea. Is that right?--Yeah, what  
12:15:31 38 was happening, at that stage it was very difficult to make  
12:15:34 39 contact with Nicola at stages and I simply wasn't aware of  
12:15:38 40 what was going on and at that stage I needed legal  
12:15:46 41 representation so I approached Mr Dunn.  
12:15:50 42  
12:15:50 43 You did that through Magazis or McAuley?--No, no. McAuley  
12:15:59 44 wasn't on the - - -  
12:16:01 45  
12:16:01 46 Yes?--I think it was just direct, yep.  
12:16:03 47

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12:16:05 1 And he was the gentleman who ultimately did the plea on  
12:16:08 2 your behalf?--Because actually by that stage I had dropped  
12:16:12 3 Magazis as well because of the fact I was already now  
12:16:15 4 providing statements to police. I wanted a complete  
12:16:19 5 disassociation from the previous.  
12:16:22 6  
12:16:22 7 At the same time you were experiencing personal  
12:16:27 8 difficulties because the mother of your child had raised  
12:16:34 9 the criminality as a reason why you shouldn't have access  
12:16:38 10 to your child, is that right?---That's right.  
12:16:40 11  
12:16:41 12 What did Gobbo, what role did Gobbo play in that?---On a  
12:16:47 13 couple of occasions she actually offered to supervise - the  
12:16:52 14 quick bit of background.  
12:16:54 15  
12:16:54 16 Yep?---The previous partner stopped me from seeing my son  
12:16:59 17 for about a year.  
12:17:00 18  
12:17:00 19 Because of the charges?---Because of Mr Mokbel. She went  
12:17:03 20 to court, used that as an excuse in fear of, she thought I  
12:17:07 21 was dead, so the, the Family Court ordered that I see him  
12:17:14 22 in a contact centre.  
12:17:15 23  
12:17:16 24 Yes?---And I was deeply upset about that because of the,  
12:17:21 25 I'm not sure if you know what a contact centre is, but you  
12:17:25 26 go through one door and you don't get to see - - -  
12:17:27 27  
12:17:27 28 I understand?---- - - another door opens and the other  
12:17:32 29 parent is on the other side. Anyway, and she offered to  
12:17:36 30 actually supervise those visits in lieu of - - -  
12:17:37 31  
12:17:37 32 Nicola Gobbo did?---Yeah, in lieu of having to go through  
12:17:40 33 that process.  
12:17:40 34  
12:17:40 35 You didn't ultimately take her up on that offer, is that  
12:17:44 36 right?---No, no, I didn't.  
12:17:46 37  
12:17:46 38 Did you say to her, "Could you do this for me" or was it  
12:17:50 39 something she said?---No, no, it was offered.  
12:17:51 40  
12:17:51 41 She offered it to you?---Yes.  
12:17:53 42  
12:17:53 43 Face-to-face?---Yes. My understanding is she maybe  
12:18:00 44 actually wrote a letter of support in relation to that on  
12:18:03 45 my behalf.  
12:18:04 46  
12:18:04 47 In fact she also wrote a letter of support in your plea

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12:18:08 1 that we'll come to in due course?---Yes.  
12:18:10 2  
12:18:12 3 That's correct, just for the transcript?---Yeah, I believe  
12:18:13 4 so, yes.  
12:18:14 5  
12:18:16 6 All right. Now, in the background she was going through a  
12:18:23 7 great deal of conversation with her handlers prior to your  
12:18:27 8 plea because she was nervous, firstly, that her role might  
12:18:32 9 be made clear in assisting you and - well, that seems to be  
12:18:41 10 the reason why that was happening. Did she express to you  
12:18:45 11 any desire not to give evidence or be involved in the  
12:18:49 12 plea?---No, in fact it came as a complete shock and Mr Dunn  
12:18:54 13 was extremely annoyed about it because we were relying on,  
12:18:59 14 you know, I guess a testimony or some sort of statement in  
12:19:04 15 support of the previous, you know, several years.  
12:19:10 16  
12:19:10 17 So Dunn is grumpy with Gobbo about not assisting. I want  
12:19:15 18 to show you something that was occurring in the background,  
12:19:18 19 VPL.6030.0200.5410. This is an email on 5 May, four days  
12:19:27 20 before your plea, from Gobbo to Rowe. I think these have  
12:19:34 21 both been tendered last week but you'll see there firstly  
12:19:38 22 she's attaching a letter that she's proposing to send to  
12:19:45 23 avoid having to give evidence, so essentially a letter of  
12:19:48 24 support, do you see that?---Yes.  
12:19:49 25  
12:19:50 26 Then the next document is - in fact I don't need to take  
12:19:58 27 you to the next document, but in the exhibits that were  
12:20:01 28 exhibited last week, just for administrative purposes, it  
12:20:04 29 was the next document tendered.  
12:20:06 30  
12:20:06 31 COMMISSIONER: The one on the screen at the moment is  
12:20:09 32 Exhibit 740, so I assume the next one is 741.  
12:20:13 33  
12:20:14 34 MR WOODS: Then actually in your plea there is a letter  
12:20:16 35 which I'll have brought up on yours, the Commissioner's and  
12:20:16 36 my screens which is MIN.5000.0001.9354. This is the letter  
12:20:26 37 that it appears is ultimately tendered. Did you see the  
12:20:31 38 letter that Nicola Gobbo sent through to the presiding  
12:20:35 39 judge?---Not that - no.  
12:20:37 40  
12:20:38 41 You remember something to that effect being  
12:20:41 42 tendered?---Yes. Yeah, yeah. All the information was  
12:20:44 43 collated and handled by Mr Dunn.  
12:20:46 44  
12:20:50 45 She says in that letter, "I later learnt from Bickley that  
12:20:56 46 he had been given my mobile phone, my mobile number by Tony  
12:21:01 47 Mokbel in case he was arrested and required a lawyer". Now

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12:21:05 1 is that a correct description of August 2005?---No. Why  
12:21:13 2 would Tony give me a phone number?  
12:21:15 3  
12:21:17 4 Are you certain that there was a letter - I've suggested to  
12:21:20 5 you that a letter was tendered on - - - ?---I've never seen  
12:21:23 6 this letter.  
12:21:24 7  
12:21:24 8 Do you remember there being a letter tendered on your  
12:21:27 9 behalf by Gobbo or might not that have been something that  
12:21:30 10 - - - ?---My understanding was Rowe turned up instead of  
12:21:34 11 Gobbo because - - -  
12:21:36 12  
12:21:36 13 I see, all right?---Which again I was kind of pleased about  
12:21:39 14 but also surprised.  
12:21:41 15  
12:21:41 16 Okay, sure. But in any event what Rowe did, according to  
12:21:45 17 the transcript of the plea that we've got, is essentially  
12:21:49 18 gave evidence about the assistance that you'd been, you'd  
12:21:53 19 provided, sorry?---Yes.  
12:21:54 20  
12:21:57 21 All right. But insofar as that sentence appears there,  
12:22:02 22 that's not the case, that's not what occurred?---No, I've  
12:22:06 23 not seen this letter before.  
12:22:07 24  
12:22:09 25 On 6 May 2007 Gobbo spoke to Rowe, so it seems to be three  
12:22:16 26 days before the plea, in relation to your hearing and what  
12:22:21 27 happens is that Rowe concedes or accepts each of the things  
12:22:27 28 that Gobbo was going to be asked to say on your behalf. Do  
12:22:32 29 you recall it being fed back to you by Mr Dunn or by Gobbo  
12:22:37 30 or the police that that switch would happen, it wouldn't be  
12:22:41 31 Gobbo it would be Rowe?---No. No, I mean what was just  
12:22:48 32 indicated to me that Rowe was going to attend.  
12:22:51 33  
12:22:51 34 The next day Gobbo, so this would be the 7th, I think it  
12:23:00 35 is, Gobbo met with Mr Dunn, who you've explained was upset  
12:23:04 36 with her for not giving evidence in your plea and she says  
12:23:10 37 to Dunn that she's not wanting to give evidence and that  
12:23:14 38 was something that was obviously explained back to you, is  
12:23:17 39 that right, that she said to Dunn she didn't want to give  
12:23:21 40 evidence?---I can't recall but it may have been relayed  
12:23:24 41 back to me.  
12:23:24 42  
12:23:24 43 You recall Dunn being upset about it?---Yeah, I remember  
12:23:28 44 him being upset about it but whether or not he actually  
12:23:31 45 expressed that with me specifically for my opinion, I can't  
12:23:35 46 recall.  
12:23:35 47

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12:23:35 1 Then the next day, on 8 May 2007 the day before the plea,  
12:23:38 2 Gobbo tells her handlers that she's concerned about the  
12:23:40 3 possibility of having to give evidence. She told police  
12:23:42 4 she'd exhausted all options and demanded that the SDU come  
12:23:47 5 up with a solution to this problem. Shortly after she said  
12:23:52 6 that she'd spoken to Dunn, who had suggested she might not  
12:23:59 7 be helpful in reducing the sentence for Mr Bickley. Was  
12:24:04 8 that a conversation that was passed on to you or was it  
12:24:07 9 simply she was not going to give evidence and he was upset  
12:24:10 10 about that?---I think he was simply upset about the fact  
12:24:14 11 she wasn't prepared to actually participate in the other  
12:24:17 12 proceedings.

12:24:17 13  
12:24:18 14 All right. After it seems to be agreed that she's not  
12:24:20 15 going to give evidence, it appears from the records that  
12:24:23 16 she nevertheless continues to be involved in your matter  
12:24:26 17 and she goes to a conference with you and Mr Dunn, is that  
12:24:30 18 correct?---Yes.

12:24:30 19  
12:24:30 20 And what was she saying in that conference, what was her  
12:24:33 21 role there?---Um, I think, I think it was to give context  
12:24:39 22 by way of background in terms of her representing my  
12:24:43 23 interests in the past.

12:24:44 24  
12:24:44 25 Was she a friend of yours at this stage or was she still  
12:24:48 26 only a legal advisor? I'm just interested in the capacity  
12:24:51 27 she was attending when you already had Mr Dunn representing  
12:24:55 28 you?---We weren't friends.

12:24:57 29  
12:24:57 30 You weren't friends. So she was only ever your  
12:24:59 31 lawyer?---She was only ever my lawyer or a conduit of  
12:25:02 32 communication between Mr Mokbel and myself.

12:25:04 33  
12:25:04 34 I think somewhere you might use the phrase that you were  
12:25:07 35 friendly with her?---Friendly, yes. Sorry, absolutely  
12:25:09 36 friendly.

12:25:10 37  
12:25:10 38 But in a professional relationship?---Yeah, and she was  
12:25:13 39 very supportive. Admittedly she was very supportive when I  
12:25:15 40 was going through all these matters and she was really the  
12:25:19 41 only one that I could express or seek advice from at the  
12:25:22 42 time.

12:25:22 43  
12:25:23 44 On 8 May she is also speaking to Flynn in relation to your  
12:25:27 45 plea. Again you understood her capacity that she was  
12:25:31 46 having conversations with various people as your legal  
12:25:36 47 advisor still at this stage?---Correct.

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12:25:38 1  
12:25:38 2 You went on after the plea and the disposition we've spoken  
12:25:41 3 about earlier, which was essentially that it was three  
12:25:44 4 years and it was suspended?---Yes.  
12:25:46 5  
12:25:46 6 You went on to make a number of other statements and just  
12:25:49 7 for the record I need to quickly identify and tender those.  
12:25:52 8 The first of those is 17 May 2007, which is a week after  
12:25:56 9 the sentence, that's VPL.0200.0002.0418. This is about  
12:26:04 10 Mokbel and someone who is called "the farmer" dropping off  
12:26:08 11 waste chemicals from a drug manufacturing process at your  
12:26:10 12 factory in 2005 and them essentially being poured down the  
12:26:15 13 toilet and some more information about the farmer, you  
12:26:18 14 agree with that?---Yep.  
12:26:19 15  
12:26:20 16 I tender that, Commissioner.  
12:26:21 17  
12:26:26 18 COMMISSIONER: What is the date of this one, please?  
12:26:29 19  
12:26:29 20 MR WOODS: 7 May 2007.  
12:26:31 21  
12:26:31 22 COMMISSIONER: Thanks.  
12:26:31 23  
12:26:22 24 #EXHIBIT RC749A - (Confidential) Statement dated 17/5/07.  
12:26:24 25  
12:26:24 26 #EXHIBIT RC749B - (Redacted version.)  
12:26:26 27  
12:26:32 28 MR WOODS: The next of those is 18 July 2007, so this is  
12:26:36 29 about six weeks after your sentence and it's  
12:26:43 30 VPL.0200.0002.0421. This is taken, the last one was taken  
12:26:48 31 by Rowe, this one is taken by Hayes and essentially Hayes  
12:26:53 32 gives you a photo line-up?---Identify, yeah.  
12:26:56 33  
12:26:57 34 You identify Radi?---Yep.  
12:26:58 35  
12:26:58 36 I tender that, Commissioner.  
12:26:59 37  
12:27:01 38 #EXHIBIT RC750A - (Confidential) Statement dated 18/7/07.  
12:27:02 39  
12:27:03 40 #EXHIBIT RC750B - (Redacted version.)  
12:27:04 41  
12:27:05 42 Two more. 8 August 2007, about three months after the  
12:27:10 43 sentence, this is VPL.0200.0002.0423. This is again taken  
12:27:19 44 by Hayes. It's another line-up identifying the person Gee,  
12:27:23 45 who you spoke about in your first statement upon  
12:27:26 46 arrest?---Yep.  
12:27:27 47



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12:27:27 1 Introduced to you by Radi?---Yep, I remember that.  
12:27:30 2  
12:27:31 3 And a person to whom you supplied chemicals and received  
12:27:35 4 ecstasy powder from and returned pressed ecstasy tablets  
12:27:39 5 to, agree?---Yes.  
12:27:40 6  
12:27:40 7 I tender that.  
12:27:41 8  
12:27:42 9 #EXHIBIT RC751A - (Confidential) Statement dated 8/8/07.  
12:27:44 10  
12:27:44 11 #EXHIBIT RC751B - (Redacted version.)  
12:27:46 12  
12:27:46 13 Lastly, a statement of 24 June 2008, so about a year after  
12:27:50 14 the sentence. This is VPL.0204.0010.0522. This is again  
12:28:01 15 taken by Rowe and it's identifying exhibits, I think  
12:28:06 16 through photographs, bags of methanol, bags of caustic pot  
12:28:12 17 ash and chillers?---Containers and bags. The methanol's in  
12:28:16 18 containers, yes.  
12:28:17 19  
12:28:17 20 That's the last of the statements that you made, is that  
12:28:20 21 correct?---Correct.  
12:28:20 22  
12:28:20 23 I tender that, Commissioner.  
12:28:22 24  
12:28:23 25 #EXHIBIT RC752A - (Confidential) Statement dated 24/6/08.  
12:28:24 26  
12:28:25 27 #EXHIBIT RC752B - (Redacted version.)  
12:28:29 28  
12:28:31 29 On 5 November 2007, so we're moving about five or six  
12:28:36 30 months after your plea, Gobbo tells the police that you  
12:28:42 31 have plans to flee the jurisdiction and not give evidence  
12:28:45 32 against Mr Mokbel. Is that something you might have  
12:28:48 33 discussed with Gobbo?---No. I only recall ever - was this  
12:28:55 34 when Mokbel was arrested?  
12:28:58 35  
12:28:59 36 Yes, well he is arrested in May 2007 in Greece and this is  
12:29:04 37 November. So it's about the same time as your  
12:29:07 38 plea?---Yeah, okay.  
12:29:07 39  
12:29:07 40 When he is arrested?---The only conversation I had at that  
12:29:10 41 stage was Ms Gobbo had met my girlfriend at the time, who I  
12:29:14 42 was in a serious relationship with and I was living with,  
12:29:18 43 and she was from overseas. She advised me that - - -  
12:29:22 44  
12:29:22 45 Just stopping there. Who asked to, who set up that  
12:29:25 46 introduction?---Ms Gobbo wanted to meet her.  
12:29:28 47

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12:29:28 1 Did she say why she wanted to meet her?---No, I think just  
12:29:32 2 maybe because there was a significant person in my life.  
12:29:35 3  
12:29:35 4 You were only lawyer/client or were you more friendly at  
12:29:41 5 this stage?---No, lawyer/client, but I think she showed a  
12:29:45 6 level of, not so much concern, but she was, well, yeah, she  
12:29:51 7 probably still was concerned for my well-being.  
12:29:53 8  
12:29:53 9 Did she seem to be interested in your life broadly?---Yes,  
12:29:57 10 probably more so than a client/lawyer relationship should  
12:30:01 11 be, but I didn't think much of it because I had been  
12:30:06 12 through such a series of, you know, intense events and she  
12:30:10 13 was party to that. So there was kind of more of a trusted  
12:30:13 14 relationship there, if that makes any sense.  
12:30:16 15  
12:30:16 16 I assume that some time between then and now you've had a  
12:30:19 17 penny drop moment about as to why it was that she was  
12:30:22 18 wanting to be more widely involved in your life, is that  
12:30:24 19 right?---We're no longer friendly.  
12:30:26 20  
12:30:29 21 Okay. She told the police about this time on 5 November  
12:30:35 22 2007 that the best way to keep you in the jurisdiction was  
12:30:39 23 to restrain your property?---They did a good job of it too.  
12:30:43 24  
12:30:44 25 That's something that occurred?---It did.  
12:30:46 26  
12:30:46 27 It occurred around that time?---Yes.  
12:30:48 28  
12:30:53 29 We spoke a moment ago about Mokbel's arrest and then return  
12:30:58 30 to the jurisdiction. So he's arrested in Greece in May  
12:31:06 31 2007. Now according to Gobbo, and I assume you won't take  
12:31:12 32 issue with this, you expressed some pretty serious concerns  
12:31:15 33 about the fact that he'd now been found?---Yes.  
12:31:17 34  
12:31:18 35 Given the statements that you'd been prepared to make  
12:31:22 36 against him, is that right?---That's right, and it was  
12:31:24 37 actually further compounded by the information that I was  
12:31:27 38 receiving from her.  
12:31:28 39  
12:31:29 40 That's in fact what I want to ask about. She says on 10  
12:31:34 41 June 2007, and for reference - it doesn't need to come up  
12:31:38 42 on the screen - this is 886 of the combined ICRs. She says  
12:31:44 43 that you've told her that you're in fear for your life now  
12:31:47 44 that Tony has been arrested. That would have been  
12:31:49 45 something you said?---Yes, yep. Actually, it's not  
12:31:52 46 something I said, I think she told me I should be.  
12:31:57 47

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12:31:57 1 She told you that you should be?---Correct. And she  
12:31:59 2 suggested if I was, sorry, if she was in my position that  
12:32:03 3 I'd be going overseas with a one-way ticket, that's the  
12:32:09 4 reference to the one-way ticket.  
12:32:10 5  
12:32:10 6 She's suggested to you that you should disappear?---Yes.  
12:32:13 7  
12:32:13 8 Later on in the year she seems to be saying to the police  
12:32:17 9 she thinks you will disappear and they should restrain your  
12:32:20 10 assets?---Well, yeah.  
12:32:23 11  
12:32:23 12 On 21 June 2007, this is 924 of the combined ICRs, there is  
12:32:28 13 a note that says Bickley thought now that Mokbel was  
12:32:35 14 caught, that you, Bickley, didn't have to give evidence,  
12:32:38 15 and she says that you're in for a big shock but you would  
12:32:41 16 try and squirm your way out. Did you express to her any  
12:32:45 17 understanding that you didn't need to give evidence now  
12:32:48 18 that Mokbel had been located?---Not that I recall.  
12:32:51 19  
12:32:52 20 Around the same time Gobbo's communicating with Mokbel, who  
12:32:58 21 was expressing to her concerns about evidence that you  
12:33:03 22 might give against him. Have you heard that before?---I  
12:33:06 23 have.  
12:33:06 24  
12:33:09 25 I won't go through?---And stronger words.  
12:33:14 26  
12:33:14 27 Yes, I'm sure. In fact it's the stronger words that I'm  
12:33:17 28 interested in. I won't go through each of the entries  
12:33:20 29 we've got but suffice to say in this next period there is  
12:33:24 30 quite a lot of contact between Gobbo and Mokbel, not just  
12:33:28 31 about you but about a number of individuals that Mokbel is  
12:33:30 32 concerned about giving evidence against him, but certainly  
12:33:33 33 you do feature in there as someone that he's worried about,  
12:33:40 34 you understand?---Yes.  
12:33:41 35  
12:33:41 36 In fact you did ultimately did give evidence not just  
12:33:43 37 against Mokbel but against Radi as well?---I did.  
12:33:45 38  
12:33:46 39 And in the usual way they were from remote  
12:33:49 40 locations?---They were.  
12:33:49 41  
12:33:50 42 In October Mokbel was blaming Gobbo for various charges and  
12:33:58 43 blaming her for his extradition that was to occur and also  
12:34:02 44 blaming her for the evidence that you had said you were  
12:34:06 45 prepared to give against him. Was Gobbo explaining these  
12:34:10 46 conversations to you, was she saying she was talking to  
12:34:13 47 Mokbel?---No.

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12:34:14 1  
12:34:15 2 Now, the conversations that I'm interested in we're getting  
12:34:20 3 closer to now. On 25 October 2007, this is 1319 of the  
12:34:26 4 ICRs, she says that she's spoken to Mokbel. He has gone  
12:34:30 5 troppo on her and he's blamed her for himself getting  
12:34:35 6 charged for drugs, for him getting extradition and for  
12:34:39 7 Mr Bickley. And she says that she's seen the Operation  
12:34:47 8 Quills brief of evidence. She says the summary is heavily  
12:34:51 9 blacked out. Originally began as Bickley's investigation  
12:34:56 10 and went on from there. So did you understand that she was  
12:34:59 11 in fact - in fact no, I withdraw that. I'll ask you  
12:35:07 12 another question. There's a conversation that happens in  
12:35:12 13 November when it looks like she bumps into you by chance in  
12:35:17 14 the street and it might be at a time when you're at court  
12:35:22 15 in relation to the restraining of property?---Yes.  
12:35:25 16  
12:35:25 17 Now, you were attending court at that time?---I believe so,  
12:35:29 18 yes.  
12:35:29 19  
12:35:29 20 That was an application that was being made by the police  
12:35:32 21 about your property?---Yes.  
12:35:33 22  
12:35:34 23 To restrain it?---I don't know whether it was to restrain  
12:35:39 24 it or to actually release some of it.  
12:35:41 25  
12:35:41 26 In any event around that time you were attending court in  
12:35:45 27 relation to property?---Yes.  
12:35:46 28  
12:35:46 29 It appears that - firstly, do you have a recollection of,  
12:35:51 30 this is 1 November 2007, do you have a recollection of  
12:35:54 31 bumping into Gobbo in the city around that time when you'd  
12:35:58 32 been at court?---I do recall bumping into her, what exact  
12:36:03 33 time of the year or date I'm not sure of, but I do remember  
12:36:06 34 the occasion.  
12:36:06 35  
12:36:07 36 In the ICRs, this is at 1345, it says there's essentially  
12:36:12 37 an innocent report of her running into you. She says that  
12:36:16 38 you had arranged during that conversation to meet the  
12:36:19 39 following Sunday which would be an opportunity for her to  
12:36:22 40 catch up and find out what's been happening in your world.  
12:36:25 41 Do you recall the conversation on the day or the catch up  
12:36:29 42 that occurred later on?---That might have been the case but  
12:36:35 43 I remember my surprise at actually seeing her at the time  
12:36:40 44 because for, you know, we're talking a couple of months,  
12:36:44 45 two or three months, no word, it was radio silence.  
12:36:48 46  
12:36:48 47 She had fallen off the radar?---Yeah.

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12:36:51 1  
12:36:53 2 What appears to occur, so she goes over that conversation I  
12:36:56 3 think a couple of times with the handlers. She says that  
12:37:02 4 Dunn has told you that people were queuing up to do what  
12:37:05 5 you had done, and to get in first, this is in relation to  
12:37:09 6 implicating Mokbel and his associates, is that  
12:37:12 7 correct?---No, it was actually Nicola who - - -  
12:37:15 8  
12:37:15 9 It was only Gobbo who had said that?---It was only Gobbo.  
12:37:17 10 Mr Dunn never gave me such advice. In fact - sorry, in  
12:37:23 11 fact by the time I engaged Mr Dunn, most of my work, most  
12:37:28 12 of the statements and so forth were already completed.  
12:37:31 13  
12:37:34 14 She's then asked by Victoria Police members did they, did  
12:37:40 15 she tell you that your life was in danger and she says no.  
12:37:46 16 She only said that Tony must know what he has done, i.e.  
12:37:51 17 statements. She told him, you, because the Radi brief is  
12:37:56 18 out there now and that had your statement on it, you  
12:37:59 19 understand that?---(Witness nods.)  
12:38:00 20  
12:38:00 21 Did she or didn't she tell you your life was in  
12:38:04 22 danger?---She told me that.  
12:38:05 23  
12:38:06 24 Doing the best you can, what was it that she explained to  
12:38:09 25 you?---She just explained to me that if she was in my  
12:38:13 26 position that she'd be aiming to take a one-way ticket out  
12:38:17 27 of here.  
28  
12:38:17 29 All right?---And she said that I had the avenue to do so  
12:38:20 30 because of the relationship I was in.  
12:38:24 31  
12:38:25 32 She says in that discussion with Victoria Police that she  
12:38:29 33 was going to be catching up with you for a coffee. Do you  
12:38:32 34 remember that that was proposed or occurred?---I don't, but  
12:38:37 35 it's possible.  
12:38:38 36  
12:38:38 37 She says that she had a go at you for not sending flowers,  
12:38:44 38 some long-standing thing between them re non-payment for  
39 her bail appearances when he was first arrested. Do you  
12:38:49 40 understand what she's getting at there?---No.  
12:38:50 41  
12:38:50 42 A personal joke perhaps?---Maybe. I do recall that Theo  
12:38:56 43 paid her.  
12:38:57 44  
12:38:57 45 I see. So she'd been paid?---Yeah, \$840, as you mentioned  
12:39:02 46 earlier on.  
12:39:02 47

.18/11/19

9351

BICKLEY XXN - IN CAMERA

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12:39:02 1 I think this might be, well it's not actually clear but  
12:39:06 2 "nonpayment for her bail appearances when he was first  
12:39:10 3 arrested" might be talking about the Quills matters?---Yes,  
12:39:13 4 that's right. I certainly didn't pay for them.  
12:39:13 5  
12:39:14 6 Did you understand Mokbel had been paying for them in any  
12:39:16 7 event?---Correct, correct.  
12:39:17 8  
12:39:17 9 What I'm interested in, was anything said to you that  
12:39:22 10 indicated rather than just care that you should, care about  
12:39:29 11 your situation, were there any threats conveyed to  
12:39:33 12 you?---Only the one when Tony was arrested.  
12:39:36 13  
12:39:36 14 Can you tell the Commissioner about that?---Yeah, she just  
12:39:40 15 said that there was, indicated there was a contract out on  
12:39:45 16 me. I didn't know what to make of it, I was extremely  
12:39:48 17 fearful at that stage.  
12:39:49 18  
12:39:49 19 This is when he's arrested in Greece?---Correct, yeah.  
12:39:52 20  
12:39:52 21 So we're going really back to the time of your  
12:39:55 22 plea?---Yeah.  
12:39:55 23  
12:39:56 24 Okay, keep going?---It was relayed to me by her and my  
12:40:01 25 reaction simply was to stay indoors and, you know, blinds  
12:40:06 26 down, so forth, lights out and I did this for a couple of  
12:40:09 27 months because there was real panic that was setting in and  
12:40:14 28 - - -  
12:40:14 29  
12:40:15 30 I assume you'd known about the history of some of these  
12:40:18 31 individuals in Melbourne?---The police amplified that panic  
12:40:21 32 as well at the time.  
12:40:22 33  
12:40:22 34 How did that do that?---They contacted me as well regarding  
12:40:26 35 the same, so we had spoken. They didn't confirm that that  
12:40:30 36 was the case but they didn't deny it either. They said  
12:40:33 37 they were actually investigating it.  
12:40:35 38  
12:40:35 39 On one view that's a pretty prudent thing for the police to  
12:40:39 40 do I would assume?---Yeah, yeah. I mean, look, I was  
12:40:40 41 completely - I mean it gave me a sense of ease knowing that  
12:40:44 42 they were doing something about it.  
12:40:45 43  
12:40:45 44 It was, I would suggest, quite right for them to be  
12:40:49 45 concerned about your welfare given one of the people you  
12:40:53 46 had implicated having just been found in Greece?---Yes.  
12:40:56 47

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12:40:56 1 In fact the king pin of the organisation?---Yes.  
12:40:59 2  
12:41:06 3 We move forward into 2008 and you gave evidence, as we  
12:41:14 4 mentioned a moment ago, at Raadi's committal?---Yes.  
12:41:17 5  
12:41:18 6 Did Gobbo express to you any issues about her being named  
12:41:24 7 by you in the witness box?---No. She may have said, she  
12:41:35 8 may have given me some advice as to not mention her because  
12:41:38 9 it wasn't relevant to the case.  
12:41:39 10  
12:41:39 11 When you say she may have, doing the best you can is that  
12:41:43 12 something that happened, could have happened or - - -?---To  
12:41:46 13 be honest I don't know whether it was her that told me that  
12:41:49 14 or police. So I'm a bit unsure of that.  
12:41:52 15  
12:41:53 16 But you're certain that you were told by someone not to  
12:41:56 17 mention Gobbo's involvement in representing you?---Correct,  
12:41:59 18 and it's never been mentioned in any of the evidence that I  
12:42:02 19 was called to give.  
12:42:03 20  
12:42:04 21 So in the background in the lead up to this, Gobbo is  
12:42:09 22 speaking to Victoria Police members, this is 1580 of the  
12:42:12 23 combined ICRs, about the committal and she thinks someone  
12:42:16 24 should tell you that you don't have to mention Gobbo's name  
12:42:19 25 in court, all right. So that's something - - - ?---There  
12:42:22 26 you go, it's probably police.  
12:42:24 27  
12:42:24 28 She's saying to them. On 20 January 2008, this is 1582 of  
12:42:29 29 the ICRs, Gobbo says the barrister at the committal,  
12:42:32 30 Shirrefs, would give Bickley a hard time in the witness box  
12:42:36 31 in inquiring if a record of interview tape had been  
12:42:39 32 subpoenaed. Do you remember being told that the defence  
12:42:43 33 counsel might give you a hard time?---I remember he was  
12:42:46 34 very animated.  
12:42:48 35  
12:42:48 36 He was very animated?---He was, yeah. He got very  
12:42:51 37 frustrated with me, and I think I maybe was a bit smug  
12:42:56 38 about the way I was giving evidence too, so I probably  
12:42:59 39 encouraged him unnecessarily.  
12:43:01 40  
12:43:01 41 On the same page of the ICRs I was talking about a moment  
12:43:04 42 ago, the SDU phoned Rowe who says that he's well aware of  
12:43:09 43 the issues, he had spoken to you and will reiterate PII.  
12:43:14 44 Do you have a vague understanding of what public interest  
12:43:17 45 immunity is?---I do now.  
12:43:19 46  
12:43:19 47 ROI had not been subpoenaed and Gobbo was informed. Now

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12:43:23 1 might it have been, according to this record from the time,  
12:43:26 2 it seems like Rowe was going to say to you something about  
12:43:29 3 what you should and shouldn't say in the witness  
12:43:31 4 box?---Yeah, I think, that's why I'm saying I was debriefed  
12:43:35 5 and I wasn't sure whether it was Nicola but clearly it was  
12:43:40 6 actually police now.  
12:43:40 7  
12:43:40 8 It appears that you gave evidence on 21 January 2008 and on  
12:43:46 9 that day, and this is 1583 of ICRs, Gobbo rang Victoria  
12:43:51 10 Police and asked what the result of the Radi committal was.  
12:43:55 11 The SDU then rang Rowe and the following, I'll see this be  
12:44:00 12 brought up on the screen, this is at 1583, and if we could  
12:44:04 13 just zero in on the 17:50 entry rather than bring up all of  
12:44:10 14 them. At 17:50 it says, "Ring Rowe re Radi committal.  
12:44:19 15 Defence tried to ascertain who Radi obtained legal advice  
12:44:23 16 from at pertinent time re arrest June 2006". It might be a  
12:44:28 17 typo, I'm not sure, but it says that, "Bickley replied Theo  
12:44:33 18 Magazis. Asked re 2005 and re plea". Mentions another  
12:44:37 19 solicitor. "When paused today for legal advice asked who  
12:44:43 20 he spoke to and that was Phil Dunn." Is it clear that it  
12:44:46 21 was being asked of you, or do you have any recollection of  
12:44:49 22 being asked in the witness box who your legal  
12:44:53 23 representatives were at various times?---I may have, I  
12:44:55 24 can't recall. I'm sorry.  
12:44:57 25  
12:44:57 26 You recall being told not to mention Gobbo?---Certainly,  
12:45:01 27 yeah.  
12:45:01 28  
12:45:06 29 It seems that if this is a conversation that occurs while  
12:45:13 30 you're in the witness box, that it's not the whole truth  
12:45:19 31 given there's no mention of Gobbo being there, you accept,  
12:45:24 32 I mean you've said why that is, but you accept that's the  
12:45:27 33 situation?---Yes.  
12:45:28 34  
12:45:28 35 That can be taken off the screen. You are aware that, you  
12:45:35 36 may not be aware, but there's a method by which Victoria  
12:45:39 37 Police when they wish to claim public interest immunity  
12:45:42 38 need to disclose matters to the judge who will then make a  
12:45:46 39 decision about whether something is public interest  
12:45:49 40 immunity or not, it's not up to Victoria Police to make  
12:45:51 41 that call. Is that something you know?---No, not at the  
12:45:55 42 time, it was something - I mean I just listened to police  
12:45:58 43 at that stage and followed orders.  
12:46:01 44  
12:46:01 45 You did what you were told to do?---Correct.  
46  
12:46:03 47 And kept Gobbo's name out of it?---Yep. I was doing



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12:46:07 1 everything that - because Gobbo said leading up to that to  
12:46:10 2 cooperate as best I can, to the best of my ability, to  
12:46:13 3 receive a maximum discount. So I didn't question anything.  
12:46:17 4  
12:46:17 5 Okay. And then at ICR 2958 at p.2 there's a description of  
12:46:32 6 Rowe's evidence. Now I assume you were only on the screen  
12:46:37 7 and listening to the part of the evidence that you gave in  
12:46:40 8 Raadi's committal?---Correct.  
12:46:41 9  
12:46:42 10 So you probably won't be able to assist in this regard but  
12:46:45 11 Rowe, Rowe's evidence is discussed and it's, she says,  
12:46:52 12 Gobbo says that she asked - sorry, that Rowe is asked about  
12:46:57 13 legal advice that you obtained and he answered a number of  
12:47:00 14 solicitors were involved and the defence didn't probe  
12:47:04 15 further, and specifically he doesn't mention Nicola Gobbo.  
12:47:09 16 Now, you accept that if that's the question he's asked and  
12:47:13 17 the answer doesn't reveal Gobbo's involvement, then that's  
12:47:17 18 simply not true?---Yes.  
12:47:20 19  
12:47:21 20 All right. And on 30 January 2008, this is p.17 - -  
12:47:25 21 -?---Sorry, just to clarify.  
12:47:26 22  
12:47:27 23 Go ahead?---I was going to say Mr Rowe always went to  
12:47:30 24 Nicola Gobbo regarding anything to do with my cases.  
12:47:33 25  
12:47:33 26 He was the only lawyer that you understood he was dealing  
12:47:36 27 with in relation to you?---Correct.  
12:47:39 28  
12:47:39 29 She was, sorry?---She was. And then finally when he gave a  
12:47:43 30 statement at my plea.  
12:47:45 31  
12:47:46 32 Yes?---Then he was in contact with Mr Dunn.  
12:47:49 33  
12:47:49 34 All right, sure. It appeared that after that committal, it  
12:47:57 35 appeared that Radi wouldn't be entering a plea but would go  
12:48:02 36 to trial. Is that something that was explained to you  
12:48:08 37 initially?---No.  
12:48:09 38  
12:48:09 39 But you knew that in the end he decided to enter a plea and  
12:48:14 40 you didn't have to give evidence at a trial?---Yeah, I was  
12:48:18 41 just advised of the outcome.  
12:48:19 42  
12:48:21 43 There seems to be in early 2008 Gobbo talking about meeting  
12:48:27 44 you for dinner to find out your position on Mokbel. This  
12:48:31 45 is around 26 February 2008, it's p.65 of the ICRs. Do you  
12:48:36 46 recall her inviting you out for dinner in 2008?---Maybe.  
12:48:42 47

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12:48:43 1 Did you have dinner with her from time to time?---When I  
12:48:47 2 say dinner, a bite to eat, yes. It wasn't a romantic  
12:48:51 3 setting or anything.  
12:48:52 4  
12:48:53 5 Something informal?---Yeah, yeah. Most of the meetings  
12:48:56 6 were in a social setting by design.  
12:48:59 7  
12:49:00 8 Do you recall her probing you in 2008 for your position  
12:49:06 9 about Mokbel, what you were going to do?---Yeah, she, she -  
12:49:12 10 and this is where it was kind of for me a little bit  
12:49:16 11 sensitive because it went from, you know, the position  
12:49:19 12 changed as the years changed.  
12:49:21 13  
12:49:21 14 Yes?---So as the status of Mokbel was becoming a real  
12:49:25 15 threat, then it changed again.  
12:49:28 16  
12:49:28 17 And going through those stages we have the August 2005 no  
12:49:33 18 suggestion of rolling, put in an early plea and deal with  
12:49:38 19 it?---Yes, and then 2006, and then the note again.  
12:49:41 20  
12:49:41 21 Yeah, I see?---Because you've got, you should be fearful of  
12:49:45 22 your life.  
12:49:45 23  
12:49:45 24 Okay. And those changes really coincide with Mokbel's  
12:49:51 25 whereabouts too, don't they?---Yes, they do. And look, I'm  
12:49:54 26 not suggesting that this was the actual events that were  
12:49:58 27 occurring in the background, I simply didn't know. It was  
12:50:01 28 just what I was being told.  
12:50:02 29  
12:50:16 30 On 6 March 2009 you were due to give evidence at Mokbel's  
12:50:22 31 committal, that was in relation to Quills charges?---I did.  
12:50:25 32  
12:50:29 33 The police officer who was looking after Gobbo at the time,  
12:50:34 34 so this is shortly after she's deregistered as a human  
12:50:38 35 source, says in his statement, "On 6 March 2009 I met with  
12:50:42 36 Ms Gobbo and made a note of discussions with Ms Gobbo about  
12:50:46 37 Mr Bickley giving evidence at Tony Mokbel's committal  
12:50:50 38 hearing that day and nominating Ms Gobbo as the person who  
12:50:54 39 had convinced him to give evidence". Now, so she's saying  
12:51:00 40 that you were the person who had convinced her to give  
12:51:02 41 evidence against Mokbel and that accords with your  
12:51:06 42 recollection - - - ?---Sorry, that I convinced her?  
12:51:08 43  
12:51:08 44 Sorry, that she convinced you?---Yes.  
12:51:10 45  
12:51:10 46 To give evidence against Mokbel. Really I take it there  
12:51:14 47 she's talking about 13 June 2006?---In 2006, not in 2008 or

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12:51:19 1 9.  
12:51:19 2  
12:51:20 3 I think what she's doing there is claiming the credit in  
12:51:23 4 2009 for a decision you made in 2006?---Yes, very  
12:51:28 5 altruistic.  
12:51:29 6  
12:51:31 7 Commissioner, I think that's, if I could just have - no, in  
12:51:36 8 fact if the other parties could re-examine now they're all  
12:51:40 9 the questions that I have.  
12:51:41 10  
12:51:41 11 COMMISSIONER: Cross-examine, all right. Yes, how long  
12:51:45 12 will you be, Mr Nathwani?  
12:51:47 13  
12:51:48 14 MR NATHWANI: I'll certainly be beyond lunchtime.  
12:51:50 15  
12:51:50 16 COMMISSIONER: All right then.  
12:51:51 17  
18 <CROSS-EXAMINED BY MR NATHWANI:  
19  
12:51:52 20 Mr Bickley, I'm counsel for Nicola Gobbo. Can I ask you to  
12:52:00 21 begin with, because we can see from your statement it's  
12:52:03 22 dated 6 October, and then last night I understand you  
12:52:07 23 undertook some further amendments?---Yes.  
12:52:08 24  
12:52:09 25 Can I ask you how that came about?---I went through the  
12:52:17 26 statements that were on the actual RCMPI website and my  
12:52:27 27 recollection of events assisted me in making some changes  
12:52:32 28 to that statement. It sparked some context.  
12:52:38 29  
12:52:53 30 Can you help us with this: had you had any - yesterday  
12:52:57 31 when you came to going through those amendments you say  
12:53:01 32 that you saw some material on the website and you altered  
12:53:05 33 it. Was that in consultation with your legal team?---No,  
12:53:10 34 only my barrister that's here today.  
12:53:13 35  
12:53:14 36 How about counsel for the Commission? Mr Woods asked you  
12:53:17 37 questions, had he spoken to you at all prior to your giving  
12:53:21 38 of evidence?  
12:53:21 39  
12:53:21 40 MR WOODS: With respect, Commissioner, this line of  
12:53:23 41 questioning has happened before. I take great exception to  
12:53:26 42 it. I as counsel assisting the Royal Commission will  
12:53:29 43 always talk to a person in this witness's position, as I  
12:53:33 44 did with this witness yesterday. It was indicated to me  
12:53:36 45 that the witness had a number of changes to their statement  
12:53:39 46 to make. I said as a matter of expediency what they should  
12:53:45 47 do is put them into a table, provide them to the

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12:53:49 1 Commission, and I said no more than that. I didn't ask any  
12:53:50 2 questions about they were, and it's a quite correct thing  
12:53:55 3 for counsel assisting to do in the situation. So if it's  
12:54:00 4 being suggested by Mr Nathwani, as it seems about to be,  
12:54:02 5 that I've done anything untoward I'd be quite upset about  
12:54:07 6 that.  
12:54:07 7  
12:54:07 8 MR NATHWANI: Rather defensive. I was simply asking,  
12:54:09 9 trying to ascertain how the changes came about. No one had  
12:54:13 10 told me at all.  
12:54:13 11  
12:54:13 12 COMMISSIONER: Continue.  
12:54:14 13  
12:54:14 14 MR NATHWANI: As one would usually expect.  
12:54:14 15  
12:54:14 16 WITNESS: Sorry, I was just about to confirm that I did  
12:54:17 17 have a conversation with Mr Woods because I wanted to  
12:54:19 18 understand what to expect here today and the process.  
12:54:21 19  
12:54:22 20 MR NATHWANI: In relation to your amendments that you  
12:54:24 21 sought to propose, can you assist with how you made it  
12:54:27 22 clear to the Commission, how that call came about in  
12:54:32 23 effect?---The call?  
12:54:33 24  
12:54:33 25 The call to Mr Woods. You've heard what he said, he has  
12:54:36 26 effectively told you his account, I want to look behind  
12:54:38 27 it?---I actually contacted the Commission prior to the  
12:54:41 28 weekend and wanted to understand what was involved in terms  
12:54:44 29 of the process of today, if at all today. Because I had  
12:54:48 30 other commitments, so I just wanted to get confirmation  
12:54:51 31 about first of all dates, second of all the process.  
12:54:55 32  
12:54:56 33 Can I just ask you why you didn't consult with your own  
12:55:00 34 legal team in relation to that?---Because I didn't have  
12:55:03 35 contact with my legal team until the weekend.  
12:55:05 36  
12:55:05 37 So as far as the documents you say you saw, just looking at  
12:55:09 38 the amendments?---Yes.  
12:55:11 39  
12:55:11 40 What documents did you look at that flushed out some of  
12:55:14 41 these amendments? If we go to, have you got the amended  
12:55:18 42 copy of your statement?---I do.  
12:55:19 43  
12:55:20 44 It is really helpful because it is in red, so we can see  
12:55:26 45 what you've added or not added?---Which page?  
12:55:30 46  
12:55:31 47 Mine's not paginated. Go to p.1. Just go through the red

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12:55:34 1 entries?---Yep.  
12:55:35 2  
12:55:35 3 I want to understand what documents you referred to?---The  
12:55:38 4 first one, yes.  
12:55:39 5  
12:55:39 6 "They were interviewing me in relation to a large  
12:55:42 7 commercial quantity of drugs, I know that this was part of  
12:55:45 8 Operation Quills"?---Yes.  
12:55:46 9  
12:55:46 10 I assume that's come from - what document has that come  
12:55:50 11 from?---That would have come from potentially Rowe's  
12:55:53 12 statement.  
12:55:53 13  
12:55:53 14 Potentially?---Yes, so it's either Rowe or O'Brien, I can't  
12:55:56 15 recall.  
12:55:56 16  
12:55:59 17 Okay. The next one, next page, this is the red,  
12:56:03 18 "Subsequently I was also visited by Sarah Zarah  
12:56:06 19 Garde-Wilson and advised that Mokbel had sent her and to  
12:56:10 20 keep my mouth and she'd be acting for me. It was  
12:56:12 21 communicated by way of written note"?---I just corrected  
12:56:14 22 the series of events. I had it previously I think from  
12:56:17 23 memory that Mr Hargreaves came to me first.  
24  
12:56:20 25 Yes?---In fact it was the other way around.  
12:56:22 26  
12:56:22 27 Where did the information come from?---No, this was just a  
12:56:26 28 correction.  
12:56:26 29  
12:56:26 30 So you hadn't been seen or been made aware of a file note  
12:56:30 31 that Ms Gobbo sent to Mr Rowe?---No.  
12:56:35 32  
12:56:36 33 That we looked at on Wednesday and it hasn't been  
12:56:37 34 published?---No. And just for context here and what I was  
12:56:39 35 really annoyed about and why I initially approached the  
12:56:43 36 Commission, was that I was actually advised that I would  
12:56:46 37 actually have access to police statements relating to  
12:56:48 38 myself and I've never been given access to those to date.  
12:56:52 39  
12:56:52 40 Okay. The next entry I assume is the same, "The next day  
12:56:56 41 Gobbo and Garde-Wilson", is that just a memory? I'm going  
12:56:59 42 through the red entries, it's the next line down?---Yes.  
12:57:06 43  
12:57:08 44 So if we keep going then to paragraph 6?---Yes.  
12:57:14 45  
12:57:14 46 Become a prosecution witness and we can see that there's an  
12:57:18 47 entry there, "Jim O'Brien, Dale Flynn and Paul Rowe sat me

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12:57:22 1 down in the boardroom"?---Yes.  
12:57:24 2  
12:57:24 3 Again, what document did you read that jogged that  
12:57:26 4 memory?---This one wasn't from a document, this was a  
12:57:28 5 conversation with my lawyer on Friday and when questioned I  
12:57:31 6 was able to actually expand on that event.  
12:57:37 7  
12:57:38 8 Were you shown any documents or made aware of any documents  
12:57:41 9 in relation - - - ?---No, like I said I haven't seen any  
12:57:44 10 documents other than what's been publicly made available  
12:57:47 11 through the Commission's website. Sorry, other than my  
12:57:51 12 brief from Theo Magazis.  
12:57:56 13  
12:57:57 14 Which you refer to actually in your statement, you say you  
12:58:01 15 receive the documents?---Yes.  
12:58:02 16  
12:58:03 17 The next major red entry, "Mokbel was a phantom. Ms Gobbo  
12:58:09 18 was increasingly difficult to contact. About my prior  
12:58:09 19 relationship to Mokbel and his role in orchestrating things  
12:58:10 20 I provided clarity about Mokbel's operations and various  
12:58:12 21 people I knew little about but had come into contact  
12:58:14 22 nonetheless"?---Yes.  
12:58:16 23  
12:58:16 24 Again, was that just another memory, having considered  
12:58:20 25 matters?---Yeah, I think maybe just rewording because of  
12:58:24 26 poor grammar potentially.  
12:58:25 27  
12:58:26 28 Okay. I just want to be clear about everything you  
12:58:31 29 say?---Yep.  
12:58:31 30  
12:58:31 31 So if we go to paragraph 11, just above it there is the  
12:58:36 32 next paragraph in red?---Yep.  
12:58:38 33  
12:58:45 34 Again, I won't read it out. Is that a memory or is it  
12:58:51 35 something you've thought about, something that has been  
12:58:53 36 jogged by having read material?---No, this is a fact that I  
12:58:58 37 didn't put in that wanted to give context.  
12:59:01 38  
12:59:02 39 Any particular reason you didn't put it in given obviously  
12:59:07 40 this was a statement all about Nicola Gobbo and your  
12:59:09 41 contact with her?---Yes, because when I first made this  
12:59:13 42 contact I was overseas at the time, and (indistinct), and I  
12:59:18 43 wanted to add some points which I thought were relevant to  
12:59:21 44 today.  
12:59:21 45  
12:59:23 46 Paragraph 14. That's just really repeating what you said  
12:59:36 47 earlier?---Yes, this is just coming to, that evidence

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12:59:41 1 coming to light.  
12:59:45 2  
12:59:46 3 Can we start, please, with your relationship with Mr Mokbel  
12:59:55 4 and I put it for this reason: you were a close criminal  
12:59:59 5 associate of Mr Mokbel back in 2004, 2005?---I think I  
13:00:06 6 became as much, yes.  
13:00:07 7  
13:00:08 8 You knew Mr Mokbel's position was simple: if you were  
13:00:12 9 arrested you answer no comment?---No, it was never spoken  
13:00:17 10 about.  
13:00:18 11  
13:00:18 12 And secondly, that you get one of his lawyers involved to  
13:00:22 13 represent you?---No, what I was advised was that if  
13:00:25 14 anything was to have happened, then I shouldn't be  
13:00:28 15 concerned, that he would sort things out for me.  
13:00:32 16  
13:00:33 17 Do you accept one of the names that Mr Mokbel asked that  
13:00:37 18 you be represented by, or if you were arrested, would be  
13:00:41 19 Nicola Gobbo?---No.  
13:00:42 20  
13:00:42 21 And it's you, just in the headlines before I go to the  
13:00:46 22 detail, and it's you that was involved in asking for  
13:00:51 23 Ms Gobbo's number when you were arrested by the  
13:00:54 24 police?---No, the reason being is that I didn't know who  
13:00:57 25 Ms Gobbo was.  
13:00:58 26  
13:00:59 27 You've obviously been reading Mr Rowe's evidence. His  
13:01:04 28 evidence is quite clear, I don't think there's any material  
13:01:08 29 to suggest otherwise, that he didn't know Ms Gobbo from a  
13:01:11 30 bar of soap by the time you were arrested?---Yep. I don't  
13:01:15 31 know.  
13:01:16 32  
13:01:16 33 He didn't know her?---I don't know. Neither did I.  
13:01:19 34  
13:01:22 35 In your statement - - - ?---Sorry, did Ms Gobbo know me?  
13:01:26 36  
13:01:26 37 No. Let's deal with, please, in your statement you say  
13:01:33 38 that you were unaware of other criminal associates apart  
13:01:44 39 from Tony Mokbel?---Tony Mokbel, Radi and Gee.  
13:01:53 40  
13:01:53 41 Let's just be clear about the evidence against you because  
13:01:56 42 do you agree the advice given to you by Ms Gobbo to plead  
13:02:00 43 guilty to the 2005 allegation was appropriate correct  
13:02:06 44 advice?---At the time, absolutely.  
13:02:08 45  
13:02:09 46 Because, and let's be clear about this, you would have  
13:02:13 47 received a significant prison sentence in relation to that

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13:02:16 1 matter?---From what I know now, yes.  
 13:02:20 2  
 13:02:21 3 Because to be clear, and I think it was set out in your  
 13:02:25 4 plea hearing, the hierarchy as it was, was you ran a  
 13:02:31 5 chemical company set up in 2004?---Yes.  
 13:02:34 6  
 13:02:36 7 At that time selling chemicals?---Yes.  
 13:02:39 8  
 13:02:40 9 Precursor chemicals?---No, actually manufacturing cleaning  
 13:02:44 10 agents.  
 13:02:44 11  
 13:02:45 12 I understand. I'm interested in the case against  
 13:02:47 13 you?---Yep.  
 13:02:48 14  
 13:02:48 15 Because we'll come to it, because it's related to your  
 13:02:51 16 choice of Ms Gobbo, which you deny, as counsel. But you  
 13:02:57 17 sold precursor chemicals to Mokbel through Farache and  
 13:03:04 18 Radi?---Directly at first.  
 13:03:06 19  
 13:03:06 20 Directly to Mokbel and then to those two?---Correct.  
 13:03:09 21  
 13:03:10 22 There comes a time when you want a slice of the action and  
 13:03:13 23 so you agree to start manufacturing yourself?---There comes  
 13:03:21 24 a time where we understand the gravity of the situation,  
 13:03:24 25 myself and one of my co-accused, and we start to make  
 13:03:28 26 inroads in separating those activities from ourselves.  
 13:03:33 27  
 13:03:34 28 Just reading - - - ?---And in part in doing that we were  
 13:03:38 29 still happy to take a cut or clip the ticket, if you like,  
 13:03:42 30 as part of that process.  
 13:03:44 31  
 13:03:46 32 One of the people involved in your case was Farache, do you  
 13:03:51 33 agree with that?---Is that Gee.  
 13:03:53 34  
 13:03:53 35 Farache?---I think that's Gee, yes.  
 13:03:56 36  
 13:03:57 37 I'm just reading from his case and Justice Hollingworth  
 13:04:01 38 setting out the evidence against him and it's in relation  
 13:04:03 39 to you, okay. And it says this, "After some time Bickley  
 13:04:08 40 agrees to manufacture ecstasy tablets for Mokbel in mid to  
 13:04:11 41 late 2004. ██████ assisted ██████ and yourself in  
 13:04:19 42 loading and unloading a ██████", right?---Yes.  
 13:04:22 43  
 13:04:23 44 ██████ and ██████ then ██████ you ██████  
 13:04:29 45 ██████ how to ██████ the ██████?---Yes.  
 13:04:32 46  
 13:04:35 47 You struggle and so ██████ and ██████ come back to ██████ you



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13:04:40 1 how to do it again?---Yep.  
13:04:42 2  
13:04:44 3 And this goes to your association and close association  
13:04:47 4 with Mokbel. In mid-2005 Mr Mokbel certainly was under the  
13:04:57 5 impression that Chemical Image was about to be raided by  
13:05:01 6 the police?---Yes.  
13:05:02 7  
13:05:02 8 As a result you, [REDACTED] and [REDACTED] remove all the items  
13:05:07 9 from the premises?---Yes.  
13:05:08 10  
13:05:09 11 [REDACTED] is then sent overseas by Mokbel?---Don't know, [REDACTED]  
13:05:13 12 initially took the, I think most of [REDACTED] that was  
13:05:18 13 involved, that was at the factory at that stage and the  
13:05:21 14 [REDACTED] we took with us and put in storage.  
13:05:25 15  
13:05:25 16 And then what follows is that the business continues with  
13:05:30 17 [REDACTED] involved with you, [REDACTED], do you  
13:05:36 18 agree with that?---Yes.  
13:05:38 19  
13:05:42 20 Just dealing with the evidence against you in your  
13:05:45 21 particular case, in your interview you're made aware that  
13:05:50 22 [REDACTED] have both been arrested before  
13:05:54 23 you?---Yes.  
13:05:54 24  
13:05:55 25 [REDACTED] found at one of their homes, or at one of their  
13:05:58 26 locations?---That's another [REDACTED], yes.  
13:06:01 27  
13:06:02 28 An address identified as the location where you were  
13:06:05 29 organising [REDACTED] [REDACTED] drugs?---Yes.  
13:06:09 30 [REDACTED]  
13:06:09 31 [REDACTED]  
13:06:10 32 [REDACTED]?---Yes.  
13:06:11 33  
13:06:12 34 Surveillance of you going in and out?---Yes.  
13:06:14 35  
13:06:14 36 And telephone intercepts of you talking about it?---Yes.  
13:06:16 37  
13:06:17 38 Arranging it and then you're finally arrested. And by the  
13:06:23 39 time you were arrested you're made aware, I think certainly  
13:06:30 40 at least [REDACTED] is considering assisting  
13:06:33 41 police?---No.  
13:06:33 42  
13:06:34 43 As far as the interview is concerned, because this goes to  
13:06:44 44 - - - ?---Sorry, are you suggesting that at the time of my  
13:06:46 45 arrest I was told [REDACTED] was actually going to make  
13:06:50 46 a statement against me?  
13:06:51 47

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13:06:51 1 It certainly appears they were suggesting that in the  
13:06:54 2 background?---Not at all. In fact we were all put into the  
13:06:59 3 Custody Centre jointly.  
13:07:01 4  
13:07:01 5 If we can pull up your interviews, because this goes to  
13:07:07 6 whether or not it was the police that suggested Gobbo be  
13:07:10 7 involved or in fact it was you yourself. Could we bring up  
13:07:18 8 VPL.6030.0030.6737. I understand it has been downloaded.  
13:07:52 9 VPL.6030.0030.6752. Do you agree, before we come to it,  
13:08:05 10 and I'll take you through your transcript of your interview  
13:08:11 11 just to jog your memory to be fair to you, because I accept  
13:08:12 12 it's some time ago that the police offered you several  
13:08:15 13 opportunities to contact legal advice or get legal  
13:08:16 14 advice?---Are you talking about the first record of  
15 interview?  
16  
13:08:19 17 The first few, there's a few. We'll go through it.  
13:08:20 18 There's the one when you're initially arrested and you're  
13:08:23 19 talking about the walk through?---Yes.  
13:08:24 20  
13:08:25 21 There are several walk throughs that are undertaken with  
13:08:28 22 you, do you agree with that?---Yes.  
13:08:29 23  
13:08:30 24 Each time the police are offering you the opportunity of  
13:08:33 25 legal advice. We'll go through that. When it comes to  
13:08:36 26 your actual interview again we will go through that?---Up  
13:08:41 27 until that point, I'm not sure because I don't know who to  
13:08:44 28 contact, I don't have a contact. In terms of legal - - -  
13:08:49 29  
13:08:49 30 If you look at the screen, you'll see at the top this is an  
13:08:51 31 interview with you?---Yep.  
13:08:53 32  
13:08:56 33 15 August and DS Flynn, question 1 says it's 9.34, do you  
13:09:02 34 see that?---Yes.  
13:09:03 35  
13:09:03 36 I'm just jumping through. At question 16. You'll see  
13:09:16 37 there's a Q and A, Q and A. I think the page numbers are  
13:09:21 38 different to my document. You see there you're offered the  
13:09:26 39 opportunity of communicating with a legal practitioner. If  
13:09:30 40 we scroll down, "Do you wish to exercise those rights?"  
13:09:33 41 You say, "At a later time". Do you see that?---Yes.  
13:09:35 42  
13:09:36 43 And you're asked, "Not at the moment?" You confirm, "Not  
13:09:40 44 at the moment". If we keep going down to question 34. So  
13:09:45 45 we see that's a short two minute interview, just to confirm  
13:09:50 46 the timings. We see that first interview is two  
13:09:59 47 minutes?---Yes.

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13:09:59 1  
13:09:59 2 You're given a chance to get legal advice. Scroll down to  
13:10:03 3 the next page, please. See it's 10.38, okay. We can see  
13:10:09 4 it's a carry on of the interview. Question 37, "Right,  
13:10:16 5 Mr Bickley, as I've previously indicated you're currently  
13:10:19 6 under arrest for trafficking a drug of dependence. Do you  
7 agree you've been given your caution and your rights?"  
13:10:22 8 Answer, "Yes. Do you understand those? I do. Do you wish  
13:10:26 9 to make a statement? No. Do you wish to exercise them at  
13:10:30 10 the moment?" You answer, "No". Do you see that?---Yes.  
13:10:32 11  
13:10:33 12 If we carry on. The next interview, which is the same  
13:10:40 13 document, if we go down then to question 84. This is a bit  
13:10:51 14 later on. That last interview finishes at 11.09 pm. It's  
13:10:58 15 short. Again at 2.29 pm, after the police have searched an  
13:11:03 16 address and seized a number of items?---Yes.  
13:11:08 17  
13:11:08 18 And pausing there, just in relation to the items they  
13:11:10 19 seize, you agree, luxurious items taken from you?---Yes.  
13:11:15 20  
13:11:18 21 If we go to question 86. Again, "I'll inform you of the  
13:11:23 22 following rights. You may communicate with or attempt to  
13:11:26 23 communicate with a friend or relative to inform that person  
13:11:29 24 of your whereabouts. You may communicate with or attempt  
13:11:32 25 to communicate with a legal practitioner. Do you  
13:11:33 26 understand those rights? Yes. Do you wish to exercise  
13:11:37 27 these rights? Not at this stage, not at", he says, "At  
13:11:42 28 this stage?" "At the moment", you say, "Not at the moment,  
13:11:45 29 no". We scroll down to the end of that interview, which is  
13:11:50 30 at 2.28, again that was just in relation to the number of  
13:11:54 31 expensive items they had seized from your home address,  
13:11:57 32 okay. Then if we go to the actual interview, so they've  
13:12:01 33 offered you legal advice several occasions there?---Yeah.  
13:12:04 34  
13:12:05 35 Haven't suggested Gobbo?---No.  
13:12:06 36  
13:12:07 37 Right?---You're spot on.  
13:12:09 38  
13:12:10 39 The record doesn't lie?---Yeah, I'm not disputing it.  
13:12:14 40  
13:12:16 41 If we now go to the longer document,  
13:12:26 42 VPL.6030.0030.6752?---Sorry, just on clarity now, I believe  
13:12:30 43 these were done on site if I'm not mistaken and the record  
13:12:34 44 of interview - - -  
13:12:34 45  
13:12:35 46 Was back at?---St Kilda Road police station.  
13:12:37 47

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13:12:37 1 Okay. If we now go down so we can see question 1. Liza  
13:12:59 2 Burrows is present and Paul Rowe. They ask you to confirm  
13:13:02 3 the time is 5:57 am, do you see that?---Yes.  
13:13:05 4  
13:13:06 5 That's question 1 and then you're given your rights again.  
13:13:09 6 If we go down to question 5. You see, "Do you wish to  
13:13:13 7 exercise any of the rights before the interview proceeds?  
13:13:17 8 Not at this time". Then we go to question 10, "Okay, now  
13:13:20 9 just before we start have you spoken to a solicitor this  
13:13:23 10 evening or this morning? No. Okay, do you want to contact  
13:13:27 11 one? I will after the interview. After the interview?  
13:13:30 12 Yep. You don't want to do that now?" You say, "Oh, I  
13:13:34 13 don't have a number on me. Well, we can provide you with  
13:13:38 14 the phone book or whatever you need, if you want to try and  
13:13:41 15 do that, that's your right. Do you want to have the phone  
13:13:42 16 book? Well yeah, do you have a phone book", is your  
13:13:44 17 response. You're asking for the phone book there, do you  
13:13:47 18 see that?---Yes.  
13:13:47 19  
13:13:48 20 You're asking for the details of the solicitor?---Yep.  
13:13:50 21  
13:13:51 22 You're not asking for a name, you're asking for the  
13:13:55 23 number?---What am I asking, sorry?  
13:13:58 24  
13:13:58 25 Read that to yourself again or read it out loud?---"Do you  
13:13:59 26 have a phone book?"  
13:14:01 27  
13:14:01 28 No, so go to the beginning. "Now just before we start,  
13:14:02 29 have you spoken to a solicitor this evening or morning?"  
13:14:05 30 You say no?---Yes.  
13:14:06 31  
13:14:06 32 "Okay, do you want to contact one?" You say, "After the  
13:14:10 33 interview. You don't want to do that now?", question 13.  
13:14:12 34 "I don't have a number on me." You don't say, "I don't  
13:14:15 35 have a name or anything", you say number, do you agree with  
13:14:18 36 that?---Yes.  
13:14:19 37  
13:14:19 38 Then you ask, you follow that up with, they say, "Do you  
13:14:22 39 want the phone book?" Your response question 14, answer,  
13:14:25 40 "Yeah, do you have a phone book?" Question, "Do you want  
13:14:29 41 to do that?" Answer, "Yep. All right, do you agree the  
13:14:34 42 time is 5.59? Yep", and they suspend the interview.  
13:14:38 43 You're then given the phone book and you find Ms Gobbo's  
13:14:41 44 number, do you agree with that?---No. Sorry, is that the  
13:14:46 45 question, whether I contacted Ms Gobbo?  
13:14:48 46  
13:14:48 47 Yes, whether it's you who suggested the name because that's

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13:14:49 1 what Mokbel expected you to do?---No, here is I'm saying I  
13:14:54 2 don't have a phone number to a lawyer.  
13:14:56 3  
13:14:56 4 It's unfortunate you don't say "to a lawyer", isn't  
13:14:59 5 it?---Well I don't say to her either, do I?  
13:15:02 6  
13:15:02 7 Let's keep going. Question 18 we can see 11 minutes  
13:15:06 8 later?---Yes.  
13:15:06 9  
13:15:09 10 We start again. And you can see that. If we get to  
13:15:18 11 question 22. You see there, "And do you agree that in the  
13:15:23 12 break you were provided with a mobile phone number of  
13:15:26 13 Nicola Gobbo"?---Yes.  
13:15:27 14  
13:15:27 15 "And you made an attempt to contact her on that number", do  
13:15:31 16 you see that, and you say, "I did"?---Yes.  
17  
13:15:34 18 "And there was a recorded voice message"?---Yes.  
13:15:36 19  
13:15:37 20 "That's correct. With the number that you contacted?" You  
13:15:39 21 say, "Yes. Then you rang her back on the mobile and left a  
13:15:43 22 message for her to contact you here", that's correct,  
13:15:45 23 that's what you say. "So given you haven't spoken to her,  
13:15:48 24 you're happy for the interview to continue?" You say,  
13:15:52 25 "Yep". Both Paul Rowe and Liza Burrows indicated it's you  
13:15:57 26 who asked for Ms Gobbo's number, okay?---Sorry, say again?  
13:16:03 27  
13:16:03 28 Paul Rowe and Liza Burrows say it is you who ask for  
13:16:08 29 Ms Gobbo's number?---They've stated this, have they?  
13:16:10 30  
13:16:10 31 And just to be clear I'm saying to you, you were given the  
13:16:13 32 details of Gobbo by Mokbel if and when you were  
13:16:17 33 arrested?---No, I wasn't.  
13:16:18 34  
13:16:18 35 You had never been interviewed ever before prior to this  
13:16:22 36 occasion, had you?---No, this is the first interview I had  
13:16:25 37 ever undertaken.  
13:16:25 38  
13:16:26 39 Do you agree Mokbel had advised you to answer no comment,  
13:16:30 40 the two orders were call Gobbo and answer no comment?---No,  
13:16:35 41 I actually wasn't given any advice from Mr Mokbel. Only  
13:16:39 42 the fact that after I met with him after this whole  
13:16:42 43 incident when I was on bail I was assured he would actually  
13:16:46 44 cover my legal fees.  
13:16:48 45  
13:16:49 46 Can we just go, this is probably the last question before  
13:16:51 47 lunch, you had not received any legal advice at the time of

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13:16:54 1 this interview, you agree with that?---No.  
13:16:56 2  
13:16:57 3 If we go to question 30. In fact let's go to question 29  
13:17:00 4 and see the sequence. "As previously stated we're going to  
13:17:04 5 ask you some questions in regard to trafficking ecstasy a  
13:17:07 6 large commercial quantity. This resolves around the  
13:17:10 7 manufacture of these pills at ██████████ Way in  
13:17:12 8 Craigieburn. What can you tell me about that address?  
13:17:14 9 Can't tell you anything, no comment. Okay, do you know a  
13:17:18 10 ██████████ No comment. Okay, do you know a ██████████  
13:17:21 11 ██████████ I do. What's your relationship? Good  
13:17:24 12 friend of mine. How do you know him?" Then if we go down,  
13:17:28 13 just an example, you're answering some questions, but then  
13:17:30 14 question 37 no comment, question 38 no comment, 39 no  
13:17:34 15 comment. Up to that point you have received zero legal  
13:17:39 16 advice, never been arrested before in your life?---Never.  
13:17:42 17  
13:17:43 18 Never been interviewed?---Never.  
13:17:45 19  
13:17:46 20 Why are you exercising that right of no comment absent any  
13:17:48 21 such advice?---Because I simply didn't know what the  
13:17:50 22 police, what evidence the police had against me so I made  
13:17:52 23 the decision to try and cooperate as best I could without  
13:17:55 24 incriminating myself, or making any admissions I should  
13:17:59 25 say.  
13:17:59 26  
13:17:59 27 The truth of the matter is, and it's the last time I'll ask  
13:18:04 28 you, is that it was Mokbel who had suggested calling Gobbo  
13:18:08 29 and to answer no comment.  
13:18:10 30  
13:18:10 31 MR WOODS: With respect, Commissioner, the witness has been  
13:18:11 32 cautioned a number of times at this stage by police  
13:18:14 33 officers who have said to him he has a right to silence.  
34  
35 COMMISSIONER: Yes, I know.  
36  
13:18:17 37 MR WOODS: He's exercising his right to silence.  
13:18:20 38  
13:18:20 39 COMMISSIONER: That's more a matter for addresses.  
13:18:22 40  
13:18:22 41 MR WOODS: He's answered the question a number of times.  
13:18:22 42 We just don't have a lot of time, that's all?---I'm happy  
13:18:26 43 to even answer that.  
13:18:27 44  
13:18:27 45 COMMISSIONER: I think it's just quicker to let the  
13:18:30 46 question go at this stage. It isn't going to get anywhere  
13:18:32 47 in the question but can you ask the question again.

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13:18:34 1  
13:18:35 2 MR NATHWANI: I notice Mr Thomson didn't jump to his feet.  
13:18:39 3  
13:18:39 4 MR THOMSON: Your Honour, he's questioning the relevance of  
13:18:43 5 the widespread examination.  
13:18:45 6  
13:18:45 7 COMMISSIONER: The point of the issue is who contacted  
13:18:47 8 Nicola Gobbo, that's what it's about. What's your  
13:18:52 9 question?  
13:18:52 10  
13:18:53 11 MR NATHWANI: Do you accept it is Mr Mokbel who advised you  
13:18:55 12 to contact Ms Gobbo and he also told you to answer no  
13:18:59 13 comment?---No.  
13:19:00 14  
13:19:01 15 COMMISSIONER: We'll have the lunch adjournment. I  
13:19:04 16 understand you have some personal commitments you need to  
13:19:07 17 attend to during lunch?---Yes.  
13:19:11 18  
13:19:12 19 How long do you think that will take you?---I can be back  
13:19:15 20 within the hour.  
21  
22 We'll adjourn for an hour then?---Yes.  
23  
13:19:15 24 That will be comfortable for you?---Yes, thank you.  
13:19:15 25  
13:19:50 26 <(THE WITNESS WITHDREW)  
13:19:50 27  
13:19:50 28 LUNCHEON ADJOURNMENT.  
29  
30  
31  
32  
33  
34  
35  
36  
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42  
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44  
45  
46  
47

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14:08:16 1 UPON RESUMING AT 2.29 PM:  
14:29:34 2  
3 <MR BICKLEY, recalled:  
4  
14:29:35 5 MR WOODS: Commissioner, just before Mr Nathwani continues,  
14:29:37 6 we've received over lunch I think another seven statements  
14:29:41 7 that Mr Bickley made between 8 May 2007 and 21 January  
14:29:51 8 2009. I'm not sure whether they were produced previously  
14:29:54 9 or not, but in any event I hadn't seen them until - - -  
10  
14:29:59 11 COMMISSIONER: These have just come from Victoria Police  
14:30:00 12 over lunch?  
13  
14:30:01 14 MR WOODS: I think they have.  
14:30:01 15  
14:30:02 16 MR HOLT: I don't think so, Commissioner. Can I take  
14:30:03 17 instructions? I'm sure I would know if something like that  
14:30:06 18 had occurred. I'm certain I've seen these previously but  
14:30:09 19 I'm just not sure. Can I just take instructions?  
20  
14:30:11 21 COMMISSIONER: Yes, of course.  
14:30:12 22  
14:30:12 23 MR WOODS: There certainly was a production of some  
14:30:16 24 description over lunch with those statements. We were sent  
14:30:18 25 through these statements. But in any event I just need to  
14:30:21 26 get them on the record while the witness is in the box. I  
14:30:23 27 won't take up Mr Nathwani's time doing it now but there's  
14:30:27 28 just another few statements that I need to take the witness  
14:30:30 29 to to confirm they're statements he made.  
30  
14:30:34 31 COMMISSIONER: You don't want to do it now, you'll do it in  
14:30:36 32 re-examination?  
33  
14:30:38 34 MR WOODS: If Mr Nathwani doesn't take exception I might  
14:30:41 35 just very quickly show them to the witness.  
36  
14:30:43 37 COMMISSIONER: In case there's any questioning arising out  
14:30:46 38 of them.  
39  
14:30:47 40 MR WOODS: I think that's right. I haven't read them.  
14:30:48 41 I'll identify them all at once and then hand them to you.  
14:30:51 42 There's an 8 May 2007 statement taken by Hayes about two  
14:31:00 43 people called Rob and Charlie. Is that any surprise to  
14:31:04 44 you, that you would have made a statement like that?---No.  
45  
14:31:05 46 COMMISSIONER: 753A and B.  
14:31:08 47



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14:30:53 1 #EXHIBIT 753A - (Confidential) Statement by Mr Bickley  
2 dated 8/05/07.  
3  
4 #EXHIBIT 753B - (Redacted version.)  
5  
14:31:09 6 MR WOODS: 8 May 2007, talking about a 9 February 2000  
14:31:13 7 conversation, talking about Rob and Georgie. Do you know  
14:31:20 8 who those people are?---Yeah.  
9  
14:31:23 10 An 8 May 2007 conversation regarding Rob and Charlie again,  
14:31:28 11 taken by Hayes.  
12  
14:31:30 13 COMMISSIONER: Sorry, am I - - -  
14:31:32 14  
14:31:32 15 MR WOODS: I'm not pausing for tender.  
16  
14:31:35 17 COMMISSIONER: The first one was Rob and Georgie, is that  
14:31:37 18 right?  
19  
14:31:38 19  
14:31:39 20 MR WOODS: Rob and Charlie. Rob, Charlie and Georgie is  
14:31:44 21 the first one I referred to.  
22  
14:31:45 23 COMMISSIONER: Which police officer took it and the date,  
14:31:47 24 please?  
25  
14:31:48 25  
14:31:49 26 MR WOODS: The person who took that statement from the  
14:31:51 27 witness was Hayes?---Yes.  
28  
14:31:58 28  
14:32:02 29 COMMISSIONER: The date?  
30  
14:32:03 30  
14:32:04 31 MR WOODS: 8 May 2007.  
32  
14:32:05 33 COMMISSIONER: Thank you.  
14:32:06 34  
14:32:07 35 #EXHIBIT RC754A - (Confidential) Statement of Mr Bickley  
36 dated 8/05/07 (Rob, Charlie and  
14:32:08 37 Georgie).  
14:32:08 38  
14:32:09 39 #EXHIBIT RC754B - (Redacted version.)  
14:32:12 40  
14:32:12 41 MR WOODS: The second of those was 8 May 2007, also taken  
14:32:15 42 by Hayes, talking about Rob and Georgie.  
14:32:21 43  
14:32:22 44 #EXHIBIT RC755A - (Confidential) Statement of Mr Bickley  
14:32:24 45 dated 8/05/07 (Rob and Georgie).  
14:32:24 46  
14:32:24 47 #EXHIBIT RC755B - (Redacted version.)

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14:32:26 1  
14:32:26 2 MR WOODS: The fourth is an 8 May 2007 statement also taken  
14:32:30 3 by Hayes dealing with Rob and Charlie.  
14:32:35 4  
14:32:35 5 #EXHIBIT RC756A - (Confidential) Statement of Mr Bickley  
14:32:36 6 dated 8/05/07 (Rob and Charlie).  
14:32:36 7  
14:32:36 8 #EXHIBIT RC756B - (Redacted version.)  
14:32:38 9  
14:32:38 10 MR WOODS: The fourth is an 8 May 2007 statement taken by  
14:32:41 11 Hayes dealing with Rob and Andrew and Georgie.  
14:32:47 12  
14:32:47 13 COMMISSIONER: What's the date again, sorry?  
14:32:49 14  
14:32:49 15 MR WOODS: Sorry, Commissioner?  
14:32:50 16  
14:32:50 17 COMMISSIONER: The date please?  
14:32:52 18  
14:32:52 19 MR WOODS: That's 8 May 2007 as well.  
14:32:54 20  
14:32:54 21 COMMISSIONER: Right.  
14:32:55 22  
14:32:55 23 #EXHIBIT RC757A - (Confidential) Statement of Mr Bickley  
14:32:56 24 dated 8/05/07 (Rob, Andrew and Georgie).  
14:32:56 25  
14:32:56 26 #EXHIBIT RC757B - (Redacted version.)  
14:32:58 27  
14:32:59 28 MR WOODS: There's 18 July 2007, a more detailed statement  
14:33:02 29 and that's taken by Hayes, 18 July 2007. It deals with Rob  
14:33:09 30 and - generally talking about cocaine related matters.  
14:33:15 31  
14:33:16 32 #EXHIBIT RC758A - (Confidential) Statement of Mr Bickley  
14:33:17 33 dated 18/07/07.  
14:33:17 34  
14:33:17 35 #EXHIBIT RC758B - (Redacted version.)  
14:33:19 36  
14:33:19 37 The next is 23 July 2007 and that is taken by Hayes as well  
14:33:27 38 and it's identifying a person called Taylor in a photograph  
14:33:31 39 line-up  
14:33:34 40  
14:33:35 41 #EXHIBIT RC759A - (Confidential) Statement of Mr Bickley  
14:33:36 42 dated 23/07/07.  
14:33:36 43  
14:33:36 44 #EXHIBIT RC759B - (Redacted version.)  
14:33:39 45  
14:33:39 46 Finally, there's a 21 January 2009 statement taken by  
14:33:44 47 Mr Rowe and it is dealing with the witness's [REDACTED]

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14:33:51 1 [REDACTED]  
2  
3 #EXHIBIT 760A - (Confidential) Statement of Mr Bickley  
4 dated 21/01/09.  
5  
6 #EXHIBIT 760B - (Redacted version.)  
7  
14:34:01 8 I'm told they're not in the database but they'll be brought  
14:34:05 9 into the database way of production.  
10  
14:34:08 11 COMMISSIONER: Thank you.  
14:34:09 12  
14:34:10 13 MR WOODS: You recall making statements generally speaking  
14:34:11 14 about those individuals and those matters I've just  
14:34:13 15 referred to?--I do so, yes.  
16  
14:34:15 17 We don't have the technology to bring them up on the screen  
14:34:19 18 at this stage. For the purposes of the exercise I'll  
14:34:22 19 tender those now, Commissioner.  
14:34:23 20  
14:34:23 21 COMMISSIONER: Yes, thank you, they're tendered.  
14:34:25 22  
14:34:25 23 MR WOODS: There was one other thing we received over lunch  
14:34:27 24 which is the transcript of the conversation between  
14:34:31 25 [REDACTED] and the witness on [REDACTED] 2006 which won't be  
14:34:41 26 in the system either but I'll notionally tender that now as  
14:34:45 27 well.  
14:34:45 28  
14:34:45 29 #EXHIBIT RC761A - (Confidential) Transcript of  
14:34:28 30 conversation between [REDACTED] and  
14:34:35 31 Mr Bickley, [REDACTED]/06.  
14:34:47 32  
14:34:47 33 #EXHIBIT RC761B - (Redacted version.)  
14:34:49 34  
14:34:49 35 Thank you, Commissioner.  
36  
14:34:51 37 COMMISSIONER: We'll get to the bottom of why the late  
14:34:53 38 production, if it was late production, in due course.  
14:34:56 39  
14:34:56 40 MR HOLT: In terms of the statements we will. In terms of  
14:34:58 41 that most recent transcript, as I explained to my learned  
14:35:01 42 friend over lunch, I asked for it because it had been a  
14:35:04 43 matter of discussion this morning. We don't think it's  
14:35:06 44 been responsive to a Notice to Produce which is why it's  
14:35:10 45 being produced now but I want to check that before I  
14:35:13 46 finalise our position on that, Commissioner.  
47

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14:35:15 1 COMMISSIONER: Yes. Yes Mr Nathwani.  
14:35:17 2  
14:35:17 3 MR NATHWANI: Commissioner, I didn't tender, as I often  
14:35:20 4 fail to do, Mr Bickley's two interviews. Could I just  
14:35:24 5 tender them together I think is probably neater.  
6  
14:35:29 7 COMMISSIONER: What are the dates for those interviews?  
14:35:31 8  
14:35:32 9 MR NATHWANI: They are 15 August 2005 and also 16 August  
14:35:37 10 2005.  
11  
14:35:40 12 COMMISSIONER: Thank you.  
14:35:40 13  
14:35:41 14 #EXHIBIT RC762A - (Confidential) Two interviews 15/08/05  
14:35:44 15 and 16/08/05.  
14:35:44 16  
14:35:44 17 #EXHIBIT RC762B - (Redacted version.)  
14:35:47 18  
14:35:48 19 MR NATHWANI: Thank you. If we can just go to the second  
14:35:50 20 interview, just to the end. I don't need to take you  
14:35:59 21 through your interview. Do you agree looking back now  
14:36:01 22 during the interview you answered some questions, others  
14:36:04 23 you answered no comment to?--Correct.  
24  
14:36:06 25 Do you agree you were also not entirely truthful in that  
14:36:09 26 interview?--Not that I can recall. I think I was as  
14:36:18 27 transparent as I could be in the circumstances.  
28  
14:36:21 29 Let's just go to one of the questions, I'm not going to  
14:36:24 30 take you to them all. It is what it is and we can see when  
14:36:29 31 we read it the veracity or otherwise. If we go to question  
14:36:34 32 139. Sorry, can the witness look at question 138. You've  
14:36:53 33 been asked if there's any explanation you want to give as  
14:36:58 34 to why you've been drug trafficking. In short you deny it.  
14:37:01 35 You're then asked about your company with [REDACTED] and  
14:37:07 36 [REDACTED], and you by point had had the product of  
14:37:12 37 listening devices put to you. No comment. Then you're  
14:37:15 38 asked this, "What's your involvement with Tony Mokbel" -  
14:37:21 39 it's a typo obviously. You respond, "Who's he?" You knew  
14:37:21 40 exactly who he was, agree?--I did.  
41  
14:37:24 42 So not entirely honest. "You don't know who Tony Mokbel  
14:37:28 43 is?" Answer: "No." "You've never spoken to him?"  
14:37:32 44 Answer: "No comment". I was asking you earlier before  
14:37:41 45 lunch were you given any direction to answer no comment in  
14:37:44 46 relation to Tony Mokbel or indeed I think you understand  
14:37:46 47 what I was suggesting is that you were told to keep any

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14:37:51 1 references to him at arm's length. What do you say about  
14:37:56 2 that considering those answers?---No, I'd made - I mean it  
14:37:58 3 was in my own best interests to distance myself so I made  
14:38:02 4 no comment.  
5  
14:38:03 6 You say that you had no intention of rolling, as we  
14:38:14 7 understand it, at all until the [REDACTED] incident with the  
14:38:17 8 phone in 2006?---Correct.  
9  
14:38:23 10 Do you accept that in November 2005 you were discussing  
14:38:28 11 with Ms Gobbo considering giving a witness statement to the  
14:38:33 12 AFP in the case against Tony Mokbel?---Not that I recall.  
14:38:38 13 If any discussion was leading down that path it was at the  
14:38:45 14 advice of my legal representation on the day, which would  
14:38:50 15 have been your client.  
16  
14:38:53 17 Okay. But I want to get into context because your evidence  
14:38:56 18 seems to be in 2006 was the first time that you were  
14:38:59 19 considering providing evidence against Mr Mokbel. Do you  
14:39:03 20 accept in November and December 2005 you in fact were  
14:39:09 21 discussing with Ms Gobbo providing evidence to the  
14:39:13 22 AFP?---Like I said, I can't recall specifically if that was  
14:39:15 23 the case or not. Maybe you can remind me by way of  
14:39:18 24 statement, I don't know.  
25  
14:39:21 26 It would have been at the forefront of your mind, wouldn't  
14:39:24 27 it, Tony Mokbel, a man you're scared of, distancing  
14:39:30 28 yourself in an interview, paying your fees?---Yep.  
29  
14:39:33 30 You would have known straight away about whether or not you  
14:39:37 31 were interested in providing evidence to the AFP?---Like I  
14:39:41 32 said and I've maintained all along, I was never interested  
14:39:46 33 in cooperating or making statements against Tony Mokbel  
14:39:53 34 until such time that certain events triggered that.  
35  
14:39:59 36 On the other hand, do you agree you provided, I think it  
14:40:03 37 was a recording, to Tony Mokbel saying that he wasn't  
14:40:06 38 involved?---Yes, specifically it was actually - do you want  
14:40:12 39 some context in relation to that?  
40  
14:40:14 41 Sure, it's your evidence?---I remember specifically I was  
14:40:17 42 actually, I met with Tony and we met in a secure location  
14:40:20 43 and he asked of me to make a statement that he wanted to  
14:40:24 44 record saying that he had no involvement whatsoever in the  
14:40:27 45 matters pertaining to Quills, which I complied.  
46  
14:40:30 47 And that occurred after your arrest obviously?---Obviously.

.18/11/19

9375

BICKLEY XXN - IN CAMERA

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1  
14:40:37 2 So even then he had some power and reach over you, do you  
14:40:41 3 agree with that?---He had all the way until he left.  
4  
14:40:48 5 And obviously what you were saying in that recording wasn't  
14:40:51 6 true either?---No, it wasn't. It was under duress.  
7  
14:40:57 8 Looking then at the issue of funding, and we'll go to your  
14:41:00 9 statement. He funded your legal representation?---In  
14:41:05 10 addition to giving me sums of money throughout that period  
14:41:08 11 of time.  
12  
14:41:09 13 Why was that, just spell it out for us?---He said he would  
14:41:13 14 look after me, that was the undertaking.  
15  
14:41:16 16 That was for your silence?---That was for entering an early  
14:41:21 17 plea and also for my silence I would imagine.  
18  
14:41:25 19 If we go to your statement, I just want to be clear about  
14:41:27 20 the dates. If we turn up - I've numbered them, so it's p.4  
14:41:30 21 of the statements?---Yes.  
22  
14:41:32 23 It starts with, "My legal fees were paid by Mokbel", as  
14:41:38 24 you've just said, "In addition to sums of money he gifted  
25 me whilst I was out on bail"?---Yes.  
26  
14:41:40 27 "And this continued up until he absconded around March  
14:41:43 28 2007". You were arrested September 2005, okay. You then  
14:41:49 29 go on to say, "During this time Ms Gobbo ceased  
14:41:53 30 communication with me. I assume that because there was no  
14:41:57 31 one to pay the bill she no longer wanted to act for me. At  
32 no time did she express or state she did not want to act  
14:42:01 33 for me during the 18 months she represented me"?---Correct.  
34  
14:42:05 35 I just want to deal with this just to get the context and  
14:42:07 36 the detail right. The date he absconded is wrong in your  
14:42:11 37 statement, okay, so it's 2006. Did he stop paying the  
14:42:14 38 moment he disappeared? It's actually March 2006?---Yeah,  
14:42:18 39 yeah, so whenever it stopped, the money stopped.  
40  
14:42:21 41 Are you saying that once - - - ?---Actually it might have  
14:42:24 42 even been a little bit - sorry, it might have been a little  
14:42:27 43 bit before he absconded that the money started to dry up.  
44  
14:42:31 45 Right. You're saying that because there was no one paying  
14:42:34 46 the bills you assume that Ms Gobbo, in effect, didn't want  
14:42:37 47 to act for you as a result, is that what you're

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14:42:41 1 saying?---No, what I'm saying is that she was not  
14:42:43 2 contactable.  
3  
14:42:44 4 After he had stopped paying?---No, leading up to that. So  
14:42:46 5 there was a period of time where I was increasingly finding  
14:42:49 6 it difficult to even contact her and I was very concerned.  
14:42:52 7 And it wasn't until I had then run into her,  
14:42:56 8 coincidentally, near the courts that then she told me she  
14:43:02 9 was ill or sick or a stroke or something and at that stage  
14:43:06 10 I'd already obtained different legal representation.  
11  
14:43:09 12 Just to be clear, because we've got lots of material in  
14:43:12 13 relation to contact between you and her, are you saying  
14:43:16 14 it's a few months before Mokbel flees, okay, that's March  
14:43:20 15 2006 when he goes?---M'mm.  
16  
14:43:22 17 So a month, even a month earlier it's February 2006. Are  
14:43:24 18 you saying from February 2006 for a lengthy period you have  
14:43:28 19 no contact with Ms Gobbo?---I don't know the exact period  
14:43:31 20 of time because you're testing my memory of 14 years ago or  
14:43:34 21 12 years ago. I know there was a period of time where she  
14:43:37 22 was not contactable but at no stage did she ever say to me,  
14:43:43 23 "I cannot act for you" or "I will not act for you" or "I've  
14:43:48 24 stopped acting for you."  
25  
14:43:50 26 During with her illness you visited her, didn't you, in the  
14:43:53 27 hospital in 2005?---I don't recall that to be honest.  
14:43:56 28 Look, I don't recall.  
29  
14:43:58 30 Surely you'd recall visiting your barrister with your brief  
14:44:00 31 of evidence after she'd had a procedure in  
14:44:03 32 hospital?---Actually I can tell you something different,  
14:44:07 33 which you don't believe. I actually forgot, believe it or  
14:44:11 34 not, that I actually even had contact with Ms Gobbo. You  
14:44:15 35 might find that alarming, and I'm not sure if I can speak  
14:44:19 36 freely with a bit of stuff I had going on at the time, I  
14:44:21 37 had several issues that were going on at the time.  
38  
14:44:23 39 I know we're going through a further - yes?---I'm happy to  
14:44:31 40 give you context.  
41  
14:44:32 42 No. Not right now?---Okay.  
43  
14:44:34 44 Can I ask you then, looking at your statement, the issue of  
14:44:37 45 [REDACTED] Let's have a look - this is the last topic from  
14:44:41 46 me?---Yes, sure. Which paragraph?  
47

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14:44:45 1 Same paragraph, next page. We'll just go through this  
14:44:46 2 page. You detail how you communicated with Mr Mokbel  
14:44:50 3 through Gobbo. You're still in possession of one of  
14:44:54 4 Mokbel's pill presses?---Correct.  
5  
14:44:56 6 "I advised her on more than one occasion I wanted them  
14:44:59 7 gone", and refer to "relayed information to him to have  
14:44:59 8 them out of my hands". You say, "I did not and never had  
14:45:02 9 any contact with anyone to do with any criminal activity in  
14:45:05 10 the past or during that time other than Mokbel  
14:45:08 11 himself"?---Yes.  
12  
14:45:09 13 Pausing there, the names that we went through earlier, [REDACTED]  
14:45:12 14 [REDACTED] Mokbel, Farachi, Radi, Camilleri, all at one  
14:45:18 15 time or another also involved in crime, okay, do you agree  
14:45:23 16 with that?---Only during my event, you mean, pertaining to  
14:45:27 17 my charges, yes.  
18  
14:45:28 19 You then say, "Other than discussing that I was in  
14:45:29 20 possession of these machines I did not speak to her  
14:45:31 21 regarding other matters. I simply disconnected from the  
14:45:34 22 broader criminality associated with them". Notwithstanding  
14:45:36 23 that you then get in touch with [REDACTED], do you agree  
14:45:40 24 with that?---Yes.  
25  
14:45:42 26 At that time Mokbel out of the country?---Yeah, I don't  
14:45:47 27 know.  
28  
14:45:48 29 It's fact, he's out of the country?---We know now that that  
14:45:52 30 was the fact, not at the time though.  
31  
14:45:54 32 He's certainly by March, I think it was all over the news,  
14:45:58 33 had left the jurisdiction 22 March or 20 March 2006?---Was  
14:46:03 34 it? I don't know.  
35  
14:46:04 36 Can't remember that either?---No  
14:46:05 37  
14:46:08 38 COMMISSIONER: Was it known that he'd left the jurisdiction  
14:46:10 39 or that he had absconded?  
14:46:13 40  
14:46:13 41 MR NATHWANI: Absconded?---I knew he absconded, I didn't  
14:46:16 42 know he left the country. That's what I'm saying.  
43  
14:46:19 44 I understand. You then say that you contacted [REDACTED]  
14:46:25 45 and I just want to get the sequence right because earlier  
14:46:28 46 in your evidence - so going to your statement, the  
14:46:30 47 penultimate paragraph, it says, "I never met or heard of



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14:46:34 1 [REDACTED] prior to her arranging this meeting"?---Sorry, the  
14:46:37 2 page again?  
3  
14:46:38 4 Page 4.  
14:46:39 5  
14:46:40 6 MR CHETTLE: Which paragraph?  
14:46:41 7  
14:46:41 8 MR NATHWANI: The second from last paragraph?---Yes.  
14:46:45 9  
14:46:46 10 "I'd never met or heard of [REDACTED]"?---Correct.  
14:46:48 11  
14:46:49 12 "Prior to her arranging this meeting. The date would have  
14:46:53 13 been no more than two or three weeks prior to the arrest".  
14:46:58 14 It then goes on, "Shortly after meeting with Ms Gobbo I  
14:47:05 15 contacted [REDACTED] or he called me on the mobile phone  
16 provided to me by her. I can't recall. We arranged to  
14:47:07 17 meet in PII [REDACTED] at a future date and time. We met  
14:47:08 18 and discussed the [REDACTED]". I'm interested in the  
14:47:12 19 dates. If we can pull up Exhibit 745, please?---I think  
14:47:17 20 what you're going to get at is it's far more protracted,  
14:47:24 21 those dates, than what's specified in the statement, is  
14:47:27 22 that correct?  
14:47:27 23  
14:47:27 24 No. Your evidence earlier was there was more than one  
14:47:29 25 meeting?---I understand that now.  
26  
14:47:29 27 I just want to get the sequence right?---Yeah, sure.  
28  
14:47:33 29 We know as a fact, if you look at that, we've just heard  
14:47:36 30 there's a transcript of this but there's a statement of  
14:47:38 31 [REDACTED] that on [REDACTED] 2006 he met you?---Correct.  
32  
14:47:47 33 At [REDACTED], as you seem to be discussing in your  
14:47:50 34 statement, do you agree with that?---Yes.  
35  
14:47:52 36 Was this the occasion, because if you see the second from  
14:47:56 37 last bullet point says, "Discussed receiving some money  
14:47:59 38 upfront from me", that's [REDACTED] "to allow the purchase of  
14:48:04 39 the [REDACTED]". Do you see that?---Yes.  
14:48:06 40  
14:48:06 41 "And discussed when the [REDACTED] would be supplied". If we  
14:48:12 42 look at your statement, so we turn over the next page. If  
14:48:15 43 you turn to the next page. "We continue to communicate on  
14:48:17 44 the mobile phone", yes?---Yes.  
45  
14:48:21 46 "And I was in dire need of funds. Admittedly I asked him  
14:48:26 47 for money thinking it was coming from Mokbel and he

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14:48:28 1 obliged". And you say between 3 and 5K. "And we met a  
14:48:33 2 second time at the same location." Am I right, or is the  
14:48:35 3 statement right that the second time you met [REDACTED] when he  
14:48:37 4 gave you this money was after this meeting?---After this  
14:48:41 5 meeting did you say?  
6  
14:48:43 7 Yes, this is the first one?---I believe so. I believe so.  
8  
14:48:47 9 Okay. So it would be after [REDACTED] 2006, and so after  
14:48:53 10 Mr Flynn was involved?---It may or may not. Look, I don't  
14:48:57 11 know. Is this the second meeting or is this the first  
14:49:00 12 transcript?  
13  
14:49:01 14 I'm asking you?---I don't know, I didn't provide the  
14:49:03 15 statement.  
16  
14:49:03 17 Your statement reads, let's go back to it, because I want  
14:49:06 18 to be clear about this?---But this is not my statement.  
19  
14:49:09 20 No, no, I understand, this is trying to jog your memory of  
14:49:11 21 a discussion you had with [REDACTED] on [REDACTED]?---Okay.  
22  
14:49:16 23 So familiarise yourself with that. There is a transcript  
14:49:18 24 I'm sure we'll one day see. The second from last bullet  
14:49:22 25 point talks about receiving money upfront from [REDACTED] to  
14:49:26 26 you for [REDACTED], okay. Your statement seems to  
14:49:29 27 accord with that because it seems to say, "We continued to  
14:49:34 28 communicate on the mobile phone Ms Gobbo provided and I was  
14:49:37 29 in dire need of funds", okay. It seems to say after the  
14:49:41 30 meeting at [REDACTED]. You then asked him for money  
14:49:46 31 thinking it was coming from Mokbel and he then obliged with  
14:49:50 32 3 to 5 grand, do you see that?---Yes.  
33  
14:49:53 34 And you say there, "When we met a second time at the same  
14:49:55 35 location"?---Yeah. It definitely wasn't on the first  
14:49:58 36 occasion.  
37  
14:49:58 38 Reading this, does this look like the first occasion that  
14:50:01 39 it occurred?---This is the first occasion.  
40  
14:50:17 41 Yeah, okay. That's all I wanted to ask you?---Because it  
14:50:20 42 says here "discussed receiving some money".  
43  
14:50:22 44 Yes, exactly?---Yes.  
45  
14:50:25 46 All right. Thank you.  
47

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14:50:27 1 COMMISSIONER: Yes Mr Holt.  
14:50:28 2  
3 <CROSS-EXAMINED BY MR HOLT:  
4  
14:50:29 5 Thank you, Commissioner. I just want to ask you some  
14:50:34 6 questions - I'm sorry, I'm Saul Holt, I'm barrister for  
14:50:37 7 Victoria Police. I just want to see if we can just get  
14:50:40 8 some of this background right. You explained to the  
14:50:44 9 Commissioner this morning that you were operating a  
14:50:46 10 chemical company which was making substances of various  
14:50:49 11 kinds for legitimate purposes?---Yes.  
12  
14:50:51 13 I think your evidence was that in about the middle of 2004  
14:50:54 14 you get to meet the person you come to know as Tony Mokbel,  
14:50:56 15 yes?---Correct.  
16  
14:50:57 17 And he initially is ordering chemicals of various kinds,  
14:51:04 18 but at that stage you understood that to be for legitimate  
14:51:07 19 purposes?---Yes.  
20  
14:51:08 21 There's a point at which it becomes clear it's not for  
14:51:11 22 legitimate purposes?---Yes.  
23  
14:51:13 24 About that same time you Google search the person you've  
14:51:16 25 been dealing with, the name Tony Mokbel presumably?---Yes.  
26  
14:51:18 27 And you learn some things that presumably, given what was  
14:51:21 28 in the public domain, terrified you at that stage?---Yes.  
29  
14:51:25 30 Involvement in large scale drug operations but also, I  
14:51:28 31 suspect more importantly, involvement in very significant  
14:51:33 32 violent crime?---It was the latter that was concerning.  
33  
14:51:36 34 Up to and including homicide?---Yes.  
35  
14:51:38 36 You learn that. Now after the point at about mid - I  
14:51:41 37 wasn't sure of the timeline. After the point in about  
14:51:45 38 mid-2004 when is it about, I know it's a long time ago, but  
14:51:48 39 ballpark, are we talking days or weeks or months after the  
14:51:51 40 middle of 2004?---That I find out - - -  
41  
14:51:56 42 That you do that Google searching of Mr Mokbel?---Look,  
14:51:59 43 months.  
44  
14:51:59 45 But not years, months?---No, no, no, it's months.  
46  
14:52:02 47 So still within 2004, would that be your best estimate,

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14:52:02 1 maybe early 2005?---Perhaps.  
2  
14:52:03 3 I was very interested in an answer you gave this morning  
14:52:06 4 about all of that, I think to Mr Woods our learned friend,  
14:52:09 5 when you said that once you realised that was going on -  
14:52:14 6 you said two things, one, that you tried to distance  
14:52:17 7 yourself from what was going on from Mr Mokbel, yes?---Yes.  
8  
14:52:20 9 But, secondly, you were looking to clip the ticket, I  
14:52:24 10 think?---Correct, yes.  
11  
14:52:27 12 On the way through. You said sort of both those things.  
14:52:28 13 This clipping the ticket, would you tell us please from  
14:52:30 14 that point, sort of late 2004, beginning of 2005, what did  
14:52:34 15 the ticket clipping involve?---So just to put it in -  
14:52:36 16 let's refer back to that individual criminality.  
17  
14:52:39 18 Just answer my question which is what did the ticket  
14:52:42 19 clipping involve? What did the ticket clipping  
14:52:44 20 involve?---It was actually getting somebody else involved  
14:52:46 21 to perform those tasks for Mokbel so that I was at an arm's  
14:52:50 22 length away from it.  
23  
14:52:51 24 I see. So you arranged for other people - ticket clipping  
14:52:55 25 traditionally involves the notion of you taking a cut, a  
14:52:57 26 person taking a cut. You understand that's the meaning of  
14:52:59 27 the phrase?---I do.  
28  
14:53:01 29 You clip the ticket on the way through, you take a cut.  
14:53:03 30 What was your cut and how much were you making over that  
14:53:06 31 period of time, clipping the ticket?---I think I was meant  
14:53:09 32 to be making somewhere around 80 cents for each pill  
14:53:14 33 pressed.  
34  
14:53:15 35 You had an arrangement with Mr Mokbel to make a certain cut  
14:53:19 36 on every single pill that was being made and then  
14:53:21 37 ultimately, as you would have understood it, sold into the  
14:53:25 38 community?---Correct.  
39  
14:53:27 40 That obviously went on for a long period of time before  
14:53:30 41 your arrest on 15 August 2005?---No, it didn't actually.  
42  
14:53:36 43 How many months was that ticket clipping going on  
14:53:40 44 for?---That ticket clipping went on for about three days.  
45  
14:53:45 46 I see. That's the three days that you say, the three days  
14:53:48 47 you're referring to are they contained within the days of 5

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14:53:52 1 to 15 August which are the dates particularised in the  
14:53:55 2 presentment, or what we would now call an indictment that  
14:53:57 3 was laid against you?---Yes.  
4  
14:53:59 5 You're aware, of course, that there were listening devices  
14:54:01 6 and telephone intercepts over that period of time?---Yes.  
7  
14:54:06 8 And are you aware or - I know it was a long time ago - that  
14:54:06 9 those show you in fact being physically present during the  
14:54:09 10 course of the manufacture of pills using the pill presses  
14:54:12 11 and - - - ?---Yeah, I actually showed them how to use the  
14:54:17 12 machines.  
13  
14:54:17 14 You were there all day over those days?---Some of them,  
14:54:21 15 yes.  
16  
14:54:21 17 It doesn't sound much like ticket clipping or getting other  
14:54:24 18 people to do things, you're physically there saying things  
14:54:26 19 like, "No, no, those pills, they're a bit soft, or they're  
14:54:28 20 a bit narrow", you're actually directing those types of  
14:54:30 21 activities, weren't you?---I'm actually orchestrating.  
22  
14:54:33 23 Exactly?---To confirm with what you're implying.  
24  
14:54:36 25 So tell me, what were you doing for the previous five  
14:54:39 26 months with Mr Mokbel, from the point at which you decided  
14:54:42 27 you might ticket clip to that point where you say  
14:54:43 28 coincidentally you happen to start being involved just when  
14:54:46 29 the listening devices happen to come on but nothing before,  
14:54:49 30 is that your evidence?---No, no, what I'm - sorry, can you  
14:54:52 31 rephrase that again?  
32  
14:54:53 33 Of course, I'm sorry. As I understand your evidence, what  
14:54:56 34 you say is you realise Mr Mokbel is doing something  
14:54:59 35 unlawful late 2004, early 2005?---Yes.  
36  
14:55:01 37 At some point you decide to make some money out of that  
14:55:04 38 process with Mr Mokbel, yes?---Yeah, later, yes.  
39  
14:55:07 40 You say that doesn't actually start until 5  
14:55:11 41 August?---Correct.  
42  
14:55:12 43 Which just also happens to be the first point at which the  
14:55:15 44 police start recording your conversations?---I wasn't sure  
14:55:18 45 that they were recording it from the 5th.  
46  
14:55:21 47 That's not my point and I think you know it. Is it truly

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14:55:23 1 your evidence to this Commission on oath that there was  
14:55:27 2 nothing going on before 5 August when the police just  
3 coincidentally happen to start recording what you were  
14:55:29 4 doing?---No, in terms of the tablet or the pill  
14:55:30 5 manufacturing, no. The pill manufacturing happened in a  
14:55:33 6 short period of time. Up until that point - - -  
7  
14:55:36 8 What was it up until that point?---Sorry, if I may finish.  
14:55:39 9 I was making money off the chemicals that I was supplying  
14:55:45 10 Mr Mokbel with. And then at a point where we didn't want  
14:55:48 11 to actually supply chemicals we were threatened and we were  
14:55:50 12 in a position where we weren't sure ourselves what to do,  
14:55:54 13 that's myself and my [REDACTED] We had then  
14 14 made the decision to try and bring somebody else in, who  
14:56:03 15 was also a third friend who worked for us at another  
14:56:06 16 company, and we proceeded to actually refine the process of  
14:56:09 17 making them so that we could do them adequately and then  
14:56:14 18 provide machinery at Mr Mokbel's request to then provide to  
14:56:18 19 [REDACTED] at his premises.  
20  
14:56:20 21 So just to understand that sequence of events?---That took  
14:56:22 22 quite a period of time.  
23  
14:56:23 24 Now just let me ask my question. Just to understand that  
14:56:25 25 sequence of events, as I understand it then you get  
14:56:28 26 threatened by Mokbel and your response is to bring in  
14:56:32 27 another friend of yours into the criminal process, is that  
14:56:35 28 what happens?---Yes, he was okay with that to be honest.  
29  
14:56:37 30 You describe yourself as being a gullible young man at this  
14:56:41 31 point, you were 32?---Yes.  
32  
14:56:44 33 And you were the owner of a business?---Yeah, several.  
34  
14:56:46 35 Making plenty of money, as you told us this morning? Did  
14:56:51 36 you not tell us that this morning?---Yeah, I did.  
37  
14:56:54 38 Presumably you said that because it was the truth?---Yes  
14:56:57 39  
14:56:58 40 MR THOMSON: I object. What possible relevance does this  
14:57:01 41 have to the Terms of Reference?  
42  
14:57:02 42  
14:57:03 43 MR HOLT: There was a very significant amount of time spent  
14:57:05 44 this morning, by counsel assisting you, to establish an  
14:57:10 45 impression at least of this witness that he was someone who  
14:57:12 46 was either lured or threatened or brought into  
14:57:16 47 something - - -

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1  
14:57:16 2 COMMISSIONER: Yes, I'll allow you to continue.  
14:57:19 3  
14:57:19 4 MR HOLT: Thank you, Commissioner. I understand the point  
14:57:20 5 and I know the limitations of time. Can you then assist me  
14:57:25 6 with this: fast-forwarding just a moment so we can kind of  
14:57:29 7 bookend this period. You said another thing this morning  
14:57:33 8 which was interesting. You said that at the time you were  
14:57:35 9 being interviewed by the police you didn't obviously put  
14:57:38 10 Tony Mokbel in it, did you? You didn't?---I didn't  
14:57:41 11 implicate Tony Mokbel, no, I didn't.  
12  
14:57:44 13 As Mr Nathwani showed you before on the transcript,  
14:57:46 14 actually you positively lied to the police about Mr Mokbel,  
14:57:50 15 didn't you?---I didn't positively lie, I said no comment.  
16  
14:57:53 17 Can we just bring up the transcript so that there's just no  
14:57:55 18 doubt about that at all. It's the last exhibit.  
19  
14:58:01 20 COMMISSIONER: Just to shorten things, I think you said you  
14:58:04 21 didn't know him. You said, "Who is he?" and then you said  
14:58:07 22 you didn't know him?---Oh yeah.  
23  
14:58:12 24 MR HOLT: That's a lie, is it?---Yeah.  
25  
14:58:13 26 That was a lie?---Yes.  
27  
14:58:15 28 That would have been obvious when you looked at the  
14:58:19 29 transcript on the screen just before that it was a lie?---I  
14:58:20 30 was just putting it in the context of the interview.  
31  
14:58:24 32 I don't even understand what that means?---Well what I'm  
14:58:25 33 saying is that when police were asking me certain questions  
14:58:25 34 I was trying to deviate my association from Mr Mokbel but  
14:58:31 35 being as truthful as I could without implicating him or  
14:58:34 36 making my own situation worse at that time.  
37  
14:58:36 38 And as you correctly identify for a period of time  
14:58:38 39 afterwards the police come to see you to attempt to get you  
14:58:42 40 to make statements against Mr Mokbel and others?---Yes.  
41  
14:58:45 42 You said something again, just coming back to what you said  
14:58:48 43 this morning, you said by that stage you and Mr Mokbel had  
14:58:52 44 established a mutual respect for each other, yes?---Yes.  
45  
14:58:55 46 What was it about Mr Mokbel that caused you to acquire a  
14:58:58 47 mutual respect for him?---A combination of things. He

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14:59:02 1 stuck to his word in relation to providing funding.  
2  
14:59:07 3 Funding for what?---For my legal representation and also  
14:59:12 4 ongoing funding after my arrest to live off.  
5  
14:59:15 6 No, hang on a moment?---For a period of time.  
7  
14:59:17 8 You said this morning that you had developed a level of  
14:59:21 9 mutual respect for him at the time you were arrested and  
14:59:24 10 spoken to. I'm right, aren't I, that by that point  
14:59:25 11 presumably you'd had no need for legal  
14:59:28 12 representation?---Meaning?  
13  
14:59:28 14 You hadn't been arrested up until that point so there was  
14:59:31 15 no need for legal representation?---I'm sorry, are you  
14:59:32 16 saying prior to my arrest?  
17  
14:59:34 18 Prior to your arrest?---Yeah - no, no.  
19  
14:59:35 20 So what caused you prior to your arrest to have a  
14:59:38 21 relationship of mutual respect with Mr Mokbel?---I thought  
14:59:42 22 it was a very - hard to explain but it was kind of like he  
14:59:48 23 was on one hand very engaging and I thought he was quite  
14:59:54 24 honourable in his approach to how things progressed between  
14:59:58 25 us.  
26  
14:59:58 27 But on the other hand he's at least implicitly threatening  
15:00:03 28 to kill people in your family?---Well this was after and  
15:00:07 29 the implication was when we actually didn't want to  
15:00:10 30 actually supply him with any more chemicals he would ask  
15:00:13 31 how - like it was kind of like an assertion that how  
15:00:17 32 extended family members were and my, I guess my fear was  
15:00:22 33 the fact that first of all how he came to understand who  
15:00:25 34 those people were and, more importantly, that he had, I  
15:00:30 35 suppose, the capability to be able to turn fairly quickly.  
36  
15:00:35 37 Can we go to the time when you're arrested the first time.  
15:00:39 38 I won't take you through what Mr Nathwani took you through  
15:00:43 39 because it's already been done, that is the transcript, but  
15:00:47 40 I do need as a matter of fairness to put this to you. You  
15:00:52 41 obviously knew Tony Mokbel pretty well by the time you were  
15:00:55 42 being interviewed on this particular occasion, arrested and  
15:00:58 43 interviewed on this occasion?---We had a relationship by  
15:00:59 44 then.  
45  
15:01:00 46 I think you said this morning that you dealt with him  
15:01:02 47 personally?---I did.



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1  
15:01:05 2 You didn't deal with any of his sort of minions or people  
15:01:09 3 in the general Mokbel cartel, you actually got to deal with  
15:01:12 4 Tony Mokbel personally?---Yes.  
5  
15:01:13 6 You're aware, both before and I'm certain afterwards, how  
15:01:17 7 hard Mr Mokbel worked to hide his criminal activity from  
15:01:21 8 the authorities?---I'm not - I can't speak for Mokbel and  
15:01:25 9 his other criminal activities.  
10  
15:01:30 11 Id didn't ask you to?---I can only talk about the  
15:01:31 12 relationship I had with him and what I was involved in in  
15:01:33 13 relation to him.  
14  
15:01:34 15 But what I asked you was you became aware, you were aware  
15:01:35 16 both before and afterwards from how he conducted himself as  
15:01:38 17 to how important it was for him to keep his criminal  
15:01:41 18 activity away from the authorities?---Yes.  
19  
15:01:44 20 Super careful, super paranoid, yes, got other people to do  
15:01:46 21 his dirty work, you'd have seen that all the time?---I  
15:01:47 22 never saw him being paranoid to be honest with you.  
23  
15:01:50 24 Did you see him getting other people to do his dirty  
15:01:57 25 work?---Yes, absolutely.  
26  
15:01:58 27 Again, what I want to suggest to you, as Mr Nathwani did,  
15:02:02 28 is that one of the things that Mr Mokbel did was to make  
15:02:04 29 clear to those who were working for him like you, what was  
15:02:07 30 to happen if he was arrested, didn't he? If you were  
15:02:09 31 arrested I'm sorry?---We never spoke about me being  
15:02:12 32 arrested or the potential for me being arrested.  
33  
15:02:15 34 Again, I want to be clear, and I won't take you to the  
15:02:18 35 transcript but I want to put to you, as Mr Nathwani did,  
15:02:18 36 that actually it was you who said Nicola Gobbo's name in  
15:02:22 37 that break in the second interview with Mr Rowe and  
15:02:24 38 Ms Burrows?---This is - I did want to clarify this, I'm  
15:02:28 39 glad you brought this up again. No, I didn't. I had no  
15:02:31 40 reason to. I did not know of a lawyer. I did not know how  
15:02:37 41 to contact a lawyer. I had no reason to have a lawyer in  
15:02:39 42 my, I suppose, life prior to this event. So when this  
15:02:42 43 event occurred I was asked on several occasions by police  
15:02:46 44 whether I wanted legal representation and I continually  
15:02:49 45 said not at this time.  
46  
15:02:51 47 What you said was, "I'll do it afterwards"?---No, that was

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15:02:54 1 the last comment I said.  
2  
15:02:55 3 After the interview. Who were you going to call after the  
15:02:57 4 interview?---I was going to pick up the phone book and look  
15:03:00 5 for a lawyer.  
6  
15:03:00 7 I see?---In fact, just to add further clarity, when I was  
15:03:04 8 held in remand I didn't contact anyone. I didn't contact  
15:03:07 9 family. I didn't - the only person I contacted was after I  
15:03:12 10 was approached by Zarah Garde-Wilson and Nicola - actually,  
15:03:18 11 no, I didn't even contact anyone. Even while I was in the  
15:03:21 12 MAP. I contacted absolutely nobody. I was found by a  
15:03:25 13 family member who had a policemen in the family and he made  
15:03:31 14 some inquiries and found out that I had been arrested.  
15  
15:03:35 16 Zarah Garde-Wilson made it clear to you, you say, by note  
15:03:38 17 that she had been sent by Tony?---Yes.  
18  
15:03:40 19 In effect. And I think, as you explain in your statement,  
15:03:42 20 Nicola Gobbo told you the same thing, that she had been  
15:03:45 21 sent by Tony?---She said that she's - not that she had been  
15:03:49 22 sent by Tony but she said - I think from recollection that  
15:03:53 23 she was - yes, sorry, yeah.  
24  
15:03:59 25 I'll read it to you. "I remember establishing an early  
15:04:04 26 trust with Ms Gobbo as she, like Garde-Wilson, advised me  
15:04:08 27 that she was sent by Tony and that I was in good  
15:04:11 28 hands"?---Yes.  
29  
30 So may we take it that she, like Garde-Wilson, advised you  
15:04:12 31 that she had been sent by Tony and therefore you were in  
15:04:13 32 good hands?---Well that was my assumption at the time.  
33  
15:04:17 34 It's not an assumption. What you say is, "Ms Gobbo, as  
15:04:19 35 she, like Garde-Wilson, advised me", not, "I assumed  
15:04:24 36 something", but "she advised me that she was sent by  
15:04:29 37 Mokbel"?---Yeah, she advised me and she continued to advise  
15:04:33 38 me for four years.  
39  
40 And you know that wasn't my question. "Advised"  
15:04:39 41 specifically there means a specific - - -  
15:04:39 42  
15:04:40 43 MR THOMSON: I object. Mr Holt knows that when the witness  
15:04:41 44 is saying that he's assuming something, he's assuming  
15:04:44 45 something with the knowledge that he has right now. So  
15:04:48 46 it's got to be clear in the question whether Mr Holt is  
15:04:50 47 talking about his state of knowledge in 2005 or 2006 or his

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15:04:54 1 state of knowledge now, which is completely different.  
2  
15:04:57 3 COMMISSIONER: All right.  
15:04:57 4  
15:04:58 5 MR HOLT: I apologise for my horrific lack of clarity.  
15:05:02 6 I'll try and be more clear. I'm going to read your words  
15:05:06 7 from your statement to you?---Please do.  
15:05:08 8  
15:05:09 9 "I remember establishing an early trust with Ms Gobbo as  
15:05:12 10 she, like Garde-Wilson, advised me that she was sent by  
15:05:15 11 Mokbel and that I was in good hands". Do you accept those  
15:05:19 12 are the words from your statement?---Yes.  
13  
15:05:21 14 Those words mean, don't they, that she in fact told you  
15:05:23 15 that she was sent by Mokbel and that you were in good  
15:05:23 16 hands?---That means that she indicated to me that she was  
15:05:25 17 there, sent by Mokbel, and that I didn't have anything to  
15:05:28 18 worry about, yes.  
19  
15:05:29 20 Thank you. If we can then go forward to the period that  
15:05:38 21 follows. Mr Mokbel pays for your legal  
15:05:43 22 representation?---Yes.  
23  
15:05:44 24 I want to suggest that was prearranged, you well knew  
15:05:47 25 Mr Mokbel would look after you if you got arrested?---No, I  
15:05:50 26 was actually assured of that once I met with him once I got  
15:05:55 27 bail.  
28  
15:05:55 29 The first person you go to after release from prison when  
15:05:58 30 Joe Camilleri picks you up is Mr Mokbel?---Correct.  
31  
15:06:02 32 Mr Mokbel and you talk about your legal representation by  
15:06:04 33 Ms Gobbo?---No, we talk about my state of mind and what I'm  
15:06:08 34 thinking.  
35  
15:06:08 36 And what he's going to pay you as you described just  
15:06:11 37 earlier to effectively keep quiet about him?---No, no, that  
15:06:15 38 wasn't what I said. What I said was he was providing  
15:06:18 39 support in terms of legal fees and money.  
40  
15:06:20 41 In return for, as you made clear earlier, keeping quiet  
15:06:24 42 about him?---That was the inference. It wasn't explicitly  
15:06:27 43 stated. That was the inference. I knew by that stage what  
15:06:31 44 that meant.  
45  
15:06:31 46 You're accepting money from Mr Mokbel for both your legal  
15:06:37 47 representation and to maintain your lifestyle,

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15:06:39 1 understanding that that's to keep quiet about him?---I'm  
15:06:41 2 accepting money purely directly to keep a roof over my  
15:06:44 3 head, not to maintain a lifestyle, and in terms of the  
15:06:48 4 legal fees, I never received money in terms of that, in  
15:06:51 5 terms of legal fees directly. All I was told, that I  
15:06:55 6 didn't have to worry about my legal representation, it's  
15:06:58 7 all sorted.  
8  
15:06:59 9 By the time Tony Mokbel absconds in - you accept now that  
15:07:05 10 your statement is wrong, I don't criticise you for that,  
15:07:08 11 but that it was March 2006 when Mr Mokbel absconds?---The  
15:07:12 12 dates might be wrong, yeah. I didn't have a lot of time  
15:07:15 13 to - - -  
14  
15:07:15 15 I understand that. But the point isn't what the date was,  
16 the point is that you say that at around that time, that is  
15:07:22 17 now when Tony Mokbel absconds, during that Ms Gobbo ceased  
18 communication with you and you assumed that that was  
19 because there was no-one to pay the bills that she no  
15:07:30 20 longer wanted to act for you, right?---Yeah. Like I said,  
15:07:32 21 I'm happy to go into more detail and context but probably  
15:07:35 22 not right now.  
23  
15:07:36 24 I'm just trying to get the sequence of events right?---Yes.  
25  
15:07:39 26 Because what that means is that all of the interactions  
15:07:41 27 that you have with Mr Mokbel are obviously between, that is  
15:07:46 28 after your arrest between August 2005 and March 2006, over  
15:07:51 29 that period of time?---No, because the direct communication  
15:07:58 30 stopped and I relied on communicating through Ms Gobbo.  
31  
15:08:04 32 How long before he absconded did the direct communication  
15:08:07 33 stop?---Look I can't tell you dates.  
34  
15:08:10 35 Give me a ballpark?---I can't because clearly I'm off tap  
15:08:14 36 here in terms of the actual dates. I don't have privilege  
15:08:16 37 of seeing police statements and so forth.  
38  
15:08:20 39 In any event, you saw him on a number of occasions before  
40 the contact dropped off?---Yes, I did, yes.  
41  
15:08:21 42 Because you described him finding excuses to pat you down  
15:08:22 43 and so on?---Yes, correct.  
44  
15:08:24 45 Obviously there's at least one time when you make a false  
15:08:27 46 statement exonerating him on tape?---Correct.  
47

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15:08:29 1 Over this period of time he's continuing both to pay your  
15:08:32 2 legal fees and pay expenses for you?---Correct.  
3  
15:08:37 4 Then you end up - obviously he then leaves in March,  
15:08:42 5 absconds in March 2006, and you indicated I think just  
15:08:47 6 after the break when you were being asked questions that  
15:08:50 7 that was a period when he was away where you felt a level  
15:08:52 8 of relief?---When he was on the run you mean?  
9  
15:08:55 10 Yes?---Yeah, yeah, I did.  
11  
15:08:57 12 Right?---But probably not for the reasons you're - - -  
13  
15:09:03 14 Because we now know that he absconds in March 2006, by the  
15:09:08 15 time you speak with [REDACTED] in [REDACTED] of 2006 he's already  
15:09:18 16 absconded?---Yes, sorry. I assumed that you were talking  
15:09:21 17 about after he had absconded and after the second arrest.  
18  
15:09:25 19 No, if I meant that I would have said it. I was talking  
15:09:29 20 about after he absconded, which is what I said, because he  
15:09:34 21 absconds and then it's a relief for you?---What date,  
15:09:38 22 sorry?  
23  
15:09:38 24 March 2006. And then you have the conversation with  
15:09:40 25 [REDACTED] on [REDACTED] 2006?---Yes.  
26  
15:09:43 27 And what the conversation you have with [REDACTED]  
15:09:44 28 demonstrates I want to suggest - in fact if we can have  
15:09:46 29 that last exhibit up, 745 I think it is. What that last  
15:09:56 30 conversation - you were shown this by Mr Woods and you had  
15:10:01 31 a look at it and you said, "Yeah, I can't dispute any of  
15:10:06 32 that". Is that still your position?---Yes.  
33  
15:10:08 34 In other words, what's being discussed in this meeting is a  
15:10:11 35 plan to [REDACTED] significant [REDACTED] or  
15:10:17 36 [REDACTED]?---Yes.  
37  
15:10:17 38 Between you and [REDACTED]?---Yes.  
39  
15:10:19 40 After Mr Mokbel has absconded, yes?---Yes.  
41  
15:10:22 42 After we presume that you're, given that you were only sort  
15:10:26 43 of threatened into doing all of this by the implicit  
15:10:29 44 threats from Mr Mokbel, that threat's at least less,  
15:10:35 45 right?---Sorry?  
46  
15:10:36 47 That threat is at least less because he's absconded?---Yes,

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15:10:40 1 absolutely.  
15:10:40 2  
15:10:41 3 Yet you're still having a discussion on [REDACTED]  
15:10:43 4 2006?---Yes.  
5  
15:10:44 6 With a person who, as we understand your evidence, you  
15:10:46 7 barely knew?---Correct. This is the first time I've met  
15:10:51 8 this person in person.  
9  
15:10:52 10 And you discuss in detail, in depth - unfortunately for you  
15:10:55 11 recorded by the police - in detail and in depth a plan  
15:10:58 12 where you and [REDACTED] would together [REDACTED] very  
15:11:04 13 [REDACTED] with a view to making millions of  
15:11:07 14 dollars out of it, didn't you?---Millions of dollars wasn't  
15:11:11 15 spoken about. Is it possible to actually hear the  
15:11:14 16 recording of that because that will give context to the  
15:11:16 17 actual type of conversation I was having.  
18  
15:11:18 19 The transcript's been tendered, but I'm more than happy to  
15:11:23 20 read you some bits?---No, no, it's not about reading it,  
15:11:25 21 it's about the context of how the conversation is unfolding  
15:11:29 22 and I know the type of conversations with the - - -  
15:11:29 23  
15:11:30 24 MR WOODS: The transcript has been tendered, but I received  
15:11:33 25 it over lunch. The witness hasn't seen it.  
26  
15:11:36 27 COMMISSIONER: Do we have the audio?  
15:11:38 28  
15:11:38 29 MR HOLT: I don't know, Commissioner, is the short answer.  
30  
15:11:44 31 COMMISSIONER: Presumably we don't.  
15:11:45 32  
15:11:45 33 MR HOLT: We certainly don't have it immediately but we  
15:11:47 34 have the transcript?---Sorry, the only reason I say that is  
15:11:50 35 that when I was actually questioned by Mr Woods I said that  
15:11:52 36 it was a kind of a bit of bravado and exaggeration in  
15:11:56 37 relation to some of these things and it was kind of, it  
15:11:59 38 typifies the kind of bullshit talk that happens in these  
15:12:02 39 type of circles.  
15:12:04 40  
15:12:04 41 MR HOLT: The so-called bullshit talk you were having with  
15:12:07 42 this person you barely knew, who, let's be clear, you  
15:12:12 43 understood to be a significant [REDACTED] of [REDACTED];  
15:12:15 44 [REDACTED] including [REDACTED], otherwise  
15:12:18 45 you wouldn't have been talking to him about it I  
15:12:19 46 guess?---No, no, the only reason I was talking to this  
15:12:22 47 person, because I was actually advised to get in touch with

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15:12:25 1 this person by Ms Gobbo.  
2  
15:12:26 3 In fact the way you put it in your statement is that she  
15:12:28 4 instructed you to call him to arrange a meeting to either  
15:12:36 5 have [REDACTED] or to hand over [REDACTED]  
15:12:37 6 for him to take into possession?---Yes.  
7  
15:12:37 8 Right?---So in terms of - sorry, my understanding was that  
15:12:40 9 my contact with him was to hand over [REDACTED] which  
15:12:43 10 wasn't mine, it was actually in fact Mr Mokbel's, and I  
15:12:48 11 wanted it out of my possession.  
12  
15:12:50 13 You'd already spoken to him by phone before this meeting,  
15:12:54 14 hadn't you?---Potentially, yes. Yes, sorry, yes, I would  
15:12:56 15 have because we arranged to meet. I'm not sure whether I  
15:13:02 16 contacted him or he actually contacted me, but either or we  
15:13:05 17 had arranged to meet.  
18  
15:13:07 19 At the very beginning of that conversation [REDACTED] says,  
15:13:10 20 "Mate, I've been under the fucking pump. By them? Yeah,  
15:13:13 21 they've had some complications". You say, "Bullshit". He  
15:13:17 22 says, "Oh yeah, this whole fuckin' Tony thing fuckin' just  
15:13:21 23 fucked it for everyone you know". Does that ring a bell as  
24 a beginning of the conversation with this person you barely  
15:13:26 25 know?---I can't recall, sorry.  
26  
15:13:27 27 You can't remember who the people were you were talking  
15:13:29 28 about who might have had some complications that you were  
15:13:36 29 cynical about?---No. I don't think it was me, it was me  
30 saying complications, I think it would have been - - -  
31  
15:13:39 32 It was and you said "bullshit" in response to that?---Oh,  
33 did I? Like I said, I haven't seen the transcript, I  
15:13:44 34 wouldn't know.  
15:13:44 35  
15:13:44 36 You said to him, "Good mate, good, good, everything's  
15:13:46 37 sorted from my end". [REDACTED] says, "Really good. Look,  
15:13:51 38 um, I got, I got to be honest with you, I can't deliver  
15:13:56 39 that quantity". You say, "Bullshit". So what was sorted  
15:13:59 40 from your end and what was the quantity and of what?  
15:14:03 41  
15:14:03 42 MR THOMSON: I object. This is unfair. The witness has  
15:14:07 43 not seen the transcript, he's not clear what - how can he  
15:14:11 44 be clear about what's being discussed if he isn't shown the  
15:14:15 45 transcript? It's very unfair.  
46  
15:14:16 47 COMMISSIONER: Yes.

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15:14:17 1  
15:14:17 2 MR WOODS: I've just sent an email of the production over  
15:14:20 3 lunchtime to Mr Skim. It probably hasn't arrived just yet  
15:14:24 4 but if Mr Holt wants to show him particular parts of the  
15:14:30 5 transcript it should be with the operator quite soon.  
15:14:31 6  
15:14:32 7 MR CHETTLE: Commissioner, I know it's not time for the  
15:14:34 8 afternoon break yet, but I haven't seen this transcript.  
15:14:37 9 No one's seen it. If we had the break, we could all read  
15:14:41 10 it in 15 minutes and then get on with it. I just make that  
15:14:44 11 suggestion. Because I'm anxious to see it before I  
15:14:47 12 cross-examine.  
13  
15:14:48 14 COMMISSIONER: I was rather hoping the transcript would  
15:14:51 15 speak for itself and these were matters which I could be  
15:14:54 16 addressed on at an appropriate time.  
15:14:57 17  
15:14:57 18 MR CHETTLE: That may well be right but I don't know until  
15:15:00 19 I see it.  
15:15:00 20  
15:15:01 21 MR HOLT: I'm perfectly content to deal with it on that  
15:15:03 22 basis and leave it now, Commissioner. I understand the  
15:15:08 23 issue. We'll arrange for the audio to be produced given  
15:15:17 24 the witness's desire that the Commissioner assess the  
15:15:21 25 audio. All right, thank you. You described a conversation  
15:15:21 26 in a vehicle after you spoke with - I'm sorry, after you  
15:15:21 27 were arrested by Mr Rowe, you recall that, yes?---Yes.  
28  
15:15:26 29 You said your recollection was that Mr Rowe said that you  
15:15:29 30 were fucked?---And he laughed, yeah.  
31  
15:15:31 32 It wasn't long after the conversation - first I should say  
15:15:35 33 Mr Rowe will give evidence and deny that that was  
15:15:38 34 said?---Of course he will.  
35  
15:15:39 36 I take it you disagree with that?---That's the reason why  
15:15:41 37 I'm actually here, because I didn't like the type of  
15:15:43 38 evidence that was being tendered by the persons that you  
15:15:46 39 represent. I have nothing to gain to be here.  
40  
15:15:49 41 I'm just not even sure that answers my question?---I just  
15:15:52 42 wanted to make that very clear.  
43  
15:15:54 44 Thank you for that?---That's okay.  
45  
15:15:55 46 Mr Rowe will deny on oath saying to you "you're fucked" in  
15:16:00 47 that car trip, right, but you recall the conversation with



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15:16:03 1 [REDACTED] don't you, at least to some extent?---I'm not  
15:16:07 2 disputing any of this, this may well be the summation of  
3 the actual discussion.  
4

15:16:10 5 So this is plan to [REDACTED] ---Yes.  
6

15:16:13 7 Right. With the greatest of respect and at the risk of  
15:16:16 8 using the vernacular, you were fucked?---Apparently so,  
15:16:20 9 yeah.  
10

15:16:21 11 In any event you say there was then a meeting in the  
15:16:24 12 boardroom at St Kilda Road?---Sorry, can I just say one  
15:16:27 13 other thing if you don't mind?  
14

15:16:29 15 Of course?---If that was the case then there was actually a  
15:16:33 16 third party to this that was also conspiring, which we  
15:16:36 17 failed to mention. Ms Gobbo.  
18

15:16:38 19 I think we all mention Ms Gobbo relatively regularly?---I'm  
15:16:42 20 talking about in terms of giving me the phone. She's  
21 kicked off this event.  
22

15:16:44 23 She wasn't asking you about that?---No, but I just wanted  
15:16:47 24 to actually add that.  
25

15:16:48 26 Thanks for that?---That's all right.  
27

15:16:50 28 If you just focus on the questions we might get you out of  
15:16:53 29 here today. You're in the boardroom, or in a meeting room  
30 in effect at St Kilda Road?---Yeah.  
31

15:16:57 32 I think you very fairly say you can't recall whether Rowe  
15:17:01 33 was present or not, so if I suggested to you that Mr Rowe  
15:17:05 34 wasn't present you'd have no difficulty with that?---I'd  
15:17:08 35 accept that.  
36

15:17:08 37 Mr O'Brien's being a bit gruff and a bit mean?---He's being  
15:17:12 38 assertive.  
39

15:17:13 40 Mr Ryan is being good cop, to be blunt?---It wasn't  
15:17:17 41 Mr Ryan, I think it was Mr Flynn.  
42

15:17:19 43 I'm sorry, Mr Flynn is being the good cop, yes?---As he was  
15:17:23 44 when he made the initial arrest.  
45

15:17:25 46 You used the word threat or threatening this morning in  
15:17:28 47 respect of what Mr O'Brien said to you. In terms of the

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15:17:30 1 content of what he said, as I understand it it was that you  
15:17:33 2 had two doors you could go through. One involves you going  
15:17:36 3 to prison for a long period of time and one involved you  
15:17:40 4 assisting the police?---Yeah.  
5  
15:17:41 6 And that's what you mean by threat, isn't it?---Well I mean  
15:17:43 7 that there's the option, exactly.  
8  
15:17:43 9 When you say he was threatening what you mean is he gave  
15:17:43 10 you two options?---Correct, and his natural demeanour but  
15:17:47 11 I'm led to believe that that's his demeanour full stop, so.  
15:17:51 12  
15:17:51 13 I don't think anyone would dispute that. But in any event,  
15:17:53 14 just so we're clear because the word threatening without  
15:17:56 15 context might be misused, the threat here encompassed a  
15:18:02 16 grumpy demeanour or a gruff and firm demeanour together  
15:18:05 17 with a statement that there were two doors, one was assist  
15:18:07 18 the police, the other was go to gaol for a long  
15:18:10 19 time?---Correct. He didn't beat me with any phone books.  
20  
15:18:13 21 Nor even threaten to?---No.  
22  
15:18:16 23 The extent of the threat is that which I have just put to  
15:18:21 24 you?---Correct.  
25  
15:18:34 26 Thank you. I think that's all the matters I can deal with  
15:18:37 27 at present, Commissioner, thank you.  
15:18:39 28  
15:18:40 29 COMMISSIONER: Mr Chettle, did you want to ask some  
15:18:41 30 questions?  
15:18:44 31  
15:18:45 32 MR CHETTLE: I do have some questions, Commissioner, but I  
15:18:45 33 repeat what I said, I would like to see the transcript.  
34  
15:18:47 35 COMMISSIONER: Sorry?---Sorry, can I just say, I'm happy to  
15:18:49 36 accept what's written in the transcript.  
37  
15:18:51 38 I wouldn't be too quick. Having seen the quality of  
15:18:54 39 transcripts I wouldn't be too quick to say that.  
15:18:57 40  
15:18:58 41 MR CHETTLE: Sorry, I need a microphone.  
42  
15:18:59 43 WITNESS: I'm just obviously mindful of the fact that  
15:19:01 44 everybody's time's really important.  
45  
15:19:05 46 COMMISSIONER: It's all right.  
15:19:06 47

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1 <CROSS-EXAMINED BY MR CHETTLE:  
2

15:19:07 3 Very briefly. I act for the handlers. You know who they  
15:19:09 4 are?---I sure do.  
5

15:19:12 6 In your statement you make it clear that you had never  
15:19:15 7 heard or met or knew anything about [REDACTED] before  
15:19:23 8 Ms Gobbo gave you the phone?---That's correct.  
9

15:19:26 10 She made it clear to you that she was giving to you the  
15:19:29 11 phone from [REDACTED] did she not?---No. She didn't  
15:19:33 12 actually indicate who it was from. She said that she got  
15:19:37 13 some mail, her words, from memory, and that - and I just  
15:19:41 14 knew that whenever we spoke like that it was information  
15:19:44 15 coming from Mokbel.  
16

15:19:46 17 So You thought the phone was coming from Mr Mokbel?---I  
15:19:48 18 thought it was, yeah, and that I was - - -  
19

15:19:51 20 What were you getting it for?---To get rid of the  
15:19:54 21 [REDACTED]. Because I expressed to her on several occasions  
15:19:57 22 that I've got [REDACTED], I need to get it out of my  
15:20:02 23 hands because being caught with it would be a breach of my  
15:20:07 24 bail.  
25

15:20:07 26 Can I take you to your statement at paragraph 4?---Which  
27 page, sorry?  
28

15:20:08 29 This is your paragraph 4. It doesn't have a page number.  
15:20:12 30 If you look at the third-last paragraph on that  
15:20:16 31 page?---"During one of our meetings"?

15:20:17 32  
15:20:17 33 Yes. That's the meeting you describe where you get the  
15:20:19 34 phone, isn't it?---Yes, correct.  
35

15:20:21 36 What you say is, "She gave me a mobile phone to contact one  
15:20:25 37 of Mokbel's [REDACTED]". That's what your statement  
15:20:31 38 says?---Yes.  
39

15:20:32 40 Do you resile from that now?---In terms of making that  
15:20:36 41 statement as Mokbel's [REDACTED] - - -  
42

15:20:38 43 But you name [REDACTED] in your statement?---Yes, yes, so,  
15:20:42 44 sorry, I didn't know that was this person at that  
15:20:46 45 particular time and nor did I know that it was one of  
15:20:49 46 Mokbel's [REDACTED] I came to understand this based on the  
15:20:52 47 information that's present to date.

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1  
15:20:55 2 That can't be right either because what you say is she gave  
15:20:59 3 you a mobile to contact one of Mokbel's [REDACTED],  
15:21:03 4 "She instructed me to call him to arrange", you  
15:21:07 5 know?---That's correct.  
6  
15:21:07 7 On that day there is a discussion, an instruction for you  
15:21:11 8 to call [REDACTED]---Correct, or him contact me. I'm not sure  
15:21:17 9 if it was that day that we made contact or shortly  
15:21:21 10 thereafter.  
11  
15:21:21 12 No, I'm asking talking about the day you actually received  
15:21:24 13 it, all right?---Yes.  
14  
15:21:25 15 What I'm suggesting is it was clear to you that what she'd  
15:21:29 16 done is pass you something that she'd received from [REDACTED]  
15:21:33 17 for you to have contact with each other?---I don't know.  
15:21:36 18 Like I said to you, my instruction was to contact him.  
19  
15:21:40 20 Can I put up a document, please. It's the transcript of  
15:21:56 21 the conversation, VPL.0005.0076.0802. A conversation -  
15:22:06 22 this is a conversation Ms Gobbo has with her handlers on 20  
15:22:10 23 March 06, do you follow? You'll see bits of it in a  
15:22:16 24 minute. It's talking about the delivery of the  
15:22:19 25 phone?---Oh, okay.  
26  
15:22:20 27 Okay. No, that's not it. Sorry. Take that one off. I'll  
15:22:30 28 come back to that one later?---Sorry, was this conversation  
15:22:36 29 recorded? Maybe that will provide further clarity.  
30  
15:22:41 31 It was recorded. Let me go to p.192 of the ICRs. Sorry.  
15:22:52 32 The date you got that phone which you refer to in that  
15:22:55 33 paragraph I took you to, you obviously don't know the  
15:22:59 34 date?---No.  
35  
15:23:01 36 I'm going to suggest to you it will become apparent it was  
15:23:05 37 16 March 06, do you follow?---If you say so, yes.  
38  
15:23:08 39 I'm saying that for the following reasons. If you go down  
15:23:11 40 to the bottom of the page?---Yes.  
41  
15:23:14 42 HS has arranged to meet you at Wheat Café at 13:30 hours  
15:23:19 43 tomorrow. If you ring [REDACTED] tomorrow after getting his  
15:23:25 44 phone. [REDACTED] may not go back to [REDACTED] he may meet with  
15:23:29 45 you or hand over or arrange some [REDACTED] do you see  
15:23:33 46 that?---Yes.  
47

.18/11/19

9398

BICKLEY XXN - IN CAMERA

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15:23:34 1 And that you had [REDACTED], all right. That's not  
15:23:39 2 true, is it?--Yes, well, I still - yeah, I think I did  
15:23:44 3 have [REDACTED].  
4  
15:23:46 5 That's true?--Or maybe [REDACTED], sorry.  
6  
15:23:48 7 If we go over to p.194 of the ICRs, 1780 at the top. There  
15:24:03 8 it is. Go down. You see at 19:30?--Yes.  
9  
15:24:12 10 Ms Gobbo was rung by you saying thank you, thank you for  
15:24:16 11 having given him the phone. He told he was seeing  
15:24:21 12 [REDACTED] on the Sunday morning?--Yep.  
13  
15:24:23 14 Is that correct?--Yeah, it would be.  
15  
15:24:25 16 So since giving the phone you've obviously been in contact  
15:24:29 17 with and made a meeting to meet with [REDACTED]?--Yes.  
18  
15:24:33 19 Right. Is that, according to you and what you say in your  
15:24:37 20 statement, the first time you met him?--I think so. Look,  
15:24:42 21 again I'm actually quite impressed with the fact that I've  
15:24:45 22 actually recalled some of that information because I  
15:24:47 23 haven't been privy to any of this.  
24  
15:24:50 25 That's not what I asked you about. You had not met  
15:24:52 26 [REDACTED] before you got the phone?--No, definitely not.  
27  
15:24:56 28 Positive?--Absolutely.  
29  
15:24:57 30 Now can you put up that page I asked you about before,  
15:25:00 31 please. The one that I took down. VPL.0005.0076.0802. It  
15:25:11 32 was the transcript of the 20 March conversation with her  
15:25:14 33 handlers. You had it a moment ago when I got my order  
15:25:33 34 wrong. 0802, thank you. What's happening here is Ms Gobbo  
15:26:10 35 is showing some photos to the handlers on 20 March 06, do  
15:26:15 36 you follow?--If you say so.  
37  
15:26:20 38 Take it from me it's 20 March that this meeting occurs and  
15:26:23 39 she's talking about an earlier incident and she's taken  
15:26:28 40 some photos, you see?--M'hmm.  
41  
15:26:30 42 She refers to you in the centre of the page?--Yes.  
43  
15:26:34 44 "He doesn't look good there, he's quite a cute boy."  
15:26:39 45 They're talking about a photo obviously, do you  
15:26:44 46 see?--Okay, yep.  
47

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15:26:45 1 Keep going. You couldn't tell who it is from that. Looks  
15:26:50 2 like - I don't remember even being there. "You see that's  
15:26:54 3 Mr Bickley, what a cute boy he is, don't you reckon",  
15:26:58 4 okay?---Excuse me, sorry.  
5  
15:27:04 6 It's a reference to you, do you follow?---I thought we  
15:27:08 7 weren't going to mention this?  
8  
15:27:11 9 I just had your name taken off-the-record?---Sorry.  
10  
15:27:14 11 I made a mistake in reading your first name?---Okay.  
12  
15:27:18 13 Do you accept she's talking about you?---Yep.  
14  
15:27:21 15 In the photo?---Yep.  
16  
15:27:23 17 "I had coffee with him and I was sitting there thinking,  
15:27:27 18 you're cute, not my type, because you're not rough enough.  
15:27:32 19 Look at those teeth, they're sort of just too white." Do  
15:27:36 20 you see, right she's talking about you and then she says,  
15:27:36 21 "That's the photo, he said get rid of that, that's 20 to 25  
15:27:41 22 years of life". Do you see that?---I said that?  
23  
15:27:44 24 Yes?---I refute that.  
25  
15:27:46 26 So she's not telling you the truth when she shows you, you  
15:27:50 27 haven't seen a photo of you?---I would never say something  
15:27:53 28 like that, 20 to 25 years of life, that's just not my - - -  
29  
15:27:58 30 That was a photo, Mr Bickley, that was taken on [REDACTED] of  
15:28:03 31 06 at [REDACTED] party?---Are you suggesting I  
15:28:08 32 went to [REDACTED] party?  
33  
15:28:11 34 That's a photo of you at [REDACTED] party on [REDACTED]  
15:28:16 35 [REDACTED] of 06?---I would love for you to produce that. I  
36 have never met [REDACTED]  
37  
38 Well, she produced it to her handlers?---I can assure you -  
39 - -  
40  
41 That's the very point I'm making?---No, and you would be  
42 right in saying that if that was the case, sir, but I have  
15:28:25 43 never, ever met [REDACTED] prior to the introduction and by  
15:28:33 44 way of my own introduction, whether he called me or I  
15:28:39 45 called him based on the telephone given to me by Ms Gobbo,  
15:28:41 46 I can assure you.  
47

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15:28:44 1 On 20 March 06 Ms Gobbo sits down with a number of  
15:28:47 2 handlers, goes through a series of photos and points out  
15:28:50 3 who they are and described the bit about you that I've just  
15:28:54 4 said?---She also says, if you go there, that it's not a  
15:28:57 5 good photo. Look, like I said, I've never met the guy, I  
15:29:01 6 can tell you now. I'm absolutely - I've been resolute in  
15:29:05 7 not only my statement but all the way through.  
8  
15:29:06 9 It just can't be right that you attended [REDACTED] PII [REDACTED] party  
15:29:11 10 at [REDACTED]  
15:29:12 11  
15:29:12 12 COMMISSIONER: He said that. He said that several times.  
15:29:16 13 Move on to the next point?---It's certainly not me, I can  
15:29:18 14 tell you now.  
15:29:18 15  
15:29:18 16 MR CHETTLE: The statement that you produced this morning,  
15:29:20 17 Exhibit 747 - remember the 22 page statement that Mr Woods  
15:29:27 18 showed you this morning? You've forgotten already. Your  
15:29:34 19 statement?---Which statement?  
15:29:37 20  
15:29:38 21 Exhibit 747, can it be put on the front of the screen for  
15:29:41 22 him. There it is?---I've got it in front of me.  
23  
15:29:43 24 COMMISSIONER: This was a 22 page statement given on 20  
25 July 2019 - - -  
26  
15:29:50 27 MR CHETTLE: That's the one you were asked about this  
28 morning and you identified it was a statement you  
29 made?---Yes.  
30  
15:29:50 31 Were the contents of the statement true and correct?---I  
15:29:52 32 believe so.  
15:29:52 33  
15:29:53 34 Did you subsequently give evidence in accordance with that  
15:29:56 35 statement?---I think so. Who was it against?  
36  
15:29:59 37 Was there a time - as I understand - it's against everyone,  
15:30:06 38 it relates to Mr Radi, Mr Mokbel?---Yeah, I can see that,  
15:30:09 39 yep.  
15:30:09 40  
15:30:09 41 It's a fairly comprehensive statement about your  
15:30:11 42 involvement with the pill presses and the manufacture of  
15:30:15 43 pills before the arrest?---Yep.  
44  
15:30:17 45 Right. Was there a time at the end of 2005 when you were  
15:30:23 46 planning to go to China, or 2004 I'm sorry, 2004 when you  
15:30:27 47 were going to go to China?---Yes.

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1  
15:30:29 2 That fell over?---Yes.  
3  
15:30:30 4 You met Mr Mokbel at the Grand Prix earlier in the  
15:30:41 5 year?---Yes.  
6  
15:30:41 7 Shortly after that [REDACTED] got you involved in [REDACTED]  
15:30:45 8 [REDACTED] for him?---Yes.  
9  
15:30:47 10 What you outline in that statement is your involvement with  
15:30:50 11 the [REDACTED], together with [REDACTED] and [REDACTED] and other  
15:30:53 12 people in the period ever time thereafter?---Yes, that's  
15:30:57 13 the case.  
14  
15:30:57 15 You told Mr Woods this morning that you had no knowledge of  
15:31:05 16 [REDACTED] having a [REDACTED] at his place, as I understood your  
15:31:09 17 evidence?---No, I didn't say that.  
18  
15:31:11 19 Did you know [REDACTED] had a [REDACTED] at his place?---Yes, I  
15:31:16 20 supplied it.  
21  
15:31:16 22 You went to the house many times and used it?---Yes.  
23  
15:31:19 24 And that set out in that statement will be accurate?---If  
15:31:21 25 that's what the statement reflects then it's accurate, yes.  
26  
15:31:28 27 We'll get some idea of the [REDACTED] that you were  
15:31:32 28 producing from that statement?---I can tell you.  
29  
15:31:35 30 How many?---The [REDACTED] was capable of [REDACTED] about  
15:31:39 31 [REDACTED] an hour.  
32  
15:31:40 33 And how many hours did you make them for?---It was just  
15:31:43 34 starting and stopping because there was major complications  
15:31:46 35 with it. That's why there were so many visits to the  
15:31:49 36 property, because it was [REDACTED]  
37  
15:31:51 38 But you [REDACTED] a lot [REDACTED]?---I think in the end we [REDACTED]  
15:31:54 39 something like [REDACTED].  
40  
15:31:56 41 How much were you [REDACTED]?---Around [REDACTED] from  
15:31:59 42 memory.  
43  
15:32:00 44 Have you told the police that Mokbel owed you \$100,000 for  
15:32:04 45 [REDACTED] ---Yes.  
46  
15:32:06 47 You stick by it?---Yes.

.18/11/19

9402

BICKLEY XXN - IN CAMERA



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1  
15:32:09 2 It was certainly more than three days, wasn't it?---No, no,  
15:32:12 3 it wasn't actually. They caught us in the infancy of that  
15:32:17 4 [REDACTED]  
5  
15:32:18 6 Again, I don't want to take time, the statement will bear  
15:32:21 7 out what you say was the true position?---Yeah, the  
15:32:24 8 statement should even reflect that. Because it was all  
15:32:28 9 just trialling and it just wasn't working, there was  
15:32:31 10 problems with [REDACTED]  
11  
15:32:33 12 There were. They had to [REDACTED]?---Yes.  
13  
15:32:38 14 I think I can only do the rest in closed session,  
15:32:44 15 Commissioner.  
16  
15:32:45 17 COMMISSIONER: Is there any re-examination before this  
15:32:46 18 part of the evidence?  
15:32:47 19  
15:32:47 20 MR WOODS: Commissioner, I will have a couple of questions  
15:32:49 21 in re-examination.  
22  
15:32:52 23 COMMISSIONER: I was asking Mr Thomson first. Yes,  
24 Mr Thomson.  
25  
26 <RE-EXAMINED BY MR THOMSON:  
27  
15:32:57 28 Mr Bickley, you were asked a lot of questions about how it  
15:33:02 29 came about that you were put in contact with Ms Gobbo when  
15:33:07 30 you were arrested and it was suggested to you that you'd  
15:33:10 31 received instructions by Mokbel that if you were arrested  
15:33:14 32 say no comment and contact Ms Gobbo. What do you say about  
15:33:18 33 that?---That's why I'm struggling because that wasn't the  
15:33:24 34 case at all. For me I was quite silent because I was still  
15:33:30 35 processing what was transpiring, I was really caught off  
15:33:34 36 guard when Mr Flynn had arrested me, and secondly I didn't  
15:33:39 37 know who to call to be perfectly honest.  
38  
15:33:42 39 While you were involved in this criminal activity with  
15:33:44 40 Mr Mokbel, did it ever cross your mind that you might be  
15:33:47 41 arrested by police, and if so did you have any plan about  
15:33:48 42 what you were going to do?---No, I mean to be honest with  
15:33:50 43 you it comes across your mind but I think at the time  
15:33:53 44 Mr Mokbel had a lot of information ahead of police and he  
15:33:57 45 would always communicate if there was something to be  
15:34:01 46 concerned about, he would relay that back fairly quickly.  
47

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15:34:05 1 So are you saying you thought Mokbel had advance  
15:34:09 2 information about everything that was going on with  
15:34:12 3 police?---I was led to believe that to be honest. Sorry,  
15:34:18 4 even the factory, when it was under surveillance. He gave  
15:34:23 5 us the inside word that it was under surveillance and we  
15:34:27 6 moved everything quickly. It like happened in a couple of  
15:34:30 7 hours, everything was out of that factory. And that's only  
15:34:32 8 because Mr Mokbel got mail that it was under surveillance.  
9  
15:34:36 10 You were taken to the date of Mr Mokbel absconding overseas  
15:34:42 11 and in your statement you have that as March 2007. You  
15:34:45 12 accept that that's a typo, that it was March 2006?---Yeah,  
15:34:49 13 whenever it was. Like I said, I can't - I don't remember  
15:34:52 14 specifics and a lot of information I kind of refused to  
15:34:59 15 actually consider after the event itself. I wanted to put  
15:35:01 16 it behind me. So a lot of this is in the end rehashing  
15:35:05 17 some memories that - different events spark different  
15:35:08 18 memories to be honest.  
19  
15:35:10 20 It was put to you that you knew that the phone that you got  
15:35:12 21 from Ms Gobbo came from ██████████. What do you say about  
15:35:16 22 that?---I know that now. I didn't realise that at the  
15:35:20 23 time. At the time I thought it was actually coming from  
15:35:22 24 Mokbel.  
25  
15:35:23 26 What gave you that idea?---Because I've never met ██████████  
15:35:27 27 before, I didn't know who he was and I assumed that Mokbel  
15:35:31 28 had given me this phone to contact ██████████ to get rid of ██████████  
15:35:35 29 ██████████ that I'd been nagging Ms Gobbo about for several  
15:35:40 30 months.  
31  
15:35:41 32 Mr Chettle just put to you that you were at, it seems, a  
15:35:46 33 party ██████████ on ██████████ and your photograph is  
15:35:52 34 taken and Ms Gobbo has later shown that to the police.  
15:35:56 35 What do you say about that?---I urge Mr Chettle to produce  
15:36:01 36 that because I never socialised with anyone to do with  
15:36:07 37 Mokbel.  
38  
15:36:07 39 You agree that you, in fact you gave evidence about this  
15:36:08 40 meeting with Ms Gobbo at Wheat for discussions because that  
15:36:12 41 was next to her chambers?---Correct.  
42  
15:36:15 43 Had you ever been to any parties at ██████████ with  
15:36:18 44 her?---Never. Never been to any parties. We'd catch up  
15:36:23 45 for coffee occasionally but it was only again to discuss  
15:36:26 46 either my case or to liaise information between Mokbel and  
15:36:29 47 myself. Because he began to distance himself - - -

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15:36:32 1  
15:36:32 2 MR WOODS: Commissioner, just before this evidence goes on.  
15:36:35 3 There's something that was disclosed over lunchtime that I  
15:36:39 4 think the witness's counsel properly needs to see,  
15:36:46 5 disclosed by Victoria Police, and if I could ask for a few  
15:36:50 6 minutes to have the matter stood down, I think that would  
15:36:53 7 be - - -  
8  
15:36:53 9 COMMISSIONER: Yes, all right then.  
15:36:55 10  
15:36:55 11 MR WOODS: Thank you.  
12  
15:36:56 13 COMMISSIONER: We'll adjourn.  
14  
15 (Short adjournment.)  
16  
15:53:17 17 COMMISSIONER: Yes Mr Thomson.  
15:53:19 18  
15:53:19 19 MR THOMSON: Commissioner, I'd like to raise an article  
15:53:23 20 which has just been published in The Age which in my  
15:53:27 21 respectful submission is in contempt of the suppression  
15:53:31 22 order which says that there shouldn't be any publication of  
15:53:36 23 materials which could identify or tend to identify  
15:53:39 24 Mr Bickley. This article is a lengthy one that describes  
15:53:42 25 in great detail the evidence given by Mr Bickley today and  
15:53:47 26 his association with Mr Mokbel and what he did, when he did  
15:53:51 27 it and what he's doing now. So in my respectful submission  
15:53:57 28 anybody with the slightest knowledge about what's going on  
15:54:00 29 here or the history of Mr Mokbel's engagements in illegal  
15:54:07 30 activities in Melbourne would be able to identify  
15:54:10 31 Mr Bickley. My client is very upset about it and now in  
15:54:19 32 fear. The Commissioner was quite clear this morning when  
15:54:27 33 the media were present about what they were able to do and  
15:54:30 34 this is in contempt in my submission.  
15:54:32 35  
15:54:32 36 COMMISSIONER: I haven't seen the article so I don't know  
15:54:34 37 but I understand that you're concerned about it. Is there  
15:54:38 38 anyone from The Age present?  
15:54:40 39  
15:54:41 40 MS MILLS: Yes, I am, Your Honour.  
41  
15:54:43 42 COMMISSIONER: Could you come forward?  
15:54:45 43  
15:54:45 44 MS MILLS: Yes.  
15:54:46 45  
15:54:47 46 COMMISSIONER: You're aware of the orders that are in  
15:54:49 47 place?

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1  
15:54:49 2 MS MILLS: Yes, yes.  
15:54:50 3  
15:54:51 4 COMMISSIONER: Would you mind speaking into a microphone so  
15:54:53 5 it can be recorded. You are Ms Mills, is it?  
15:54:57 6  
15:54:57 7 MS MILLS: Yes, Tammy Mills.  
15:54:59 8  
15:54:59 9 COMMISSIONER: Yes. You're aware of the orders?  
15:55:01 10  
15:55:02 11 MS MILLS: Yes, and my understanding of those orders were  
15:55:05 12 that they were material that would tend to identify  
15:55:08 13 Mr Bickley and the story that I've written from someone  
15:55:12 14 that doesn't have any knowledge of this case wouldn't be  
15:55:15 15 able to piece that together to identify him.  
15:55:21 16  
15:55:21 17 COMMISSIONER: I don't know that that's the test. Did you  
15:55:25 18 obtain legal advice before the article was published?  
15:55:28 19  
15:55:28 20 MS MILLS: I need to speak to my editor to see what that  
15:55:32 21 process was.  
15:55:33 22  
15:55:34 23 COMMISSIONER: Has anyone else seen the article?  
15:55:37 24  
15:55:37 25 MR WOODS: I've just seen the headline on my phone, I  
15:55:40 26 haven't read the words of it yet.  
15:55:42 27  
15:55:42 28 COMMISSIONER: Here it is. It's just been handed up to me.  
15:56:08 29  
15:56:09 30 WITNESS: Sorry, Your Honour, may I just have a word  
15:56:12 31 please?  
32  
15:56:12 33 COMMISSIONER: Have you seen it yourself?---I've brought it  
15:56:14 34 to the attention of my counsel. That is a direct  
15:56:19 35 correlation with Detective Paul Rowe's statement which  
15:56:23 36 identifies me by name that is published publicly on the  
15:56:28 37 Royal Commission website. It doesn't take much to look at  
15:56:31 38 two statements and say that they're exactly the same. And,  
15:56:35 39 Tammy, we've been in contact, so you know my feelings and  
15:56:39 40 you've respected my privacy up until this point.  
15:56:42 41  
15:56:42 42 COMMISSIONER: We won't get into a personal discussion  
15:56:45 43 between you and Ms Mills at the moment. I'm just reading  
15:56:48 44 the article. I think the prudent thing, Ms Mills, would be  
15:56:58 45 for the article to be taken down at this stage. If you can  
15:57:02 46 arrange that.  
15:57:04 47

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15:57:04 1 MS MILLS: Okay, I can do that now.  
15:57:05 2  
15:57:06 3 COMMISSIONER: And we can deal with the matter tomorrow  
15:57:10 4 with legal representation and so forth. We would look at  
15:57:19 5 it - I'll hear submissions at that point.  
15:57:22 6  
15:57:22 7 MR WOODS: Commissioner, that being the case I probably  
15:57:24 8 don't need to say anything. My reading of the article is  
15:57:27 9 that it wouldn't necessarily tend to identify the witness  
15:57:30 10 unless that linkage that the witness just identified to  
15:57:34 11 Mr Rowe's statement was available. If Mr Rowe's statement  
15:57:37 12 is still online then that might be problematic.  
15:57:40 13  
15:57:40 14 COMMISSIONER: It would be a better solution then to take  
15:57:42 15 Mr Rowe's statement down?  
15:57:44 16  
15:57:44 17 MR WOODS: That seems to be the place where the  
15:57:47 18 identification could be made. One or the other, it might  
15:57:51 19 be that the Commission staff can speak to - - -  
15:57:53 20  
15:57:54 21 COMMISSIONER: I'm sure that the preferable course would be  
15:57:56 22 to take that statement down.  
15:57:57 23  
15:57:58 24 MR WOODS: Yes.  
15:57:58 25  
15:57:58 26 COMMISSIONER: We can do that forthwith.  
15:58:00 27  
15:58:01 28 MS MILLS: Commissioner, I don't name Paul Rowe in that  
15:58:03 29 story.  
15:58:04 30  
15:58:04 31 COMMISSIONER: No.  
15:58:05 32  
15:58:06 33 MR WOODS: Apparently the statement has been taken down  
15:58:08 34 recently in any event. There was discussion about that  
15:58:11 35 last week I think.  
15:58:12 36  
15:58:12 37 COMMISSIONER: It was taken down at that point, all right.  
15:58:15 38 Hang on then, we might be overreacting. Is there anything  
15:58:25 39 else you wanted to say, Mr Thomson?  
15:58:27 40  
15:58:27 41 MR THOMSON: Your Honour, anybody who had read Mr Rowe's  
15:58:30 42 statement when it was online and is now reading The Age  
15:58:33 43 this afternoon would be able to put the dots together.  
15:58:36 44 Just because it's been taken down doesn't remove the  
15:58:40 45 problem. The information was current, was available to  
15:58:43 46 anybody, any member of the public who had the use of the  
15:58:46 47 Internet, they could read it, read Mr Bickley's name in

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15:58:51 1 that statement and they will read The Age this afternoon  
15:58:54 2 and draw the connection.  
15:58:58 3  
15:58:59 4 COMMISSIONER: It's not publicly available now.  
15:59:05 5  
15:59:05 6 MR THOMSON: With respect that is immaterial. It was, it  
15:59:09 7 was available, someone could read it, have taken a copy of  
15:59:12 8 it, have taken a screen shot, have printed it at the time.  
15:59:17 9 There is no way of knowing who has printed off that  
15:59:20 10 statement and got it sitting in a filing cabinet somewhere  
15:59:23 11 or got it sitting on their desk.  
15:59:30 12  
15:59:31 13 COMMISSIONER: Do any other represented parties want to be  
15:59:33 14 heard on the matter? At this stage given the fact that the  
15:59:39 15 statement of Mr Rowe has been not publicly available for  
15:59:45 16 some days now and is not presently publicly available, I'm  
15:59:52 17 not at this stage persuaded that it is a contempt of the  
15:59:56 18 Commission's order and I'll take no further action. But  
15:59:59 19 could I warn all the media present of the great care that  
16:00:03 20 needs to be taken to protect this witness's identity and  
16:00:08 21 whereabouts. Yes, all right then. So now where are we up  
16:00:13 22 to? Mr Thomson, are you continuing your re-examination?  
16:00:21 23  
16:00:22 24 MR THOMSON: I've finished, Your Honour.  
16:00:23 25  
16:00:23 26 COMMISSIONER: You've finished. Mr Woods then.  
16:00:25 27  
28 <RE-EXAMINED BY MR WOODS:  
29  
16:00:26 30 Just a couple of issues, Commissioner. The first of which,  
16:00:34 31 the document that I've sent through to the operator during  
16:00:40 32 that break could be ready. Now the situation is this, one  
16:00:46 33 of the documents that was provided by Victoria Police over  
16:00:50 34 lunchtime is the audio transcript of the conversation  
16:00:55 35 between you and ██████████ 2006. Do you  
16:01:05 36 understand that? Before we go to the detail of it, what it  
16:01:09 37 appears to disclose is that during the conversation there's  
16:01:13 38 an exchange between you and ██████████ that indicates that  
16:01:19 39 you were at ██████████ party, which had happened in the  
16:01:25 40 weeks or months beforehand before this conversation. Now,  
16:01:32 41 given, I understand there's a significant period of time  
16:01:34 42 that's gone from between that time until now, but given  
16:01:38 43 that's the case, and I'll take you to the precise wording  
16:01:41 44 of it, do you accept that you might well have been mistaken  
16:01:44 45 about whether or not you'd met ██████████ before ██████████  
16:01:49 46 2006?---No, I'm telling you, I've never met the guy  
16:01:53 47

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16:01:53 1 You're quite certain?---Absolutely.  
16:01:55 2  
16:01:55 3 Might you have been at [REDACTED] party that happened  
16:01:59 4 before [REDACTED] 2006 at [REDACTED] on an evening?---I went  
16:02:03 5 there for drinks to [REDACTED]  
16:02:05 6  
16:02:05 7 Yes. You've been to the [REDACTED] for drinks at  
16:02:09 8 night-time at a party?---Yeah, I've been there for an  
16:02:14 9 evening for drinks.  
16:02:15 10  
16:02:15 11 This is the listening device transcript at p.20. What you  
16:02:19 12 said is that you say, "And you know, more importantly she'd  
16:02:22 13 never, like I said, she'd never put us in touch with each  
16:02:26 14 other." He says, "Yeah". You say, "And she knows what I'm  
16:02:31 15 like". He says, "Yep, yep". You say, "You can listen to  
16:02:34 16 Horthy if you want". [REDACTED] says, "Yep". You say, "I don't  
16:02:37 17 know Horthy from a bar of soap, I met him [REDACTED]".  
16:02:41 18 You're saying that to [REDACTED] and he says, "Yeah" and you  
16:02:43 19 say, "That's the only time I ever met him". What I'm  
16:02:47 20 suggesting is it seems to be the case that by [REDACTED] 2006  
16:02:53 21 you knew that the party that - well the event that you'd  
16:02:57 22 attended prior to this was [REDACTED] party, do  
16:03:02 23 you accept that from the transcript, or it was [REDACTED]  
16:03:05 24 party?---Yeah, well I can see that now, yes.  
16:03:08 25  
16:03:08 26 And that is where you met Horthy Mokbel for the first time,  
16:03:16 27 or this is what you're telling [REDACTED] in any event?---Yeah,  
16:03:20 28 I remember meeting Horthy Mokbel in North Melbourne, but  
16:03:23 29 you're saying this is at [REDACTED]  
16:03:25 30  
16:03:26 31 This is at [REDACTED] the date escapes me for the moment.  
16:03:31 32 [REDACTED] a month and a bit beforehand?---Maybe.  
16:03:35 33  
16:03:35 34 What I'm inviting you to agree with, is it correct you  
16:03:39 35 might well be mistaken about whether or not you'd met  
16:03:44 36 [REDACTED] given that you were referring to [REDACTED] here  
16:03:48 37 on [REDACTED] that had happened a few weeks before, this  
16:03:51 38 wasn't the first time you'd met him, in fact you had met  
16:03:55 39 him at [REDACTED] a few weeks before?---Yes, this indicates  
16:03:59 40 as much, yes.  
16:03:59 41  
16:04:00 42 You say you'd been to the [REDACTED] for drinks. Was that  
16:04:03 43 an evening event that you recall?---Could have been an  
16:04:07 44 after work thing on a Friday.  
16:04:09 45  
16:04:09 46 Okay. You accept though that at least by this stage you  
16:04:12 47 know that an event that you had been at was [REDACTED]

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16:04:18 1 [REDACTED] party?---I do now, yes.  
16:04:20 2  
16:04:22 3 Now, there was just I think a little bit of examination  
16:04:28 4 that I needed to clear up. Mr Chettle asked you some  
16:04:31 5 questions about your statement and it was a phrase "one of  
16:04:39 6 Mokbel's [REDACTED]" and I think you might have been at  
16:04:43 7 cross-purposes. You said on the transcript that you were  
16:04:45 8 making a distinction between what you know now and what you  
16:04:49 9 knew at the time?---Correct.  
16:04:51 10  
16:04:51 11 About [REDACTED] interaction. Now it might even have  
16:04:56 12 something to do with the questions I just asked you about  
16:04:58 13 whether or not you'd been at what we know to be [REDACTED]  
16:05:01 14 [REDACTED] party, but was the distinction you were attempting  
16:05:04 15 to make, paragraph 4, it's that page, it's the second from  
16:05:09 16 the bottom?---Yep.  
16:05:10 17  
16:05:11 18 Paragraph and you say, "She gave me a mobile phone to  
16:05:15 19 contact one of Mokbel's [REDACTED]" and I think it was being  
16:05:19 20 suggested to you that at the time you knew it was one of  
16:05:23 21 Mokbel's [REDACTED] and I think what you might have been saying  
16:05:27 22 was in fact, "I now know it was one of Mokbel's [REDACTED]  
16:05:31 23 that's why I'm putting it in there". Can you just explain  
16:05:34 24 what the situation is?---Yeah, that's correct. Again, at  
16:05:37 25 the time I did not know that that was [REDACTED]  
16:05:40 26  
16:05:41 27 Given the fact that you were, it appears, at [REDACTED]  
16:05:44 28 though about six weeks prior to [REDACTED] and the phone was  
16:05:51 29 provided to you prior to that event by Gobbo, is it your  
16:05:57 30 evidence that you did not know that - - - ?---[REDACTED].  
16:06:07 31  
16:06:07 32 - - - [REDACTED] was one of Mokbel's [REDACTED] at the time of that  
16:06:09 33 meeting?---No, and I don't think I actually would have  
16:06:13 34 recognised him by face because I don't think we had made a  
16:06:16 35 formal introduction at [REDACTED] by then. Correct  
16:06:22 36 me if I'm wrong.  
16:06:22 37  
16:06:22 38 No, I don't think I can. There was finally a question from  
16:06:30 39 Mr Holt about the extent of the threat - sorry not finally,  
16:06:34 40 I've got one brief topic after this - the extent of the  
16:06:38 41 threat from O'Brien about you having the two options, one  
16:06:43 42 was to go inside and one was to assist the police. Do you  
16:06:47 43 remember that?---Yes.  
16:06:47 44  
16:06:51 45 The questions that you were being asked by Mr Holt was on  
16:06:53 46 the basis of the conversations, and you've talked about  
16:06:56 47 Mr O'Brien's demeanour and his demeanour warming up during



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16:07:00 1 the conversation as you indicated that you would assist.  
16:07:07 2 Given what you know now, which is that it's Rowe's  
16:07:12 3 position, albeit not O'Brien's, we don't know his position  
16:07:16 4 there. It's Rowe's position that they simply didn't have  
16:07:19 5 enough evidence to charge you on the basis of the  
16:07:22 6 conversation that had preceded this conversation with  
16:07:24 7 O'Brien, do you understand the situation to truly be as a  
16:07:28 8 result of the matters that you were then arrested for,  
16:07:32 9 being this conversation, that you really only did have two  
16:07:35 10 options at this stage, one being to go inside and the other  
16:07:39 11 one to assist the police?---Yeah, it's by design.  
16:07:43 12  
16:07:44 13 There's another issue that I want to take you to?---Sorry,  
16:07:48 14 just another thing. In terms of the threat and as I meant  
16:07:52 15 there, it's not that he was threatening. The threat is  
16:07:56 16 it's either A or it's B.  
16:07:58 17  
16:07:58 18 Yes?---Which is a different context.  
16:07:59 19  
16:08:00 20 He told you that you had two options?---Yeah.  
16:08:02 21  
16:08:03 22 But the point of my question though of course was given  
16:08:07 23 what you now know that Rowe says, they simply didn't have  
16:08:11 24 enough to charge you with, that wasn't a true reflection of  
16:08:15 25 the state of affairs, was it?---Not at all.  
16:08:16 26  
16:08:16 27 As described to you?---Not at all.  
16:08:18 28  
16:08:18 29 On the assumption that O'Brien had the same position as  
16:08:21 30 Rowe in relation to the strength of the evidence against  
16:08:23 31 you?---Yeah, absolutely.  
16:08:25 32  
16:08:25 33 Just back to finally that issue about the phone call during  
16:08:32 34 the Quills arrest and interviews. There's just one diary  
16:08:36 35 entry I don't think I did put to you and it's on 17 August  
16:08:40 36 2005 and it's in Mr Flynn's diary. It says, "RTC Nicola  
16:08:49 37 Gobbo criticised me for not returning a phone call several  
16:08:51 38 weeks ago", about a different matter, not about you, "Told  
16:08:54 39 her I did and left a message on Messagebank. Established  
16:08:59 40 Gobbo doesn't use that phone any more. Spoke to the same  
16:09:04 41 re Bickley. DSC Rowe couldn't contact her on the night,  
16:09:09 42 probably same reason" and then there's another discussion  
16:09:14 43 about Gobbo arranging for Tony Hargreaves to visit and then  
16:09:19 44 Zarah Garde-Wilson, et cetera, et cetera. Does Flynn's  
16:09:23 45 diary, namely saying that he spoke to Gobbo about your  
16:09:28 46 arrest and that Rowe couldn't contact Gobbo on the night,  
16:09:31 47 does that accord with your recollection?---That's exactly

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16:09:34 1 what I've been saying all along.  
16:09:36 2  
16:09:36 3 Okay. Thank you. They're the questions. Commissioner, if  
16:09:39 4 we could have, stand the matter down for a little while for  
16:09:42 5 some arrangements to be made, I'd appreciate it.  
16:09:44 6  
16:09:44 7 COMMISSIONER: Yes. I'm going to have to resume in hearing  
16:09:50 8 without the media present, that's the - - -  
16:09:53 9  
16:09:54 10 MR WOODS: Yes, that's correct, we need to deal with some  
16:09:55 11 other issues.  
16:09:56 12  
16:09:57 13 COMMISSIONER: Is there any submission, Mr Holt, as to the  
16:10:05 14 orders that I was planning to have would allow the State of  
16:10:08 15 Victoria, Victoria Police, including Inspector Craig  
16:10:12 16 Thornton, is it?  
16:10:14 17  
16:10:14 18 MR HOLT: Yes.  
16:10:15 19  
16:10:15 20 COMMISSIONER: The DPP and the OPP, Commonwealth DPP,  
16:10:18 21 Graham Ashton, Nicola Gobbo, the handlers, the AFP and  
16:10:22 22 Mr Bickley present. Are you content with that?  
16:10:24 23  
16:10:24 24 MR HOLT: I'm sorry, Commissioner, I got lost in the middle  
16:10:27 25 of that. If you could go through that again.  
16:10:28 26  
16:10:28 27 COMMISSIONER: The State, Victoria Police, DPP and the OPP,  
16:10:32 28 Commonwealth DPP, Mr Ashton, Ms Gobbo, the handlers, the  
16:10:39 29 AFP and Mr Bickley.  
16:10:40 30  
16:10:40 31 MR HOLT: Yes Commissioner. I don't think Mr Ashton's  
16:10:44 32 representatives were present when the particular issue  
16:10:47 33 we're dealing with was dealt with this last time but other  
16:10:49 34 than that I have no issue.  
16:10:49 35  
16:10:50 36 COMMISSIONER: We should take that one out?  
16:10:52 37  
16:10:52 38 MR HOLT: Just in the interests of keeping - - -  
16:10:53 39  
16:10:53 40 COMMISSIONER: Yes. It might be the Commonwealth wasn't  
16:10:55 41 present, the DPP wasn't present last time but they weren't  
16:11:00 42 very happy about it.  
16:11:02 43  
16:11:03 44 MR HOLT: I recall, Commissioner. I have no issue with the  
16:11:06 45 orders otherwise.  
16:11:07 46  
16:11:08 47 MR WOODS: I don't have any exception to - given what

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16:11:09 1 Mr Ashton's position is currently, his counsel being here,  
16:11:13 2 I don't think the issues intersect with him. So whether or  
16:11:16 3 not he's in here I don't really mind.

4  
16:11:19 5 MR HOLT: They don't intersect.

16:11:19 6  
16:11:19 7 COMMISSIONER: No, they don't intersect. Given that we're  
16:11:25 8 not having the media present it really is important to keep  
16:11:28 9 it as narrowly as possible I think. That requires a short  
16:11:33 10 adjournment before I make the orders so we'll have a short  
16:11:53 11 adjournment now.

16:12:20 12  
16:12:21 13 (Short adjournment.)

14  
15 (CONFIDENTIAL IN CAMERA PROCEEDINGS FOLLOW)

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ADJOURNED UNTIL TUESDAY 19 NOVEMBER 2019