

77.

I then requested all my case file and documentation to be returned to me.
Seeking possession of all original mail.

Yet all mail could not be found. Loretta Collier's letter dated 12/06/ 2012 included.

As confirmed by Letter from Jeremy Cass legal aid dated 19th October 2015.

Your reference:
Our reference: 12A144100 JC
☎ telephone: (03) 9269 0145 fax: (03) 9269 0498

 **Victoria
Legal Aid**
Lawyers And
Legal Services

19 October 2015

Christopher Binse
CRN 43517

HM Prison Barwon
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VIC COUNTRY
LARA

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— **Legal in confidence**

Dear Chris,

Material Request

I received your latest request for material from your file. Attached is further material that we have been able to locate:

1. Chronology – Christopher Dean BINSE
2. Seige Chronology – EXHIBIT B
3. Crown Indictment with 28 charges - Indictment (amended as at 23 Oct 2013)
4. Crown Indictment C11434997.4 - Plea
5. Crown Indictment C11434997.3 – Trial La Porchetta - Plea Charges 7 & 8 only
6. Doctors Examination Report supplied by Mr Barrie Woolacott – I think you have this already.
7. Various apology letters from the plea hearing.
8. Various CD's.

Despite repeated searches we do not have:

1. "All letters" that were in the possession of Gavin Green from Barwon Prison Manager "Mr G Collision"

⁷⁷ Affidavit witnessed by Mr Collinson, dated 7th/10/2016 re- Gavin Green collecting withheld mail.

I appreciate your concerns and frustrations about not obtaining all the information you have requested. I can assure you we have thoroughly searched your files but do not have those remaining documents and have no record of ever receiving them.

Should you wish to pursue this further I have enclosed referral information to our independent Complainants and Statutory Compliance (CaSC) team.

We also have Freedom of Information officers who are responsible VLA statutorily complying with FOI requests 9280 3789. Also attached is referral information for their services. However I stress again we have no record of the remaining documents you are seeking.


JEREMY CASS
Managing Lawyer, Appeals
Accredited Criminal Law Specialist
Criminal Law Melbourne

78 .

Gavin Green was to withdraw from my case weeks later!

Handing over my case to Sarah Westwood now. Literally over Christmas and I was listed to begin trial in the first week of January 2013.

I had implicitly instructed Sarah Westwood to include the CCTV images of the **“bushes”**. Identified in adjacent paddock on defence video. Becoming **# Exhibit C**.

Identifying **“bushes in question”**. Yet my esteemed counsel led by **Saul Holt**, would ignore projecting a totally different **maliciously un-repentant unremorseful picture**.

Mr Holt: Page 97 L9 -14. We are instructed that there was a substantial portion of money that was in a bag secreted in the paddock or open area near the property where the siege occurred and Mr Binse simply doesn't know where that was. I can't take that any further than those are the instructions that I've been provided with in that matter.²¹.

Mr Binse simply doesn't know where that was. I can't take that any further than those are the instructions that I've been provided with in that matter. SIC.

PURE UTTER LIES AND DECIET PRESENTED TO COURTS, WHEN HE KNEW BETTER! I HAD IN FACT IDENTIFIED PADDOCK, “THE BUSHES IN QUESTION” ON # Exhibit C. SAUL WOULD LATER SKIP “TRACK 1” IN HAVING IT PLAYED HIDING “THE BUSH’S”

Mr Holt: Page 97 L25 -28. But for the purposes of sentencing Your Honour has to proceed on the basis that very little of the proceeds of this armed robbery have been or have been able to be recovered.

Page 147 L30 -156 L1 Mr Holt: If I could invite, if you could just pause for a moment before we do it, Track 3 to be played. Thank you. I should produce the – I seek to tender the defence CD compilation of the siege footage.

Page 156 L3 # EXHIBIT C – Defence CD compilation of siege footage.²¹

Track 1 depicts paddock next door adjacent to accused house, \$\$ in bush's.

⁷⁸ 19th October 2015 letter from Jeremy Cass, re- Gavin Green and missing mail.

²¹ Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest

²¹ Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest

This sole reason this footage was selected and present on compilation, \$ bag location. No reference ever made by Defence. **Nor ever played to the courts for that matter.**

AT NO TIME DOES MY JUDAS COUNSEL REFER HIS HONOUR TO TRACK (1). BUT RATHER PRESENT ME IN AN UNREDEEMING UNREMEMORABLE MALICIOUS LIGHT!

His Honour: Page 67 L3-4 **but if you want to take me to anything you want to direct my attention to, I'll certainly look at it.**²¹.

NOT EVEN AN HONEST ATTEMPT TO DISCLOSE EVIDENCE OF BUSH'S. **ON # Exhibit C.**

ISN'T IT THE ROLE AND FUNCTION OF DEFENCE TO MITIGATE GRAVITY OF OFFENDING. NOT **"DEPRIVE ACCUSED OF PRESENTING EVIDENCE"** THAT **WOULD "ADDRESS IT!"** THIS A **"CONSISTENT PATTERN OF WHOLESAL PERJURY IN FALSE SUBMISSIONS!"**

THE **"BLACK BAG" IS REFERRED TO IN MY PLEA SUBMISSIONS EXHIBIT (A) DOC.**

****Refer to accused plea material exhibit (a) page(s). - 305-306.**

I was to later hide a "black bag in bush's in the next empty paddock to Loretta's" easy access this had 140G's in it, & S.O.G. were in the THIS area, I told Loretta of this, she said it was not. I HAVE LETTERS THAT REFER TO "BLACK BAG" "HIDDEN IN BUSHES IN PADDOCK NEXT DOOR". "THERE WAS A HEATED ARGUMENT OVER IT ".Loretta Telling me it was gone I BELIEVE HER.

"WITNESSED BY ACACIA UNIT PRISON OFFICER "PAUL". JUNE / JULY 2012 ON A "BOX VISIT TERMINATED BY ME" THIS FACT.

REFERRED TO OVER PRISON CALLS DURING THIS PERIOD, "SUBPOEANA CALL REQUEST".

CAMERA (1) ON 21/05/2012, NO. (8) AT 2.41-07.P.M.

"REVEALS THE BUSHE'S IN QUESTION". "FACT".

I was to give Ursula the \$140 G's set aside for Charlize's trust fund, at this event, yet learnt it was not secure at all & could have been withdrawn at any time by Ursula.

I had arranged to pick up Charlize from Ursula at Kylie's on the Saturday, as I wanted to have her for Easter, on the Sunday and wake up and do the Easter egg hunt with her at Loretta's. ME & Charlize done the Easter egg hunt for the first time together I hid the Easter eggs hours earlier, I also had bundles of 50's in 20 grand lots placed with the eggs hidden around the back yard for her to find, retrieved from next door paddock, I have photos of her & the Easter eggs.⁴⁰

ALSO FOUND IN:

"MALICIOUS PRESENTATION OF ACCUSED", "CONTRARY TO FACTS". AFFIDAVIT NO (15.) DATED THE 9TH/11TH/2015, BEFORE Mr G. Collinson. Barwon Prison. ON PAGE (8 -9).

Track 1 depicts paddock next door adjacent to accused house, \$\$ in bush's there.

This sole reason this footage was selected and present on compilation, \$ bag location. No reference ever made by Defence, nor ever played to the courts for that matter.

****Refer to accused plea material exhibit (a) page(s). - 305-306.**⁷⁹.

When matter raised by Judges in Victorian **Supreme Court Appeal.** S APCR 2014 0121.

Greg Hughs could not answer this question properly. Greg had either "done this deliberately" (or) "paid no attention to this affidavit contents just alluded to".

²¹ Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest

⁴⁰ Accused Plea submissions exhibit (a) Victorian Supreme Courts Case. R v's Binse [2014] VSC 253.

⁷⁹ "MALICIOUS PRESENTATION OF ACCUSED", "CONTRARY TO FACTS". AFFIDAVIT NO (15.).

Page 15 Line 24- page 16 Line 2: WHELAN JA: The Judge doesn't refer to the fact that none of the money has been recovered in the remorse section. Is that relevant?

MR HUGHAN: No, he didn't deal with it in the remorse section. He certainly dealt with it at an earlier time.

WHELAN JA: Would that be relevant to remorse?

MR HUGHAN: Yes, if the money had been recovered or if it – and I'm pointing to it, that would have been evidence of – remorse or evidence of – further evidence of remorse that the Judge would have been able to rely upon,

Page 16 Line 12- page 17 Line 25:

APPELLANT: Can I say something, your Honours?

WHELAN JA: We'll stop in a minute and you can talk to your barrister if you think – make a note of what you want to say and you can tell him. We'll stop in a minute.

APPELLANT: It's actually reflected in the case.

WHELAN JA: Yes, we just have to go one at a time I'm afraid.

APPELLANT: It's about the money.

WHELAN JA: Yes, go on, okay.

MR HUGHAN: We'll come back to that matter.

WHELAN JA: We'll give you a minute to talk to Mr Binse.

MR HUGHAN: If your Honour pleases, thank you. Should I do that now?

WHELAN JA: What's the easiest – what's best for you?

MR HUGHAN: I was about to leave this topic and it's a question of your Honour's discretion.

WHELAN JA: Yes, go and have a word to him quickly then.

MR HUGHAN: Your Honours, perhaps if I convey what Mr Binse has conveyed to me in this regard where it might sit ultimately, and your Honour's assessment of the things might be a bit more complicated than me revealing part of the information, **but Mr Binse instructs me that he had informed counsel on the plea that there was a good portion of the sum of money- he's not able to say precisely where- left in a bag in a particular place rather than him having gathered all the money in himself, and that his counsel did not put that material to the Judge on the plea.**

This was one of the issue's that he – as your Honours knows there was a lengthy period of time where Mr Binse was unrepresented and that's one of the issues that he's raised in that context.

Mc LEISH JA: It was referred to somewhere, wasn't it, Mr Hughan? I can't find it. I can't remember where I saw it. There was reference to a bag of money being brought out the back of the property or next door.

WHELAN JA: Yes, I think that was in Mr Binse's materials through last year.

MR HUGHAN: For the leave application.

WHELAN JA: I was only asking really not so much for a repetition of the explanation, but as to whether it's relevant. I suppose one knows why the money hasn't been recovered it's difficult to say what significance to attach to it other than what you've said, which is certainly if the money had of been recovered.⁸⁰

⁸⁰ Supreme Court Of Victoria, Court Of Appeal. Christopher Dean Binse S APCR 2014 0121, Before Judges Justice Whelan, Beach and Mc Leish JJA Melbourne. 31 May 2016. Counsel for the Appellant Mr G Hughan. Crown counsel Mr C Boyce SC

I CLEARLY REFUTE GREG HUGHANS "FALSE SUBMISSION" HE DID NOT READ ANY!

He's not able to say precisely where- SIC.

HE WAS TOLD ALL VARIOUS SOURCE OF MATERIAL(S) WERE ALL AVAILABLE TO HIM.

ACCUSED TERM BE QUASHED AND RE-SENTENCED BASED ON "ALL TRUE FACTS".

BIBLIOGRAPHY:

²¹ Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest

⁴⁰ Accused Plea submissions exhibit (a) Victorian Supreme Courts Case. R v's Binse [2014] VSC 253.

⁷⁴ Letter sent to Loretta Collier's letter dated the 12/06/2012.

⁷⁵ GAVIN GREEN RECEIPT OF MAIL 20TH NOVEMBER 2013.

⁷⁷ Affidavit witnessed by Mr Collinson, dated 7th/10/2016 re- Gavin Green collecting withheld mail.

⁷⁹ "MALICIOUS PRESENTATION OF ACCUSED", "CONTRARY TO FACTS". AFFIDAVIT NO (15.).