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REMORSE. Chapter. This is the revised amended second version of this chapter, the “first was rushed out” to “make an improbable dead line”, as a result the content was **all scattered!** All over the place, not really making sense to many I bet, **only I knew the things in my head.**

I had to remove a lot of P.T.S.D evidence, **tapper it down to isolate it just on my remorse** Yet still keeping the thread of the overall **sequence of events alive**, in presenting this subject. These (2) matters are actually co-joined together and would be impossible to separate the two and continue to be fused in its revelations. As you will read. And establish for yourself. It **“would also unravel a tin of worms and more”**. **For His Honour Justice Terry Forrest.** And became a nightmare for him to grapple with & **act professionally as a Judge is expected.**

Funny how things work! Good finds good. Doing good deeds will find and reward you! **Reaching out to my victims now**, having. Empathy towards them. **Sharing their suffering.**

Knowing just what they were going through. Understanding **their pain**. Previously ignorant of. **I was damaged too. Yet I never knew it! I had come to live with this disturbed state.** Thinking this was **all normal, it wasn't!** To live all battle scarred, was. **“Normal” for me.**

The lack of appreciation to what my actions had caused. The more. I saw, and witnessed the chaos. I had caused. **The victims left in my wake. The more I would learn from them too.** **Had deeply disturbed and unsettled me.** I was at total unease with this impact born by me. Seeing and reading what they were going through, **actually opened my eyes to the mirror.**

As if I was looking at myself, the reflection. I saw, was just what I was experiencing too! What the f*ck! **Emotionally unstable, erratic, unbalanced. Outbursts of Anger. Flashbacks!**

I would learn more about P.T.S.D. and its condition following my arrest **on 24th May 2012.** After being shot (6) times with rubber bullets. Yet at the time I was not to know they were rubber, my mind and memory recalls. **The loud bangs and projectiles hitting my upper body!** **Believing that I was shot with live rounds point blank, all I recall is Bang, Bang, Bang, Bang, Bang, Bang! I have no complete memory of this incident. Just black figures with guns!**

Not to mention the exposure to at least 10 flash bangs, which explode, creating those in the vicinity **to become dis-orientated, stunned** and again. **The mind shuts down** from this bad experience. **This is real trauma. This was the catalyst for me.** Up until that point in time.

I had experienced much violent events in my life time, and paid no heed to at all, going on in life, as if there was nothing wrong with me. **When in reality there was! I was a walking mess!** **Being all macho.** Acting and behaving in a way to hide this, frail weakness. **Living in denial** of it. **I don't feel pain. I am a tuff c*nt! I am a solja! We don't bleed. WE RUST!**

That attitude and outlook, kept me from realising the truth. **Living a life in “utter turmoil”.** **No-one's immune. We ALL f*cking do!**

Sooner or later all the bad shit accumulated over time.

Will eventually overload your mind. It “will spit it all out”, and then you will know it!

Even all the special Ops soljas succumb! Not now, but later, the degree is far greater!

The Trial of La Porchetta, self-defence. Heard in February 2014 Before His Honour Justice Terry Forrest. Which I was later found not guilty of. But in the process, **witnessed the Police officer Tristian Kassis in the witness box. He was clearly effected by re-living the incident.**

Regardless of him being a cop. **It was hard not to ignore for me.** He had caused it, by the fashion and manner he had conducted himself. That aside. **He was still all f*cked up!**

Again, I had felt sorry for him. **This was not my intention at all.** To render him like that. He had caused me to see just how profound he was impacted and, **this dredged up my shit.**

JUST LIKE WHAT HAD HAPPENED TO ME, MY MIND LITERALLY BROKE DOWN!

This had occurred in 2012/2013. Whilst I was In Acacia Unit. Barwon Prison Victoria. This is already covered in the first part and introduction of the collection of my works.

CONSPIRACYS TO CONCEAL TRUTH BY DEFENCE AND DR DANNY SULLIVAN.

There are medical reports/evidence which I will allude to within this chapter too, on my Behaviour, actions, **symptoms and diagnosis by a host of qualified medical professionals!**

Yet all this would be obscenely concealed, hidden and **denied by Dr Danny Sullivan and my Esteemed Legal Counsel Saul Holt.** Which I delve into further in **Betrayed Judas Counsel materials.** In. This act of perjury and malicious deliberate false presentation of me. Would be accepted by His Honour Justice Terry Forrest. **In my plea hearing of May 2014.**

His Honour's failure to accept **my legitimate recognised diagnosis**, based on the materials put before him. Would. **Only fuel my determination to prove and establish the facts**, that.

I, did have and suffer. A. "P.T.S.D". condition. Along with his findings. I had not shown a level of remorse which. **I knew to be REAL. And genuine at heart. Again the true extent of this was hidden and obscenely concealed from His Honour. By Saul Holt and Danny Sullivan. It was this reprehensible conduct and actions of my Judas Legal defence team!**

This now, leaving me no choice other than to review all my medical reports of this well documented condition and assess. **"Just why. His Honour had reached that conclusion!"**

I had to be confronted and exposed to all the medical reports of incidents.

Which had contributed to my condition. Not to mention view c. c. t. v of the siege. Which had placed my mind back in time.

To then, "trigger off all sorts of shit!" Rendering me "all f*cked up in the process!"

The true extent. I was now able to fully comprehend! And fathom. Just how serious and debilitating this condition really is. **I thought "I was titanium". I wasn't! I was a wreck!**

I then open my eyes up now to all materials, evidence and see another light I previously had ignorantly ignored. The armed robberies. I had alluded to in my plea submissions.

The life on Mars 440 page document, where I had mentioned scant details of these crimes. Just to illustrate the point. That **"I was a prolific armed robber in my day"**. And had. **"NOT returned to such activities since November 1992!"**

This hit me like a tonne of bricks! The penny dropped. **"What about them victims too!"**

They would be wandering around this earth. **"All f*cked up" "because of my doings!"** Many would. **"NOT even realise how bad they were"**, as I never for decades. And how it would adversely affect their daily life, all pent up angry outbursts, up and down mentally.

Taking it out on their loved ones, marriages strained as a result under pressure, **and they never even knew it!**

This realisation came at a time. **That I was cleansing my soul.** Ridding myself of all **the inner sins and evil conduct I had caused in life. Finding Islam, now wanting to embrace a "pure clean life ahead of me"**. Yet before I could take that step.

I had to "empty myself of all the black that was still within me". I had reasoned to myself.

I "could not be clean". If I, "was still all black and polluted inside".

The water I would drink, **"would then become contaminated!"** **The well had to be drained completely.** Before. I could drink the water and remain pristine. Plus. The fact. **I had no real plans to serve out my term. I was on a crusade and mission!**

I wanted to make it all good with all those still un-accounted victims. Which existed because of me. They would **continue to live all f*cked up. Till they too got closure.** Every time they saw a robbery on the news, may trigger them back to their own bad memories experienced, as a consequence, **the mind becoming all disturbed by this otherwise dormant state.**

The **ONLY way forward. Was to confront the issue head on!** That is the best approach in dealing with this. **At first it's hard and leaves ya all f*cked up!** But done repeatedly diminishes the incident, **reducing state.** Healing the otherwise open wounds, **now cleansed.** This I had experienced. **Only by. "A need to do so". "Not willingly volunteered!"** So now I say to myself. **Do I make that decision for them? How bad do I want to be pure!**

To help them heal. "It would hurt me too". F*CK IT!

True Soljas do things for good. They fight and "are prepared to die for sake of others".

Was I a Solja at heart? (Or) what?

If not then what was I?

I had already committed myself falling on the sword to help identify. What caused harm.

I had caused harm in the past. This needed to be recognised. **Help fix them wounds too!**

This. I will be remembered for. **Having the moral compass and empathy towards my victims.** Regardless of consequences to my own welfare and life. **This was all irrelevant to me now!** **So there ya have it. In a Nutshell!**

Real true Soljas do feel the pain and suffering inflicted upon their victims. And try to HELP!

Remorse

- 47 Your counsel urged me to conclude that you are remorseful for your offending. He referred to letters of apology that you asked to be sent to some of the victims of the armed robbery and the siege. He also referred to your pleas of guilty. I am unable to conclude that you are genuinely remorseful from this material. The pleas were late and heavily negotiated and the letters of apology, although written before the committal strike me as self-serving. I remarked to your counsel that I thought there were some expressions of remorse that went beyond self-pity in the record of interview. I adhere to this view. You were interviewed about 8 hours after your arrest. I have watched the interview in its entirety. Although your answers were selective and at times self-serving, I was left with the overall impression that you regretted your recent criminal conduct and its impact on its victims. I shall treat this as some evidence of remorse.

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I WILL TAKE READER THROUGH EVENTS & ABUNDANCE OF FACTS I HAVE JUST REVEALED. IN SAUL HOLT DELIBERATE FALSE CLAIMS. I **"DID NOT SHOW REMORSE TO MY VICTIMS"**. CAUSING HIS HONOUR JUSTICE TERRY FORREST TO ARRIVE AT "THE ABOVE FINDING".

THE FOLLOWING EVENTS MUST BE FIGMENTS OF. "OUR IMAGINATIONS!"

The Herald Sun October 24th 2012. Article Titled. **"SIEGE ACCUSED CHRISTOPHER DEAN BINSE GRANTED MORE TIME TO PREPARE HIS DEFENCE."** By Paul Anderson. STATES. **- Binse said that while he wanted to spare certain people from the traumatic experience of having to give evidence in court.**⁴¹.

I would months later be reported on file, wanting to express my desire to apologise to S.O.G.

The counsellor I was seeing was provided a copy of the letters to gauge her views on, as it

Was a difficult task set for me. I was **NOT** used to this conduct. **She said it was ok.**

Prison Medical reports **"Pre – Trial". "HELD BY DEFENCE"**.

Geo Care Doc entry dated 9/ 1/ 2013.

Psychiatric Nurse: "Chris seen today as requested. **"Wished to discuss his correspondence prepared for neighbours & S.O.G. members" to explain reason for siege, and "apologise for placing them at risk of injury through siege violence"**¹⁸.

APOLOGY LETTERS TO VICTIMS SENT IN 2013.

The Committal hearing was to take place some months later in March 2012.

⁹³ His Honour Terry Forrest sentencing 2014.

⁴¹ HERALD SUN ARTICLE OCTOBER 24TH 2012.

¹⁸ Prison medical reports.

During the committal proceedings. **I did TRY** to reach out to those I had impacted upon, yet did not know how to say and get it right. **I was not used to coming forth, more so to police!**

MY REMORSE /EMPATHY/CONTRITION CONDUCT /ACTIONS/ BEHAVIOUR.

Page 189 L8-16 Mr Holt: Your Honour may recall also at the trial in relation to the La Porchetta reference back at the committal transcript where two of the young women who were present at La Porchetta were giving evidence and became distressed and Mr Binse was self-represented, and he made a real effort to make clear he was prepared to sit down and not ask any further questions at that stage and we acknowledge immediately that the committal **was a mixed bag.**²¹

The Only reference made to (2) witness's during the entire course of committal.

**NO REFERENCE MADE TO THE "FOLLOWING SIGNS OF EVIDENCE OF REMORSE".
Deposition evidence. Page 115 L25 – 116 L5.**

ACCUSED: I would just like to say if the - the Crown is concerned about my animated behaviour at times, because I'm a passionate, all she has to do is (indistinct) feel threatening towards the witnesses or anything like that, if that's her reason to cause to adjourn or direct (indistinct) or whatever she's uncomfortable with, all she has to do is say, listen, you know - the accused, can you settle down, can you tone it down or don't be so passionate. She's passionate herself.

HER HONOUR: All right, that's all right. Look anyway, we're going to continue on.

ACCUSED: OK. Thank you.¹¹

Deposition evidence. Page 116 L26 – 117 L7.

HER HONOUR: Yes. All right. Look, I'm going to tell them obviously that if they feel uncomfortable any point to let me know.

ACCUSED: I'll ask him - I'm happy to ask him if at any time that - sorry Your Honour.

HER HONOUR: No, that's all right. Well Mr Binse has heard that, he's - - -

MS WILLIAMS: Yes.

ACCUSED: I mean if they feel that - I'll ask them at any time that they feel

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

¹¹ Melbourne Magistrates Court Evidence March 2013.

uncomfortable with their own admission - - -

HER HONOUR: No, I'll ask them that. I'll ask them that.

ACCUSED: I'm happy to work with the court, seriously.¹¹

SOG OP 132 evidence committal hearing. Page 245 L8 -9.

ACCUSED: You're a good officer? ---Sorry?

You're a good officer, you're a good soldier man.¹¹

SOG OP 125 evidence committal hearing. Page 249 L1 -5.

ACCUSED: I'm just trying to work out what sort of batch we're dealing with here, you know. I reckon they're hardcore and I really admire them man, you know. Worthy adversaries. Probably the best this state has to offer. They are the best this state has to offer actually.¹¹

Deposition evidence SOG OP 125 pages. – 256 L18-257 L20.

ACCUSED: Did I send you a letter? ---I beg your pardon?

Did you receive a letter from me at all? Actually it was sent to a group of you, it was you're 125, oh you get a mention too - "To whom it may concern collectively, Operators 11, 94, 113, 134, 55, 125, 133 and 14" did you receive that back at the office?---I was aware that it arrived.

Did you read that at all? ---Nah.

You're not familiar with the content at all? ---No.

Can I put that to the witness too please?

HER HONOUR: Is this the last thing?

ACCUSED: Yeah that's the last thing, that's it that's it.

HER HONOUR: So we can get Operator 55 ready, let's just have a look at it, no, before you give it to the - - -

MS WILLIAMS: Well I don't think he's seen it, so he's not going to be able to identify it, and I'd love to know what - - -

ACCUSED: He's aware that it arrived.

MS WILLIAMS: - - - and I'd love to know what the relevance of this is. I haven't objected to the other one but - - -

¹¹ Melbourne Magistrates Court Evidence March 2013.

¹¹ Melbourne Magistrates Court Evidence March 2013.

¹¹ Melbourne Magistrates Court Evidence March 2013.

ACCUSED: The relevance is, that I'm concerned from one colleague - I'll say soldier to another stand point of view - - -

HER HONOUR: I tell you what we'll do, Mr Binse. We'll just leave this to one side for the moment and we'll discuss its tendering at some stage - - -

ACCUSED: OK, I gave him some advice. In future, I mean, maybe they should practise any future life - maybe they can learn something from this.

We don't want anything to happen to them. I mean they're here for - to protect the community, mate, I don't want nothing - - -

MS WILLIAMS: May the witness be excused Your Honour?

HER HONOUR: Yes.

ACCUSED: It's all good.¹¹.

Deposition evidence Negotiator John Hollis pages. – 297 L22- 298 L17.

OK, did I actually send you a letter? ---He did Your Honour.

Did I send you one or two? ---Just one.

Were you offended by this letter at all? ---Yes Your Honour I was.

You were offended? ---Yes I was. In what way?

MS WILLIAMS: What's the relevance anyway?

ACCUSED: No I just I wanna try and work out how I - - -

HER HONOUR: Well the witness got the letter anyway.

ACCUSED: OK would this be the letter that we are talking about?

HER HONOUR: Can I just have a quick look?

MS WILLIAMS: I'm going to object to its tender Your Honour. I'll have a look at it but - - -

ACCUSED: Yeah, yeah before we tender it I'd like everything on the record, you know everything above board. Fair, just and honest.

MS WILLIAMS: Sorry, I think - - -

ACCUSED: I'm not hiding nothing. If I am offending you in any way apologise.

¹¹ Melbourne Magistrates Court Evidence March 2013.

MS WILLIAMS: Your Honour that's - - -

ACCUSED: Sincerely apologise. It was not my intent. I was hoping to try and advance methods in future.

HER HONOUR: In any event let's move on from there.

ACCUSED: I have nothing further to add.

HER HONOUR: Nothing further?

ACCUSED: No.¹¹.

Deposition evidence Shaun Vipond Pages. – 313 L13-30.

It's all happening - sorry one sec - sorry, if I concerned you or alarmed you or - did I - did you get my letter too? ---I did receive a letter.

Yes? ---Yes.

Actually do you know that I sent two? ---Yes, unsigned yes.

Yeah that's right - both dated 25th of the 12th 2012? ---Yes.

One seems to be a more - a more - how can I say it - a more advanced and more forthcoming than the original one?---I've only received one letter.

OK, I sent two, actually I sent three - I sent one to Sarah Cracknell to forward on to you, did you receive that?---No I've only received the one.

You never received that one? Because I sent one to her on the 10th of the 1st actually. She didn't forward that on to you at all?---I can only say I've received one letter.OK, can I - - -

HER HONOUR: Are you finished with - - -

ACCUSED: Yeah yeah.¹¹.

Det Snr Srg Mr. Scott Poynder Deposition evidence pages.- 531 L13-19.

ACCUSED: Just trying to work out that I'm not anti-government. I mean, only those that, you know what I mean, corrupt or smell, you know. And if they're –

¹¹ Melbourne Magistrates Court Evidence March 2013.

¹¹ Melbourne Magistrates Court Evidence March 2013.

if I feel that they're fair and genuine and honest I reciprocate. Is that the impression you get with me?---I've gotten along with you fine.
OK? ---Swimmingly.¹¹.

Deposition evidence Shane Howard Pages. –595 L26 – 596 L1.

OK I sent you a letter to apologise - or - if you haven't got it I've got one here, to apologise for putting you through this ordeal and any - if I had disturbed you in way I'd like to sincerely say to you, I'm apologising for - putting you – exposing you to those. I'd just like for you to walk away with that in your mind,
OK? Thank you for your evidence.

MS WARREN: No re-examination Your Honour.¹¹.

ISN'T IT THE ROLE OF DEFENCE COUNSEL **TO "REVEAL ANY AND ALL EVIDENCE RELATING TO REMORSE", "TO PUT IN A TRUE PROPER CONTEXT". NOT DECIEVE!**

IN "AIDING THE DECISION MAKING OF HIS HONOUR", "MITIGATION IN SENTENCING".

THE ABOVE PREPONDERANCE OF EVIDENCE, MUST BE "THE MIXED BAG".

THE ABOVE, ON RECORD ACTS "OMMITTED" AND TANTAMOUNT TO "CRIMINAL ACTS!"

The Only reference made to (2) witness's during the. "Entire course of committal!"

ALLUDED TO, I BELIEVE "ONLY DUE, TO WITNESSES REVEALING THIS" DURING TRIAL.

WITH THEIR PREVIOUS EVIDENCE "ON THE RECORD", "IN COMMITTAL DEPOSITIONS".

IMPOSSIBLE TO DENY AND BURY, AS WITH THE REST OF EVIDENCE. "NOT REVISITED".

Page 189 L8-16 Mr Holt: Your Honour may recall also at the trial in relation to the La Porchetta reference back at the committal transcript where two of the young women who were present at La Porchetta were giving evidence and became distressed and Mr Binse was self- represented, and he made a real effort to make clear he was prepared to sit down and not ask any further questions at that stage and we acknowledge immediately that the committal **was a mixed bag.**²¹.

Deposition evidence Ellen De Filippis pages. – 374 L25-375 L1.

<CROSS-EXAMINED BY ACCUSED:

HER HONOUR: Yes, you ready - - -? ---Yep.

¹¹ Melbourne Magistrates Court Evidence March 2013.

¹¹ Melbourne Magistrates Court Evidence March 2013.

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

--- Mr Binse?

ACCUSED: Yep. Ellen, at any time if you feel uncomfortable with me or anything, can you just notify the court and I'll just - because I get a bit passionate at times and just, um, just, um - I don't want you to be intimidated?---OK.
OK? ---Yeah.

Deposition evidence Ellen De Filippis pages. – 383 L31- 384 L14.

ACCUSED: So how's your girlfriend? ---Yep?

MS WILLIAMS: No, don't - - -

ACCUSED: No, I just - - -

MS WILLIAMS: He shouldn't ask that question, Your Honour.

ACCUSED: OK, no, I just wanna say one thing because - - -

MS WILLIAMS: No, Your Honour, he shouldn't ask - - -

ACCUSED: I got sidetracked. Can you just convey to her my concerns and my profound apologies for exposing both of you to that event? That's all I'd like to say. You know, I didn't get a chance to say that to her the other day because I got distracted with other things and I would just like to know - let her know that I'm sorry for what she may have been exposed to and witnessed as same as you. OK? And that's all I have to say, thank you?
---Thank you.¹¹

**Exhibit #D- Police recording interview with Det Sarah Cracknel.
Page 184 L6-7. Tape played 184 L11, 184 L20-21 exhibit # D. tendered.**

Page 188 L29-31 His Honour: I thought, and I invite discussion about this, **but I thought there were some expressions of remorse that went beyond self-pity in the record of interview.**

Page 189 L1- Mr Holt: Yes, I was going to make precisely the same submissions.

Page 189 L2- 3 Mr Holt: The expressions are mostly about the extent to which Mr. Binse had destroyed his own by those actions.²¹

WHAT **"REAL GENUINE DEFENCE COUNSEL WOULD UTTER THIS?"**

Page 96 L8 - 10 Mr Holt: We only have one victim impact statement in relation to that. It's pretty toned down that impact statement,

Page 188 L21 – 23 Mr Holt: and no issue is taken with the victim impact statements or the impact it has occurred on these persons on the day.

¹¹ Melbourne Magistrates Court Evidence March 2013.

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

Page 196 L2- 3 Mr Chatwick: Firstly, Your Honour, I indicated to Your Honour Mr Toothill was unwell.

Page 196 L5 -6 Mr Chatwick: With regard to a victim impact statement. But in the interim his wife has provided a very brief letter.

Page 196 L7 His Honour: Have you seen that, Mr Holt?

Page 196 L8 Mr Holt: Yes, we've seen that and no objection, Your Honour.

Page 196 L9 -10 His Honour: All right, is that – it doesn't look to me like its in the form of a victim impact statement.

Page 196 L11- Mr Chatwick: It's not the proper form Your Honour

Page 196 L12 Mr Holt: And no objection is taken on the basis of that.

Page 196 L13 His Honour: All right.

Page 196 L14 Mr Chatwick: If I might be able to tender that, Your Honour.

Page 196 L15 His Honour: That will be added to the victim impact statement exhibit, which I think is Exhibit 12. ²¹.

"LET SLIDE IN BY DEFENCE ACTING FOR CROWN" "TAG TEAMED"!

Page 196 L5 -6 Mr Chatwick: With regard to a victim impact statement. But in the interim his wife has provided a very brief letter. ²¹

I HAD ACTUALLY "TRIED TO PROVIDE A LETTER OF APOLOGY" "TO THE WIFE OF SECURITY GUARD MR. TOOTHILL".

FOLLOWING HER IMPROPER VICTIM IMPACT STATEMENT ALLOWED BY "SAUL HOLT". PERSONALLY BEING DEEPLY TOUCHED BY ITS DISTURBING CONTENTS.

Alana Toothill Victim Impact document. ³⁵.

AFTER READING THIS MOVING DOCUMENT, I "TRIED TO ANSWER HER PLEA'S".

Letter to Mrs Alana Toothill dated 12/05/2014. ⁴⁴.

ON THE DAY OF MY SENTENCING MAY 2014, I TRIED TO HAVE PROVIDE TO MY LEGAL COUNSEL TO DELIVER TO THE CROWN, **"BOTH REFUSED" TO ACCEPT THIS DOCUMENT.** DONE SO, **"NOT TO SEEK CONCESSIONS FROM THE COURTS"**, BUT TO **"EASE HER PAIN!"**

Neither my defence counsel, nor the crown would accept it. To quell her pain.

I would finally in 2016. Be allowed to hand Mrs Toothill the letter to address her Q's in ⁴⁴.

As with the rest of past victims in my previous charges heard before. His Honour, which I had sadly overlooked and ignored. Those outstanding issues are now too resolved! I had now PURGED all the bad stuff. That was within me. All clean and pure inside!

I HAVE DECIDED TO PRESENT THE RAW EVIDENCE "UNCUT!" THESE ARE MY OWN WORDS. THE REST UNRAVELS, AND FORMS THE TRUE EVENTS AND AN UNBRIDLED PICTURE SEEN.

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

³⁵ VICTIM IMPACT STATEMENT ARMED HOLD UP MARCH 2012.

⁴⁴ To Alana & Toothill family letter dated 12/05/2014.

⁴⁴ To Alana & Toothill family letter dated 12/05/2014.

**“LIVE BROADCASTED TO THE WHOLE WORLD AND BEYOND NOW.”
MARS INCLUDED, TAINTED FACTS AND EVIDENCE!**

I HAVE P.T.S.D AND SO DO MY VICTIMS!

Page 1 Line 31-Page 2 line 5

ACCUSED: Would I like to try and wrap it up this year, but Your Honour you can see, I have got a lot of (indistinct) before me and I have just been moved to Melaleuca, in the week or so, I am still missing some documents, I would like to look - the ones that have been issued, some of my documents are still outstanding too. I would just like to get on the record, because I want to give you an indication what the issue is that I want to raise to you. Can you hear me?²⁹.

Page 2 Line 11- 21.

ACCUSED: Sorry to interrupt, I'm conscious - see, I have been requesting for three months now, okay, and I have been in a couple of times, I have had a few self-harm attempts, and zoo this is the thing, Your Honour, there are so many issues, okay, when they first told me, first indicated to me I was going to face you and you know from my 400 page document, my plea submissions, okay, that I would go out hunting and I tried (indistinct) as possible, you know, it seemed to me you're up before Terry Forrest, pardon the language, fuck, I don't want to front that caper.

HIS HONOUR: I have heard that before.

ACCUSED: Then I said to myself, you know what, they smashed me out of the ballpark last time, right, then I said to myself, you know what, there was so much of Daniel that was falsely presented, unredeeming light by my barrister, okay, and also the aid and assistance of Danny Sullivan, and I couldn't show and prove - we have to revisit a lot of the evidence, this is the thing, because at the moment you have this poisoned view towards me, okay,²⁹.

Page 6 Line 13-Page 7 line 10.

ACCUSED: Okay, listen, I know that, you sat down and read that other one, 440, and this is the thing, remember the police submission okay, that I presented, that, whatever you want to call it, the life of mars, if you want me to quote ya, I mean, I knew that I would sacrifice myself by presenting that material okay because it was so confronting, and related to my offending behaviour, but I found I had to at the time show and demonstrate what isolation does, the lack of preparation for release, this was mitigating features in my offending behaviour. I actually alluded to some of these offences at the time, I did not quantify them, okay, I didn't identify them because I didn't want to be charged, I wanted to show that at the time that I had not repeated the armed robbery offences in two decades okay, and I walked away from that, I walked away there that knowing that that would have an effect on me and that it would really affect my situation. Okay, it was making the wrong - fine, I wanted to reach out to the people, I was trying to show using myself, falling on the sword, and I did, and that I sacrificed myself, to change the lives of others so they don't go through what I'm going through. That has been turned into a book now, Ahem, it is a best seller, okay, it is a best - it will be a best seller and they are going to do a movie about that, okay? This is what it does, where I was prepared to - saying I had no remorse or lack of remorse or something

²⁹ SUPREME COURT OF VICTORIA EVIDENCE 8TH SEPTEMBER 2016.

²⁹ SUPREME COURT OF VICTORIA EVIDENCE 8TH SEPTEMBER 2016.

like that, what do you know man? How do you know how I feel? And I thought to myself, you know what, he is right²⁹.

Chris .D. P Binse 043517
C/ o-.Olearia Unit. Unit 3
Barwon Prison. Locked Bag 7,
Lara, 3212. Vic.

3rd /10/2016

To His Honour Mr Terry Forrest.

Re: - D.P.P. v Christopher Pecotic (S CR 2016 0021).

Dear Sir,

In Your submissions you suggested I lacked remorse, I could not accept this at first. I was ignorant to the obvious, then it dawned upon me, **“you were indeed right”**, you had opened my mind to the dark periods I had shut down. Tapping into my moral fibres, that were severed and lying dormant. To return to those times, it caused much flashbacks, triggering a minefield of traumas, yet nothing compared to those, I had subjected to, during my criminal conduct and behaviour. Crimes I had actually buried.

This is evident in my Police interview, **“not feigned”**, when returning to those incidents, **“recalling crimes overlooked”**, previously in the plea materials, a clear gauge to mind being shut down and again in Affidavit disclosures, my mind literally scrambled, blocking out many bad things in life, those events a central figure and part of also.

I have cleansed my soul of all the bad sin, that I deeply regret in my confessions, It being a cathartic experience and in doing so, **“I have made it good, with all my victims”**,

“by reaching out to them offering aide in closure”, ending the haunting memories, that may still linger on, **“easily triggered by innocuous events”**.

As I came to **“self- analyse myself once more”**, begin to unravel events, coming to understand/comprehend the true and exact depth of my P.T.S.D. condition, never fully appreciated by me, **“nor did I realise just how damaged I really was”** as was guarded in discussing such sensitive matters with others, let alone figures of Authority

Thus all bottled up becoming a pressure cooker **“full of internal emotional unbalance”**

No proper navigations, no rudder, no directions, walking aimlessly in life, on a self-destructive path, leaving a litany of untold Mayhem/ destruction in my wake unseen.

Not realising true extent of chaos, **as became the norm, programmed from isolation.**

This having become, forming **“My Genome”**, broken D.N.A. matter now understood

This, “I can’t thank you enough for”, and “I really mean that too”.

I KNOW THAT I WASN’T BORN BAD, BUT WAS FORMED BAD BY THE STATE

I am now free of all this manic disarray, “I understand it all now”.

You have judged me once, and that turned in to a travesty of Justice, due to false presentation of me. **“You are not completely at fault”, but it did occur non- the less,**

“On Your Watch” You were blinded by deceit & lies, treated as a tool upon me sadly

The true level and extent would not bode well with you at all, and be appalled by this.

Place’s a blight/ unsightly blemish & stain on your record in administration of Justice.⁴².

²⁹ SUPREME COURT OF VICTORIA EVIDENCE 8TH SEPTEMBER 2016.

⁴² Letter dated 3rd/ 10/2016. To His Honour Mr Terry Forrest.

MEDIA MALICIOUS MISCHIEF!

Page 6 Line 26- Page 7 line 10.

ACCUSED: Yeah, I'm just mindful of the media how they like to misinterpret, misrepresent people by suggesting, oh, that I'm working with police, underworld figures should be concerned and alarmed, causing mayhem and mischief by inaccurate reporting, it has happened to me on a couple of occasions, so I would like to make sure, it is very accurate in the description over what it says, I have got a copy here, okay, how I come forth, there was concern about the victims, how I wanted to try and alleviate their, any concerns or troubles or anything that I have put them through, that I come full term to just cleanse my soul, and that's it, basically, not that I'm assisting authorities to have others charged, because no one has been identified and no one has been charged, you don't - just basically that I come forth, you know, just, what to say. ⁴³.

Page 1 Line 11- Page 10 line 6.

HIS HONOUR: Good morning, Mr Rose. Mr Pecotic, you appear for yourself.

ACCUSED: Yes, I do.

HIS HONOUR: Yes.

ACCUSED: Could I before, before we get into things, there's a couple of things I've got on my mind.

HIS HONOUR: Yes, sure.

ACCUSED: And it's probably easier for me to raise them now and then that way you can, like - - -

HIS HONOUR: Could I just say one thing before you do that.

ACCUSED: Yes.

HIS HONOUR: You sent the court - you can be seated, Mr Pecotic - you sent the court some correspondence.

ACCUSED: Yes.

HIS HONOUR: Which contained a letter and an attached affidavit which was not addressed to the court but somehow it found its way to us. The letter was addressed to Mr Boskowski, the informant. I gather he's not here, Mr Rose, at the moment.

MR ROSE: No, Your Honour.

HIS HONOUR: No. Understand you wanted the court to pass it on to Mr Boskowski - - -

ACCUSED: He's already received it, that was a copy, that was for the court's, for their benefit.

HIS HONOUR: Right. Are you aware of this, Mr Rose?

MR ROSE: If it's what Mr Pecotic was telling us about before, another charge, he just mentioned that.

HIS HONOUR: Yes.

MR ROSE: I don't know what it is and we haven't seen the material.

HIS HONOUR: All right. If this is no more than a copy of what you have sent to the informant - - -

ACCUSED: Yes.

HIS HONOUR: I'm happy to place it on file.

ACCUSED: Yes.

⁴³ SUPREME COURT OF VICTORIA EVIDENCE 2nd NOVEMBER 2016.

HIS HONOUR: I can't, the court can't act as a clearing house for letters between you and Mr Boskowski because we have to stand in the middle, we are - - -

ACCUSED: I just wanted to bring it to your attention.

HIS HONOUR: No.

ACCUSED: That's all it was. I have given it to him. He got it way before.

HIS HONOUR: Yes.

ACCUSED: I was hoping that maybe he could finalise or something like this, bring it to the Crown's attention. Apparently he wasn't. I, just out of courtesy, sent one to the courts just to highlight what's the situation.

HIS HONOUR: I gather what you're hoping for is that if there is to be another charge it can be consolidated with the other ones and deal with them all at the one time.

ACCUSED: Yes.

HIS HONOUR: If there is to be another charge, that's obviously very sensible. Has there been another charge? Have you been charged with - - -

ACCUSED: No, I haven't, no.

MR ROSE: We're not aware of it, Your Honour, but - - -

HIS HONOUR: I think you will have to get on to - this will remain sealed on our file, I think.

MR ROSE: We'll chase down the informant.

HIS HONOUR: Yes.

MR ROSE: And see if there's another charge to be laid and we'll get - - -

ACCUSED: I've got a copy if he wants a copy.

MR ROSE: - - - we'll get it into line so that we can deal with all this on the January return date if need be.

HIS HONOUR: Mr Pecotic has indicated there's a copy here that he has for you.

MR ROSE: All right.

HIS HONOUR: So - - -

MR ROSE: I'm happy to have a copy, Your Honour, and we will take it on board.

HIS HONOUR: Yes.

ACCUSED: Can say that if we've got - there's another thing too. There's a, while we're here there was 6 March, "To whom it may concern" apology letter to my victims. Do you know if that's - is that on file?

HIS HONOUR: Is this to do with the most recent - - -

ACCUSED: No, no, that - no. This is - sorry, yeah. When I say "most recent", that's the most recent revelation but this is 6 March that I give to Mr Boskowski in relation to providing a comfort to all the victims in the numerous armed robberies I've got convicted.

HIS HONOUR: I don't think we've got that.

ACCUSED: You haven't got it? I've got one - - -

HIS HONOUR: We may have. We haven't received it from you.

ACCUSED: Yes.

HIS HONOUR: But it could be in the Crown materials, I just - - -

ACCUSED: Okay. Well, I'm happy to give the courts that.

HIS HONOUR: If you give Mr Rose a copy of that.

ACCUSED: Yeah, and he can - - -

HIS HONOUR: That will find its way to me.

ACCUSED: All right, okay. That's - that was given to Mr Boskowski and I've got in my communications that he's actually provided a copy of that, because I asked for that to be provided to the victims.

HIS HONOUR: Yes.

ACCUSED: And stuff and then, Your Honour, one sec. while we're here - - -

MR ROSE: We haven't seen that before, Your Honour.

ACCUSED: This is - - -

MR ROSE: But we are happy for you to have it.

HIS HONOUR: Look, do it formally, I think.

ACCUSED: - - - this is the copy of the correspondence I've had with the courts, Mr Boskowski and the affidavit in relation to the most recent revelation.

HIS HONOUR: You can provide that to Mr Rose.

ACCUSED: Yes.

HIS HONOUR: As I say, we've got a copy of that on the court file.

ACCUSED: Yes.

HIS HONOUR: And so that means that Mr Boskowski, Mr Rose and the court have a copy of that.

ACCUSED: Yes.

HIS HONOUR: And we will see what comes of that.

ACCUSED: What I was going to say is there's a particular individual in the affidavit that I referred to, the unidentified male, he got a little bit of a Bud (indistinct), Bud Spencer to the forehead, you know, so

HIS HONOUR: Bud Spencer being the spaghetti western star.

ACCUSED: Yeah, yeah.

HIS HONOUR: Yes, I remember him.

ACCUSED: I don't like that - - -

MR ROSE: Trinity.

ACCUSED: That's the only way I can try and - - -

HIS HONOUR: "Trinity is My Name."

ACCUSED: So I'd like to, I'd like for him to receive a - - -

HIS HONOUR: Well, no doubt if charges are laid, he will be invited to make a victim impact statement.

ACCUSED: Yeah. Well, the thing is it's, I think he would have been disturbed. He never come back through that door so he would have been a little bit horrified and shocked to what occurred.

HIS HONOUR: Yes.

ACCUSED: So this is the thing I would like to try and make it good with him too.

HIS HONOUR: Well, if you - - -

ACCUSED: So to give him some closure, comfort. See, if they know the person's been arrested for this - - -

HIS HONOUR: Yes.

ACCUSED: - - - I mean, at least they'll know that the person's in custody and they won't looking around corners or stuff like that, you know, or so I put a - - -

HIS HONOUR: Okay. Well, again, Mr Malouf will take that from you.

ACCUSED: Yes.

HIS HONOUR: And give it to Mr Rose and that will find its way to me in effect depositions after, or material in the event that there's a charge.

ACCUSED: Yes. What I was going to say now, Your Honour, these are the, these are the most recent victim impact statements. I haven't opened it because I don't want to read it at this point because I know the shit, there's bad stuff in there.

HIS HONOUR: Yes.

ACCUSED: Okay, that I contributed to so it's haunting me, sort of the thing, it's just, it's troubled by being reminded of what's I put my victims through. Okay. Now, I was looking at this and then I thought to myself, "You know what?" It reminded me of the fact there's a number of other victims in my other matters that you sat, you heard. Okay, that's, I never got

an opportunity, they'd submitted victim impact statements that I never got a chance to respond to or atone for or provide them some comfort of reaching out to try and - I'll say I just had this conversation with the Crown before, I was hoping to try and provide it to them if I bring it to your attention because I'm not looking for benefits, I'm not looking for discounts, I want to do something that's right. Okay, the courts didn't need to know about this, you know, but the thing is they suggested I should bring it to your attention.

HIS HONOUR: Well, if you wish, as part of your plea, to apologise not only to the victims of the crimes that are before me now.

ACCUSED: Yes.

HIS HONOUR: But also to the victims of your other crimes.

ACCUSED: Yeah.

HIS HONOUR: That's certainly that can be placed before the court and I will listen to it.

ACCUSED: Okay. Well, there's a number of things and if I can just say Alana Toohill - Alana Toohill was, that was the improper victim impact statement that Saul Holt accepted it wasn't in its proper form. She goes on to say that her husband, John, was in hospital, had a triple bypass and all that sort of stuff. Now, his condition, medical condition could not be directly contributed from my actions, okay, but it was profound, okay. It touched me, it touched everybody, okay. I didn't get an opportunity to address that because she - this is the things I remember in the letter, why, three little words, why.

HIS HONOUR: Yes.

ACCUSED: Why, why. I never forget that. Okay. She wanted to know why and on the day I was sentenced that was the first opportunity I come before the courts, I tried to, through my solicitor, give a letter addressed to her.

HIS HONOUR: Yes.

ACCUSED: And to forward on to the Crown, the Crown didn't want to know nothing about it, okay, or anything like that. There's other correspondence after that to Sarah, okay, that you'll get in good time that I did try to reach out to this person, you know.

HIS HONOUR: What we can do is on your plea - - -

ACCUSED: Yes.

HIS HONOUR: If you prepare that material - - -

ACCUSED: This is, that will be a part of the - the thing is that will form, if you want, I can incorporate that but that was not my intention, okay.

HIS HONOUR: Yes.

ACCUSED: I just wanted - that remorse section, actually that remorse section with her how I tried to reach out, that is, that forms a part of remorse, that's in the remorse file, okay.

HIS HONOUR: Yes.

ACCUSED: But it - this was not my intention and because I didn't think about this until I started seeing this.

HIS HONOUR: Yes.

ACCUSED: I thought to myself, "Oh, wait a minute" and this was only about a couple of days ago because I'm looking in my cell and it's a bit hard to ignore this, you know what I mean, like the colour and stuff. "You know what, there's some victims here, there's some other victims there".

HIS HONOUR: Yes.

ACCUSED: That I still hadn't addressed, they're still pretty - you know this, you seen Tristan Casis, okay, the impact it had on him, okay. I seen - I mean, look, that troubled me, he's an officer, that troubled me. I don't like to put people in that position or render them like that.

HIS HONOUR: Yes.

ACCUSED: As a consequence of my actions, seriously, and it's the truth. I don't get no joy, I don't get no comfort out of this, okay, and if I can do something to try and reach out to them

to restore whatever, to help them move, mend, to heal the processor whatever, I'm more than happy to accommodate, I'll go out of my way to do this.

HIS HONOUR: All right. As I say, and I will repeat it, when we come to do the consolidated plea.

ACCUSED: Yeah.

HIS HONOUR: Which will be some time in the new year.

ACCUSED: Yeah.

HIS HONOUR: If you prepare that material and place it before me, it will form part of the material, (a), that I consider but also it will be part of the public record so that the victims of your crimes will understand - - -

ACCUSED: Yes, because by reading her victim impact - - -

HIS HONOUR: - - - at least the fact that you have said these things.

ACCUSED: Yeah. See, by reading her statement, her victim - it's haunting, it's troubling.

HIS HONOUR: Yes.

ACCUSED: It's disturbing, it really is. She hasn't - they haven't got over that, you know, really, at the end of the day. I know that.

HIS HONOUR: Yes.

ACCUSED: And I think it would make for me, I wasn't after a benefit, it would make me feel so much better that knowing that I done something about it pro-active, so that's the victim impact statement of hers and there's the correspondence, the most recent correspondence and the one dated the 12th of the 5th that was leading up to the sentence, you know, and that was done before the sentence. And this is all on file. This is - you can see on the computer on the date, the day or the file dated correctly, all that stuff you can see the dates, I haven't altered, okay, so what I'd like to do is just have the opportunity to provide them some closure.

HIS HONOUR: Well, as I say, you will have that opportunity during the plea and I am sure that just your remarks here have been recorded in transcript will be noted by the Crown and if they think it appropriate will be passed on to those victims.

ACCUSED: Yes, I would like to take from me because it's all about the victims, they want to hear me, if that's their role - - -

HIS HONOUR: If appropriate.

ACCUSED: - - - to try and help the victims move forward, then I'm providing material to support that, to give some sustenance to that.³⁰

“TO WHOM IT MAY CONCERN.”

6th March 2016

Mr Christopher Dean Pecotic. A.k.a. “Binse” Crn 43517
C/o- Acacia Unit 4/ Barwon Prison, Lara 3212, Vic.

To whom it may concern,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some decades later, for the crimes and actions I had committed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

“Not to offend you in anyway”. That is not my intention at all.

I hope that my actions coming forth revealing my part and role in these crimes, “provide and grants you some form of relief somehow”, from the “harrowing ordeal”.

³⁰ SUPREME COURT OF VICTORIA EVIDENCE 15TH NOVEMBER 2016.

I am responsible for, I caused, upon you so recklessly.
That you No Longer Dwell over this, nor feel angry (or) scared by this any more, true.
Know “you can put this behind you”, that **“some-ones finally been charged and in jail over this now”**.

I felt an overwhelming overriding need and desire to provide you with closure, this was far more important to me, and then the very real anticipated jail time, that awaits me, because of my crimes. **“Please accept me, in my coming forth”**.

This could have been avoided, by my continued silence, yet in doing so. Your wounds remain Open, & Do Not Heal. To end decades of any haunting lingering memories,
“Is the right Proper thing to do, in my mind”. **Regardless of consequences to me**. Many have advised me against this, “but I am no longer that person I was back then”. You cannot get blood out of a stone, **“only empathy if there is any present at all”**.

Ponder these thoughts, I encourage you please.-

To know I had caused you to be **“troubled”**, **“I deeply regret sincerely”**, **“I DO”**. To be punished for this, was my choice, **“To remedy your own suffering”**, **I caused**.

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic⁴⁵.

Page 6 Line 25- 29.

HIS HONOUR: Well, if you wish, as part of your plea, to apologise not only to the victims of the crimes that are before me now.

ACCUSED: Yes.

HIS HONOUR: But also to the victims of your other crimes.

ACCUSED: Yeah. ³⁰

Mr.Chris .D. P Binse **043517**

C/- . Olearia unit. Unit 3

Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Mathew Sheilds,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

“Not to offend you in anyway”. That is not my intention at all.

I hope that my actions coming forth. **“Provides and grants you some form of relief somehow”**, from the **“harrowing ordeal”**.

I am responsible for, I caused, upon you so recklessly.

That you No Longer Dwell over this, nor feel angry (or) scared by this any more, true.

Know **“you can put this behind you”**.

⁴⁵ LETTER DATED. 6TH MARCH, “TO WHOM IT MAY CONCERN.”

³⁰ SUPREME COURT OF VICTORIA EVIDENCE 15TH NOVEMBER 2016.

I felt an overwhelming overriding need and desire to provide you with closure.

“Please accept me, in my coming forth”.

Ponder these thoughts, I encourage you please.-

To know I had caused you to be **“troubled”**, **“I deeply regret sincerely”**, **“I DO”**.
I have reached out to you, in the hope **“To remedy your own suffering”**, **I caused.**

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To John, Alana Toothill & Family,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, **“some may seek buried”**.

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“Please accept me, in my coming forth”.

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I have reached out to you, in the hope **“To remedy your own suffering”**, **I caused.**

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Natalie Melaney,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**

C/- Olearia unit. Unit 3

Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Lillian Francis,

you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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I have reached out to you, in the hope “To remedy your own suffering”, I caused.

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse 043517
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Bernard Walker,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse 043517
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Gregory Rattew,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

“Not to offend you in anyway”. That is not my intention at all.

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“Please accept me, in my coming forth”.

Ponder these thoughts, I encourage you please.-

To know I had caused you to be **“troubled”**, **“I deeply regret sincerely”**, **“I DO”**.

I have reached out to you, in the hope **“To remedy your own suffering”**, **I caused.**

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**

C/- . Olearia unit. Unit 3

Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Shane Vipond,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

“Not to offend you in anyway”. That is not my intention at all.

I hope that my actions coming forth. **“Provides and grants you some form of relief somehow”**, from the **“harrowing ordeal”**.

I am responsible for, I caused, upon you so recklessly.

That you No Longer Dwell over this, nor feel angry (or) scared by this any more, true.

Know **“you can put this behind you”**.

I felt an overwhelming overriding need and desire to provide you with closure.

“Please accept me, in my coming forth”.

Ponder these thoughts, I encourage you please.-

To know I had caused you to be **“troubled”**, **“I deeply regret sincerely”**, **“I DO”**.

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Mr.Chris .D. P Binse 043517
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Shaun Howard,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

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Sincerely Chris Pecotic

Mr.Chris .D. P Binse 043517
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Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To John Hollis,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**

C/- . Olearia unit. Unit 3

Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Ellen Defillips,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, **“some may seek buried”**.

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“IT’S ALL OVER NOW”

Sincerely Chris Pecotic

Mr.Chris .D. P Binse **043517**
C/- . Olearia unit. Unit 3
Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Erin Knight,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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“IT’S ALL OVER NOW”

Sincerely Chris Pecotic⁴⁶.

Mr.Chris .D. P Binse **043517**

C/- . Olearia unit. Unit 3

Barwon Prison Locked Bag 7, Lara 3212.Vic.

13th November 2016.

To Mr Kassis,

I want you to know, **that I am making real efforts in “providing you”**, with the chance of attaining some real peace, comfort and closure, albeit some years later, for the crimes and actions I had committed, you had unfortunately witnessed.

I explored this matter, in gauging others opinions, on advice, in being as delicate as possible, not wishing to remind some & dredge up the past, “some may seek buried”.

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That you No Longer Dwell over this, nor feel angry (or) scared by this any more, true.

Know **“you can put this behind you”**.

I felt an overwhelming overriding need and desire to provide you with closure.

⁴⁶ (12x) 13th/11/2016 Letters provided to past victims re. – La Porchetta, siege & armed robbery crimes 2012.

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I have reached out to you, in the hope **“To remedy your own suffering”**, **I caused.**

“HAVE NO MORE CONCERNS”, “NO MORE WORRIES” (OR) FEARS.

“IT’S ALL OVER NOW”

Sincerely Chris Pecotic⁴⁷.

12th /05/2014

Inmate 43517
P.O. BOX 500
ST Albans 3020. vic.

TO Alana & the Toothill family,

I truly feel for you & my actions that may have contributed to your husband & daughter’s health. You asked for the (3) words from me WHY?

I was under enormous pressure from a host of dangers, to make my family safe from enemy’s to move them from harms way, they shot & killed people, this is no excuse at all, but was the motivation behind this conduct.

I have had little time spent in the community since I was a child of 12 yrs old, institutionalised is an understatement, I held serious concerns raised to help me to adjust from the transition from solitary “isolation” confinement, in order for me to assimilate into society.

This I had raised with Prison authority’s on the last (3) occasions & all on file, nothing done to help me at all.

My life is sad & tragic; I seek no pity from you either.

I did not enjoy committing the robbery at all; I had put that life behind me, once I saw what impact I had on the bank staff. It troubled me; I have a conscience I do.

My last armed robbery was in 1992.

The circumstances I found myself in at the time was not good at all upon my release from custody, that is a fact.

To make things worse I had no thing put in place to help me adjust (or) settle into the community and killers after me & anyone close to me. This was serious stuff.

I did not know how to deal with it, other then what I had learnt in jail survival skills that I had been so heavily reliant on to survive the jungle, not from your world but mine, This too all came crashing down, causing me to seek refuge in drugs in helping blur the situation faced with.

I did not get any joy at all from the proceeds of robbery

I actually spew up from nerves a short time later fact.

The money was cursed, everybody that touched it poisoned

I broke down during Police interview, this real remorse, for the trouble & pain & misery I had caused by it.

⁴⁷ APOLOGY LETTER TO TRISTIAN KASSIS.

Then not at ease with my inner turmoil by this, I wrote a letter 25/12/12 to your husband & his colleague "Mathew Shields", to purge myself from this crime I had done.

This was sent to Sarah Cracknell the Police officer in case, upon reading this letters I felt it needed more, so wrote another letter of apology with all your answers in it, then again a 3rd sent to Sarah Cracknel 10/01/13.

It appears that neither received these (3) letters?

This I did not have to do, but was driven by an inner need, to try and explain best this criminal conduct why?

I have written a detailed history of my past, a true crime novel if you may call it, I am ashamed of, & it caused me much angst in memory's deeply buried in deep recess of mind to surface & ignite further guilt I had never known. Yet it has also been a cleansing of soul too

I am pure & free from all the sins I done, I will be Judged by a Higher being "GOD" he knows this is true, he see's & knows everything we do.

Hopefully many will pay attention to this book, & learn from all the mistakes we all shared. And the Government changes its policy on warehousing inmates in solitary & releasing them from such environments knowing it is detrimental to both inmate & the wider community welfare.

I do hope that you receive this letter, I have provided a copy of the 2nd letter sent to Mr. Toothill, the original was corrupted on floppy disc, & this answers your Q's.

I hope that Your Husband & daughter are able to recover from any health & medical problems suffered also.

Alana,

Finally there is nothing I can do to change what occurred

Tell me, what it is I can do to help ease the inner turmoil, what am I able to do to change things, & I will.

Sincere & genuine regards

Christopher .D.Pecotic."a.k.a." Binse Inmate 043517.⁴⁴

Page 2 Line 13- Page 3 line 4.

HIS HONOUR: Thanks Dr Fitzgerald. I've read the material that has been provided to me by both the Crown, and the outline of plea submissions together with the attachments that have been provided to me by the defence, Dr Fitzgerald. Do you wish to open the case, Mr Rose?

MR ROSE: Yes, Your Honour. I was proposing to read into evidence the opening.

HIS HONOUR: Yes.

MR ROSE: And tender a copy of the opening to become an exhibit. I then have some victim impact statements to file, one who's asked that it be read, the others just to be read by Your Honour, and then I'll sit down. HIS HONOUR: All right. I can indicate I've read the victim impact statements, but by all means read aloud the one that you wish. MR ROSE: Yes, thank you, Your Honour. Is it convenient to start, Your Honour?

HIS HONOUR: Yes.

MR ROSE: I'll hand a copy of the opening to become an exhibit if that's convenient.

#EXHIBIT 1 - Crown opening.

⁴⁴ To Alana & Toothill family letter dated 12/05/2014.

MR ROSE: Christopher Dean Pecotic was born on 7 October 1968. He has a long criminal history dating back to 1984. On 23 May 2014 he was sentenced to a period of imprisonment of 18 years and two months with a 14 year and two month minimum in respect of offending which occurred in the first half of 2012. Following that conviction and sentence and prior to an appeal in respect to the above sentence being heard in May of 2016, and judgment being delivered in June 2016, Mr Pecotic on 22 January 2015 wrote to Detective Inspector Ken Ashworth, formerly of the Armed Robbery Squad, detailing his involvement in a series of armed robberies and other offendings that were said to have occurred between 30 May 1988 and 10 December 1991.

We annexed a letter from Mr Pecotic of 22 January. That letter was followed up by an affidavit sworn on 22 January 2015 by Mr Pecotic confirming the matters set out in his earlier letter, and that's also in an annexure to the opening.

On 3 August 2015 a record of interview was conducted with him, as he was then an inmate at Barwon Prison where he detailed at considerable length his involvement in the criminal offending between May 1988 and December 1991. And that record of interview was also in the materials.

On 15 September 2015 a further record of interview was conducted in relation to some of the offending, and that also is an annexure. The offending to which Mr Pecotic was admitting involvement had all been investigated by the police and filed as unsolved investigations, and it was only due to the fact that the accused contacting police and making admissions to, in his words "square the ledger" that his involvement in these various offences could be established. ³¹.

CONFESSIONS OF A PROLIFIC ARMED ROBBER, GUILTY AS CHARGED!

Page 3 Line 5- Page 7 line 14.

Christopher Pecotic is pleading guilty in respect of nines charges; seven armed robberies, one attempted armed robbery and one count of recklessly causing endangerment of life.

Briefly the facts giving rise to the various offendings is as follows: there was an armed hold-up at Ken Kim Sports Store in Altona on Monday 30 May 1988. The accused in company with two other unidentified offenders had attended at the premises and the accused armed with an imitation pistol had menaced the victim and made a demand for firearms which were displayed behind the counter. Six firearms were handed over consisting predominantly of shotguns, and the offenders left the scene in the waiting vehicle. That's Charge 1 of armed robbery.

Next, on Tuesday 31 May 1988 the accused driving a stolen vehicle attended at the State Savings Bank of Victoria located at the corner of Wyong and Centreway roads in East Keilor. He entered the bank armed with a sawn-off shotgun, collected cash from each of the tellers amounting to the sum of \$21,688, and at the time of this offending there was a total of 12 staff and two customers presents at the bank. That gives rise to the second charge of armed robbery.

Then on 17 June \$1,988 the accused in company with an unidentified co-offender had attend the TAB located in Puckle Street, Moonee Ponds. Clad in balaclavas, overalls and armed with shotguns they confronted the manager and demanded all the big notes. The co-accused discharged a shot into the ceiling of the venue before both offenders fled in a stolen vehicle. The amount stolen from the TAB was

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30^H JANUARY 2017.

\$5,326.58. At the time of this offending there was a single customer present in the TAB. That's Charge 3, an armed robbery.

On 30 June 1988 the accused with two unidentified co-offenders armed with shotguns had attempted to enter the Commonwealth Bank in Main Street, East St Albans. However, the doors were locked due to it being the end of the business day. Using the butt of the shotgun the accused attempted to smash the glass of the sliding door but failed. The co-offenders had gone back into a waiting vehicle driven by a third unknown offender and left the scene. That gives rise to the Charge 4, the attempted armed robbery.

On 29 August 1989 the accused, driving a stolen vehicle, attended the Commonwealth Bank in Douglas Parade in Noble Park. Clad in a balaclava and overcoat and armed with a sawn-off shotgun, he entered the bank, approached the teller and demanded the teller fill a bag with money. The accused motioning his shotgun directed other staff members to fill a garbage bag with money. A staff member activated an audible alarm system which caused the accused to flee getting away with the sum of \$23,757. At the time of this offending there were 10 staff and six customers present in the bank during the hold-up. That's Charge 5, armed robbery.

On 25 October 1991, the accused had stolen a vehicle in company with another unidentified co-offender and attended the State Savings Bank Victoria located at Pier Street, Altona. Dressed in overalls and balaclavas, the pair entered the bank. The accused was armed with an automatic shotgun and a verbal demand for money was made. The co-offender had got over the security grill and began collecting money. The pair then fled having stolen the sum of \$55,000. At the time of this offending there were 15 staff and seven customers present during the armed hold-up. That's Charge 6, armed robbery.

Then on 8 November 1991 the accused dressed in dark clothing and carrying a straw bag containing a wig and a flesh coloured mask and two firearms attended at the Target store located in the Highpoint Shopping Centre at Maribyrnong and lay in wait for two Brambles security guards who were carrying cash which had been collected from the Target store. The accused held up the guards holding a firearm in each hand and wearing a mask and wig. Each of the guards was ordered to remove their firearms and those firearms were placed in the straw back carried by the accused. The accused then fled carrying a cash tin towards the rear of the Target store. He went through a passageway to what he believed was the rear exit of the store which was locked. He was followed by a staff member who challenged him to stop. Cornered, the accused fired two shots from a .22 pistol in the direction of the staff member with one penetrating through the staff member's shirt sleeve. No injuries were sustained by the staff member and both bullets lodged in the wall behind. The accused then fled through an alternate exit, having stolen from Brambles Security the sum of \$80,234.10. The aforesaid events give rise to a charge of armed robbery and a charge of reckless conduct endangering life. They're charges 7 and 8 on the indictment.

Finally, on Tuesday 10 December 1991 the accused in company with an unidentified co-offender attended the Commonwealth Bank, Highpoint West branch in Maribyrnong armed with a .45 automatic pistol and dressed in dark clothing. Donning a flesh-coloured face mask and wig the accused with his co-offender, who was similarly attired but armed with a large knife, entered the bank and stole a bag containing cash moneys that was due to be collected everybody collected Armoured cash carrier that day. The accused and co-offender fled with an amount of approximately \$207,500. That is the ninth charge, armed robbery. **It's fair to say that the accused's admissions, which were set out in his letter and referenced in his affidavit and which he admitted to in his recorded records of interview, formed the basis that identified the accused as an offender involved in the various criminal matters referenced above. Otherwise he would not have been identified. Where other offender were involved Mr Pecotic has not identified**

his co-offenders, however, he has taken responsibility for his actions and expressed remorse, which the police who have been involved with him accept that it appears to be genuine. It's also clear that the accused as a perpetrator of the above offending would not have been identified but for his own admissions and his volunteering his involvement to police. There is significant utilitarian benefit in the accused's co-operation with police in respect of these matters. On 22 June 2016 the Court of Appeal delivered a judgment in relation to the accused's appeal against sentence relating to the sentence that was imposed on 23 May 2014. At that stage he put forward material indicating that he's also confessing to the offending now before the court.

At the time of this offending the maximum penalties are as follows: Armed robbery pursuant to the Crimes Act s.75A carried a maximum penalty of 25 years, attempted armed robbery pursuant to s.321M of the Crimes Act carried a maximum penalty of 25 years, and reckless conduct endangering life pursuant to s.22 of the Crimes Act carried a maximum penalty of 10 years.³¹.

Page 8 Line 1- 7.

MR ROSE: Yes. And we're in similar circumstances, it's only because of his admissions that these fairly old cases have been able to be prosecuted.

HIS HONOUR: Well, it's accepted, I gather, by the Crown that but for these admissions these cases would not have been prosecuted.

MR ROSE: That is accepted, Your Honour.³¹.

Page 9 Line 14- Page 7 line 14.

MR ROSE: Can I read out the victim impact statement, Your Honour?

HIS HONOUR: Thanks. Thanks Mr Rose.

MR ROSE: Clive Pattie, a Justice of the Peace, has made a victim impact statement which he's asked to be read. During the armed robbery, I to my own mind was quite calm and didn't feel intimidated because the perpetrators were extremely controlled. My only concern was for the teller who had a shotgun barrel against her face. It was only that night, a Friday, when I was informed various details of the event by a friend, who at the time was a sergeant at Altona North, that fear and worry crept into my mind. I received counselling from the psychologist employed by the State Bank, as for many months after the event I had great difficulty in getting to sleep, going over the events in minute detail. When finally asleep I would wake up with night sweats. This counselling proceeded for many months with little effect. I left the bank within a year of the robbery, although I didn't realise it, as a my wife often told me, I was edgy and seemed like a coiled spring. Although many years have passed since the incident, I can still vividly remember it in minute detail and can replay it in my mind like watching a movie I'd seen before, including dress, costumes, movements, during and after. The predominant lasting effect to this day is that I don't like being in crowds, which has only occurred post 1991. This day when eating out I always sit facing a door so I can see what's coming. That was sworn on 15 October 2015 and signed by Mr Pattie. That's the only one that is sought to be read out, Your Honour. There are others

Can I tender all of those as a bundle, Your Honour?

HIS HONOUR: You've them for the transcript. The victim impact statements will be Exhibit 2.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

MR ROSE: Thank you. #EXHIBIT 2 - Bundle of victim impact statements. - ³¹.

Page 13 Line 20- 28.

DR FITZGERALD: This is a prosecution, as my learned friend has rightly and fairly conceded, that would not have occurred but for the voluntary confessions of Mr Pecotic in January of 2016. By making those admissions in his record of interview and in the preceding correspondence to police, he's exposed himself to further punishment, necessarily that would be in the form of further imprisonment, and that situation is, in the experience of the courts in this state, a relatively unusual one. ³¹.

Page 16 Line 24- 30.

So that's the context in which the prosecution is commenced. He is exposing himself to further punishment in a situation where, as is well known, he is suffering as a result of the conditions that are imposed upon him due to a combination of factors and, to some extent, his conditions are inevitable and that's accepted for the time being. ³¹.

Page 18 Line 3- Page 19 Line 22.

But he had spent two years in Pentridge as a 17-year-old or beginning as a 17-year-old and it's perhaps a topical observation to make that he'd spent that time in very onerous conditions as a very young person and on the basis of his record of interview he came out angry, he came out resentful, he came out having learned a lot of bad things, as he describes them, and having been, well, looked up to more experienced offenders. He was corrupted by that experience. It wasn't the first experience that he'd had of custody, he was, by that time, well and truly institutionalised, but he says in his record of interview that he was committing offences of this kind from the age of 18 or 19, there describing the offences which are now being, now fall to be sentenced. **But he says, at question 265 of that interview, "I've been starting and when, I was doing this shit at the age of 18. I started my first armed robbery aged 18, 19, something like that, you know what I mean, so you learn a little bit more. You pick up, like, I went to gaol, okay, I learnt a lot of things. I got out learning the bad shit and this is the thing I want to do now in my life, I want to change the lives of others. I come into custody as a 17 year old kid, okay, I looked up to armed robbers of the day that they", and then there's a glitch in the tape, "to be them and I got out and I emulated exactly what I heard from them." He recounts some of the circumstances that bred his resentment and his anger and what he describes in his letters to police as "the us and them mentality" that he was experiencing at that time. It's a relevant circumstance to the offending, that's the submission, but he's certainly very young at the time that he was imprisoned in Pentridge and these offences follow that period of imprisonment. It's a matter also borne out by the psychological reports that are contained in the materials and I'll turn to them as the plea proceeds.**

He was in H Division, as Your Honour knows, and found that experience quite brutalising. He describes it as a quasi-military situation where he was made to salute prison officers, he was made to stand on the spot, and Your Honour, as I know from reading the transcript of the last plea hearing, was familiar with the configuration of H Division, it's austerity, it's - - -

HIS HONOUR: Visiting junior solicitors were made to salute prison officers, so it was back in the 80s.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

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DR FITZGERALD: And visiting junior solicitors would be persons of greater maturity, greater resilience than Mr Pecotic was as a 17-year-old teenager. There is approximately contemporary evidence that he was lacking in mental resilience at that time.³¹.

Page 20 Line 10- Page 21 line 5.

DR FITZGERALD: And what this letter records is that he had been held in strict management regime from early November of 1992, involving long periods of lock up of up to 22 hours per day, and it then reads, "Over the past six weeks he's been seeing an unnamed registered psychiatric nurse involved with the H Division and that person has noted a steady deterioration in Chris Binse's mental state culminating in a spectrum of obsessive and paranoid symptoms in late December which have only partially resolved with recent medication." The author was of the belief that he was at that point moving towards significant emotional destabilisation, and intervention was necessary to maintain his grasp on reality. Your Honour has seen this document previously.

HIS HONOUR: I have, but it's not part of the material that I have now.

DR FITZGERALD: No.

HIS HONOUR: Is there an author for that? It would probably be Dr Bartholomew or Dr Walton, I would think.

DR FITZGERALD: This document was obtained by Mr Binse, Mr Pecotic under Freedom of Information and the author's name has been suppressed.

HIS HONOUR: Yes. Do you wish to tender that?

DR FITZGERALD: I do, Your Honour.

#EXHIBIT B - Letter from an unnamed medical director, Forensic Health Service dated 4/1/93. -³¹.

Page 21 Line 25.

As to that, my submission would be it's a very candid interview. He is attempting to square the ledger. He has on one occasion put to him the possible commission of another offence, and he's quite adamant that no, that was not one of his. He's admitting to everything. He must admit to everything. If there was anything that he was to leave out, then his purpose of cleansing his soul would not be achieved. So in my submission it's a very candid interview and it does afford some inferences as to what his mental state was at the time.

HIS HONOUR: Would you say that in addition to that it reinforces the conclusion that you would urge me to draw that in the circumstances his plea of guilty evidences significant remorse.³¹.

Page 22 Line 29- Page 23 Line 21.

DR FITZGERALD: And what actuates, as I've said in my submissions is, to some extent, one of the factors that motivates him, apart from his religious conversion, is identification with the victims of his offences, and he's made that clear in his discussions with police, he's made it clear at points in his interview, and certainly in his instructions to me he's made it very clear that since his own diagnosis of post-traumatic stress disorder he's more alive to the effects that his offending would have had on victims. Those insidious subterranean effects that would be lasting to this day which have been recounted in those victim impact statements.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

HIS HONOUR: And which to some extent perhaps have been stirred up by the process undertaking its course now.

DR FITZGERALD: Yes. His thinking about that is quite lucid, Your Honour. He is of the view that were it not for his public expiation through prosecution and punishment, that there would be no closure for the victims of his offending. And whilst he's had to bring up these matters that are historical, and submit those victims that could be located to canvassing by the police and the preparation of their victim impact statements, he was of the view that that was a necessary process, and they ought to know and need to know that he is incarcerated. ³¹.

Page 24 Line 9- Line 17.

DR FITZGERALD: But on the topic of his religious conversion, he countenanced a situation where he might confess these crimes to a religious adviser privately or in prayer, but he was of the view that that would not be sufficient, that his purposes could only be achieved by the public process of his prosecution and punishment for these offences, and nothing else would be sufficient to communicate his remorse to his victims and to enable them to have closure. ³¹.

Page 26 Line 11- Line 17.

He's not doing this in a calculated way because he knows it's going to come out eventually. That's the bottom line. And he's also doing it in a position where he's well and truly informed by experience of how he reacts to imprisonment, what imprisonment is like; he's not making these confessions blindly or naively. ³¹.

UNUSUAL CASE NOT SEEN IN 35 YEARS ON BAR TABLE AND BENCH!

Page 28 Line 28- 31.

HIS HONOUR: But it's an unusual case. DR FITZGERALD: Yes.

HIS HONOUR: In my experience over the last 30, 35 years, I've not seen circumstances even remotely similar to this. ³¹.

Page 31 Line 11- Page 32 Line 15.

Your Honour would find, in my submission, that these confessions, which are not the product of any pressure, there's nothing in the context to suggest that they were actuated by any reason other than remorse and an acceptance of genuine responsibility for the offending, which itself is the product of some reflection whilst in custody and whilst undergoing sentence for the matters that occurred in 2012. He's had nothing to gain from this confession. There's no calculation that enters into the making of those admissions. He's clearly suffering from the conditions under which he's accommodated. Whatever the cause of those conditions is, however they're attributed, and yet to his credit, not only has he entertained the thought that he should square the ledger but he's followed through on that. He's made the admissions to police and made them knowing that that would expose him to additional punishment. So this is not a case where there's any difficulty in analysing various expressions of remorse and identifying whether self-pity or self-interest is a motivating factor. It's perhaps a curious point that he's come to in his experience and formation but nonetheless it's remorse that must be accepted as genuine, in my submission. A religious conversion was a factor and the materials in the depositions, if I can just turn to those, there is the correspondence to the police in January. It's, in itself, respectful. This is a man in whom anti-authoritarian attitudes

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

have been imbued over a long period of time and I'll address rehabilitation and reform in due course. But, in my submission, the tone of this correspondence, the very fact of this correspondence suggests that he has rejected his pro-criminal anti-authoritarian attitudes that have led him to the service of a sentence of 18 years duration.³¹

Page 34 Line 23- Page 36 Line 30.

What then happens is before the recording device is activated at the record of interview on 3 August of 2015, there is a discussion between Mr Pecotic and the police. That's broadly summarised in paragraphs 7, 8 and 9. "The accused cited his conversion to the Islamic faith was the catalyst, but insisted that he felt genuine remorse for the psychological damage caused to his victims through his offending, Pecotic had detailed his own psychological battles and stated for the first time he had been able to reflect on the anguish he had caused and wished to offer closure to his victims by being held accountable for the historical offences."

The evidence Detective Sergeant Boskowski is that his remorse and his consolatory efforts appeared to be genuine.

That's consistent with the conversations that I've had with Mr Pecotic as to his reasons for coming forward, volunteering confessions to these crimes which, as the informant notes, would not have been solved. He receives a diagnosis of post-traumatic stress disorder in 2013. It's a matter that was the subject of some discussion at the plea hearing before Your Honour in the following year in terms of the impact that it may have had on the commission of the 2012 offences. But it's a diagnosis that he has embraced, one might say, in relation not only to his history in confinement, the effect that that's had on him, but also the assault that he's undergone in custody. He's come to regard that as a very significant explanatory factor in the way that his life has unfolded, and that's assisted him, whatever role it may have played in the actions that he took in 2012, it's assisted him to empathise and identify with the victims of his past offending, and that's a matter which plays quite a significant role in bringing about these confessions, in combination with his faith, in combination with a desire to square the ledger with investigators, but as far as my instructions go, and it's a matter on which he's quite lucid and quite passionate, it's his own battles, as they're described by the informant, and the effects that they've had on him particularly within the fishbowl of the restrictive environments that he's currently confined to, and his reflection on that diagnosis, that's been the precipitating factor for these confessions. It's much more empathic that he's been able to express his remorse in the past.

The record of interview doesn't get very far beyond the offences themselves. There are some expressions of remorse. He says at the beginning of the interview that what he needs to accomplish is to move forward and rid himself of the legacy of his crimes, the legacy of being the man nicknamed "Badness", but also at questions 17 and 18 of the interview, there is a recognition of the effect that his crimes had on his victims. It's a very long and discursive answer that details all the matters that were set out in his affidavit to police, but at the end of that answer he says, "I'd just like to say that, yeah, that those crimes that I was involved in, and they've been on my mind for so many years, and for me to move forward and cleanse myself and move forward I need to, I need to rid myself of these. So I'm coming forward hoping that this was" - and there's a malfunction at what is perhaps a significant point in that answer - "that were exposed to these violent conduct and actions, closure." Your Honour would infer that's a reference to his victims. "And myself closure and just allow me to move forward and guilt-free and remove from these crimes". So there's a

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30^H JANUARY 2017.

subjective motivation precipitated by his conversion, but also a genuine desire to publicly atone for his crimes in a way that comforts and assuages his victims.³¹

Page 39 Line 2- 17.

DR FITZGERALD: Yes. Not a matter for Your Honour. At Question 112, 113 he discusses his non-disclosure of the identities of his co-offenders in these crimes, one of them is named, a person who is deceased, but his reasons for withholding those names actually bespeak the importance to him of the decision that he's taken to, as he puts it, cleanse his soul and to atone himself, and his refusal to arrogate to himself the right to make that decision for others. He says that his reason that he wants to cleanse himself, he's made that subjective decision to do so, but he can't put himself in the position of others and make that decision for them. He would encourage them to do the same, but he simply can't make that decision for them. What it reflects is the significance to him of his subjective reasons for coming forward.³¹

Page 40 Line 7-17.

Question 265 is again very discursive. It's the question in which he describes his desire to change the lives of others by making of himself, if necessary, an example, a deterrent example of the consequences to which a criminal life may lead. He notes that when he was a teenager he looked up to older criminals and wanted to emulate them. He committed those crimes that he could reconcile with his code, as he constructed it, and recognises that it has not led him to a fulfilling life. He doesn't want others to make the same mistakes as him on recent reflection.³¹

CLEANSED 100%.

Page 40 Line 28- Page 41 line 31.

He recognises that the adrenal stress that he underwent during the commission of these offences was not on the same scale as the stress and fear caused to his victims, that's at Question 311, and finally at Question 328, he expresses again that desire to make himself whole by these admissions. This is the point where it's put to him that there might be another unsolved offence that he might be able to explain, and he's quite adamant that, "No, no", and if he were involved he'd tell the police, saying, "Either I've got to cleanse myself from all the bad shit and it serves no purpose", that being the confession to other crimes, big-noting himself, as he describes at one point, "It would serve no purpose, because even this other", and then he refers to the sports store offence which initially he'd overlooked, and then says at Question 329, "To make it right, for me to make it right, I've got to include that", the one that had come back to him. I've got to be a hundred per cent pure inside not 95 per cent, not 90 per cent, because if I'm only 99 per cent clean inside that means I'm still dirty." Going on, he says, "I want to be accounted, atoned for all the stuff, the bad stuff I've done, not leave shit out, but not be selective, this one out, or this one out, or whatever, it's all or nothing, seriously". So that's I guess the summation of his motives, the subjective motives, leaving aside the question of the closure that he intends to provide to his victims. Certainly during the second interview he says more on that topic. He hopes that by his victims knowing he's been dealt with publicly, legally, that they can maybe move forward. That's ultimately

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

what that second interview comes down to. When he's invited to make a closing statement, "I hope everyone can move forward now."³¹.

Page 46 Line 25- Page 47 Line 1.

One matter which you may be of note is the opinion of Ms Matthews, and I'll just touch very obliquely on the contents of those reports. They may be superseded. Her opinion, as expressed in one of her reports, was that he's of an age now where the symptoms and the effects of antisocial personality disorder begin to diminish. His conduct since being imprisoned may betoken the accuracy of that statement.³¹.

Page 47 Line 2-12.

Although his custodial situation remains a bleak one, there are signs of incipient reform. The contents of his record of interview involve, as I have indicated, a rejection of his past pro-criminal attitudes, including the mentality of "us and them" as he describes it, but he's voluntarily confessed his offences. That in itself entails a rejection of the codes of the criminal and prison milieu. It's a very significant event for someone in his position. It's apt to make him an object of curiosity within the prison population, curiosity at best. At worst ridicule and even perhaps a target.³¹.

CHANGE OF TIMES!

Page 48 Line 2- Page 49 Line 6

He requested in 2014 to be approved for an Art in Cell program which would give him access to painting materials in his cell. That was refused at the time. It was granted in 2015, and the reason that he's pursued that activity is to produce a number of works, the purpose of which is to admonish young offenders and students touring prison facilities of the dangers of criminality and the rigours of prison. At tab 15 of the defence materials, there is a letter from Nick Selisky who is the Assistant General Manager of the Melbourne Assessment Prison, had previously been in a responsible position at Barwon, and that letter acknowledges the completion of paintings reflecting the dangers of crime and drug use and what I've referred to globally as some didactic writings being poems about the experience of incarceration and other educational writings from a prisoner's point of view, and the author notes that those works have been Mr Pecotic's contribution, "To ensure young prisoners and mature students touring prison facilities can gain some first-hand insight into criminality and its pitfalls in being incarcerated and losing your liberty." " And there are examples of his paintings attached to the affidavit of Mr Money, and they reflect, without descending to an aesthetic analysis the bleakness of his isolation, separation from his family members, so they're behind tab 8 of the annexure to that affidavit, they're variations on a theme, but they depict what appear to be train tracks leading to an enclosed space where a person, presumably a prisoner, is seated in a reflective position, sometimes looking more pained than at other times, but that space is also notched in such a way as to resemble the face of a clock, and on the train tracks leading up to it are various symbols of drug use, weapons, money, and the various other things that Mr Pecotic has now rejected. So those paintings were offered for display at various prisons.³¹.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

Page 49 Line 11 Page 50 Line 19.

The management panel reviews indicate that he's been well behaved since being transferred to Olearia in August of 2016. But they're also one of a number of educational projects that he's committed himself to. Behind the letter of Mr Selisky are a number of his prison writings. Some of them as I've said are didactic poems. They were for publication in a prison newsletter. Initially the expectation was that they would be published anonymously in that context, he elected to attach his name to them, and some of these writings have also been, as I understand, made available for display in common areas of prisons. So the titles of those works, "The life of gaol ain't good, and all sad. It's not fun, but a life wasted. True." The next one is titled, "What it's like being on the inside." There's a writing about "Dangers/threats posed being in gaol" and then two poems. Again, they reflect, to some extent, his misery at his conditions, but these are writings to an audience of younger prisoners, and they have didactic purpose, and that comes through quite clearly, as well, as I've said, his rejection of his exploits, reputation, and the lifestyle that he led at the time that he was committing these offences. He regards himself, as Your Honour can see from the first of those writings, as now a lonely old man in gaol whose short-lived, fast, action-packed moments didn't last long at all, whereas the years in gaol are doing. That says less about his mental state than a proper psychiatric assessment would do, but he is engaging in these projects. One of the others was an attempt as part of a prison literacy program to author a number of works for even younger children, but they do bespeak a change in attitude, a sea change since his incarceration by Your Honour, perhaps not observable at the time that he fell to be sentenced. As I understand his past appearances were in slightly different attire to what he's wearing now. Often fatigues, but he's endeavouring to reform himself to the best of his ability within the restraints imposed by his environment.³¹

BACK ON THE POINT!

Page 53 Line 4- 24.

DR FITZGERALD: And if it please, Your Honour, I have instructions, as you may recall, to appear for Mr Pecotic on the last occasion. What has occurred today is that those instructions have been withdrawn. That was subsequent to the communications with the court this morning filing new material, and indicating that Mr Pecotic intended to give evidence He has reflected on that position overnight and has determined to assume the carriage of the case itself, but as I understand, insofar as new materials have been provided to the court, I do have his dispensation to formalise the tender of those materials and that he will rely on them and rely on the materials hitherto filed and the submissions made at the last hearing.

HIS HONOUR: All right. I just, I might address some remarks to Mr Pecotic now. If you could just be seated for a moment, Dr Fitzgerald. Mr Pecotic, I gather you want to take over the carriage of this plea and run it yourself this afternoon. It's your right to do that.

ACCUSED: Yes. HIS HONOUR: Can I just say this that I was very much assisted by Dr Fitzgerald's plea last time. I thought he did an extremely good job.

ACCUSED: I am not saying he didn't.

HIS HONOUR: Yes.³²

Page 54 Line 2- 30.

ACCUSED: Listen, I was dressed in fatigues. I wanted to portray an image - a certain image to convey to them to try and alarm and scaremonger what people have produced and spat out onto the street. I mean, that was about -that was in the plea. The Life on Mars document. I have got another document of updated stuff, okay, that I would seek to

³¹ SUPREME COURT OF VICTORIA EVIDENCE 30th JANUARY 2017.

³² SUPREME COURT OF VICTORIA EVIDENCE 24th MARCH 2017.

tender to the courts too. It's far more advanced. It's a lot cleaner. It's a lot technical and it's compelling reading. (Indistinct words) and the thing is that's just (indistinct) we'll get into that a little later. **But you need to really appreciate and understand who I am, what I am, and Mr Fitzgerald is a good advocate on my part, but he is not speaking for me. You need to hear my voice. You need to hear what is going on in the back of my brain, seriously, you know what I mean? I'm happy to - - -**³².

Page 63 Line 13- 22.

I made a passing, fleeting reference to them in that, the, the Life of Mars document, 440-page, but I didn't identify the offences in question, you know, I just, I say I'm rubbing my nose up to the authorities, you know? I didn't see this at the time, okay? That days, there were good enough, you know, I mean, let them solve it, and whatever, you know? And I'll get to that a little bit down the track in the, the remorse section, okay? But then, and I, so, I conveyed what drove me to that.³²

Page 127 Line 17- Page 128Line 27.

You know, at the same point during that period of time, okay, I, um, um, was becoming more familiar with the extent of the post-traumatic stress, the impact it was having on me, the toll it was having on me. I become doing more research to become more familiar with it, understanding with it, trying to grapple with it, struggling, Your Honour, okay, seriously struggling, okay? And then I become more, um, um, and I thought to myself, fuckin' - sorry - I'm just going to say - I mean, like - I don't mean to swear and stuff, it's just me, you know. What I was going to say is, um, so I start to identify with how they felt, how they reacted, how I was disturbed, you know, and it just says that and you read the statements, the victim impact statements. Now, they're troubled. They're really seriously affected by this and, um, um, I was too at the time and I understand, I empathise, I really - I can relate to them far better than they realise and I was hoping to, by coming forth, knowing that, um, um, that would it would severely impact on my position, my - possibly extension of time and the austere conditions and I relegate it to the backburner, I didn't really care, you know, because I wanted to try and help them by reaching closure, you know, and the only way to reach closure because they might not even know. Half of them probably wouldn't even know that they're suffering from this condition, okay, because I didn't at the time and it goes for many years until you get proper intervention or something like this. So I had a moment and I thought I got to do something about this, proactive. I could pray five times a day and ask Allah for forgiveness but, Your Honour, it doesn't solve. It might cleanse my soul, it might, um, um, it might, um, um, reduce, um, um, my atone in the next life, okay, but it still doesn't reach out to the victims, it doesn't help them. It doesn't give them closure.

For them to become aware of things, um, um, they need to, um, um - they - it's confrontational. It's hard to begin with, okay, it's hard because it really, um, um - it's difficult at first but once you continue to be, um, um, exposed to it, it reduces the impact. You state your condition, you start to move forward.³³

Page 143 line 19- Page 144 Line 6.

OFFENDER: But it does contribute to it too, but so does the isolation, Your Honour, you know, and that's accepted. If while we're on isolation, remorse - sorry, remorse, I'm sticking with remorse and going to isolation. With the remorse, okay, I decided that for me to be a pure person, to put my past behind me, okay, and to live a certain lifestyle I had to cleanse myself. I wasn't - I couldn't just make that conscious decision, okay.

³² SUPREME COURT OF VICTORIA EVIDENCE 24th MARCH 2017.

³² SUPREME COURT OF VICTORIA EVIDENCE 24th MARCH 2017.

³³ SUPREME COURT OF VICTORIA EVIDENCE 27th MARCH 2017.

HIS HONOUR: You've already addressed me about this.

OFFENDER: Yes.

HIS HONOUR: The Crown accept that there is remorse.

OFFENDER: Yes.

HIS HONOUR: That's the fact, isn't it, Mr Rose?

MR ROSE: Yes, Your Honour.

HIS HONOUR: I accept there is remorse. You don't need to address me further about that. OFFENDER: Can I just- - -

HIS HONOUR: Significant remorse. ³³.

REMORSE TICK✓

Page 144 Line 22-26.

HIS HONOUR: All right. Look, you don't need to address me further on remorse.

OFFENDER: Okay, right.

HIS HONOUR: You've got a tick there.

OFFENDER: Okay, all right. Thank you. ³³.

22 For nearly a quarter of a century the offences before this court remained unsolved. They would have remained so forever but for your decision to confess. I am satisfied that you have demonstrated a willingness to facilitate the course of justice and acted upon that willingness by pleading guilty. I quote from the prosecution opening, "The accused would not have been identified but for his own admissions and his volunteering his involvement to the police."

24 You have decided to have a go to correct, insofar as you can, the wrongs of your past. I am unable to say whether any of the victims of these crimes will derive much comfort from the course you have taken. It may even have opened up old sores. I do accept, however, that you are genuine when you say to me that you wish these people to have finality to these traumatic events in their lives.

25 I assess your 2017 prospects for rehabilitation as reasonable. This is a substantial and surprising development since 2014. It follows from what I have just said, that I consider you are genuinely remorseful for the offending before this court. Your actions prove it to

³³ SUPREME COURT OF VICTORIA EVIDENCE 27th MARCH 2017.

³³ SUPREME COURT OF VICTORIA EVIDENCE 27th MARCH 2017.

my complete satisfaction. ¹¹¹.

SO THERE YOU HAVE IT, TRUE REAL EVENTS UNFOLDING ON THE MATTER OF **JUST HOW ALL THIS CHAPTER UNRAVELLED AND UNFOLDED. REFLECTIVE IN “MY VERY OWN LIFE” AND “THE TRIBULATIONS EXPERIENCED”.**

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