

22 March 2019

Tony Kellisar
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Royal Commission into the Management of Police Informants
PO Box 18028
Melbourne VIC 3001

Dear Sir or Madam

Re: Lawyer X (Nicola Gabbo)

I am a first-time offender from North Bondi in Sydney. On 16 November, I strangled my wife during the heated argument in -seat of a car in Melbourne. I handed myself to Police after ten days, charged with one count of murder and subsequently extradited to Melbourne on 27 November 1997. I was a political refugee, illiterate and did not know anything about police and law. My lawyer in Sydney employed a lawyer in Melbourne to represent me after extradition in Melbourne. The Melbourne's lawyer (Galbally and O'Brian) sent me a large bill after ten days when I was just attend the Magistrate for 3 minutes. A prisoner advised me in MAP to my lawyer to Nicola Gabbo. Nicola Gabbo attended MAP and I had a long meeting with her. She told me that she works with Alex Luwmborg. In the meeting, she asked me many questions about my case and I told her certain things about my case, like [REDACTED] as one of the main reasons for constant argument between me and my wife. I instructed Nicola that I want her to get a record [REDACTED] to demonstrate the nature of difficulty in my marriage. I also raised other issues that could have been used in trial as a cause of long-term trauma leading to provocation and loss of self-control in the car. I had another long meeting with Nicola concerning my case and later, she attended a Mention in Magistrate court for me. Following is my recollection from that day.

- On the day of attending Magistrate court and prior to going into court – whilst I was in Holding-cell, one of the officers (at the time police officers were in charge of handling prisoners in Magistrate court) gave me my tie and asked me, "Who is your lawyer?"
- I responded "Nicola Gabbo".
- The police officer then said, "She is with Luwmborg".
- I said to officer that I have not met him yet.
- In the court, Nicola Gabbo attended for me and Bill Morgan Payler for Crown.
- I could not understand the legal jargon that they were speaking.
- I asked the police officer sitting beside me, "Which one is Lumberg?"
- The police officer pointed, "That man holding a Samsonate case standing at the end of the court."
- I was shocked, because he was hugging and kissing my brother-in-law, Vlad and another one (Russian greeting tradition). They were talking, in a way that they know each others very well.

- I asked the officer, "Are you sure?"
- The officer replied, "I see him here every day".
- After the Mention, I sent a message to Nicola that I want to see her. She came with Alex.
- After introduction, I asked Nicola, "What is the relation between Alex and my family-in-laws.
- She said, "They know each others, because they are Russian".
- I then asked Nicola "Why you did not tell me before, in which she turn her face to Alex and said, "You can ask him".
- I said, "You are my lawyer and I deal with you not him".
- Alex angrily jumped into conversation and said, "What you are talking about - we are professional".
- I asked Alex, "How long you know my family-in-law?"
- He responded, "Long time - much before you come to Australia" (by then I was in Australia for 7 years.
- I got angry and said, "Why you did not tell me from beginning - I told her everything about my case, paid you and you telling me this now? - how can I trust you and Nicola?"
- I told them that they have deceived me and that I do not want their service anymore."

After that, many articles appeared in Herald Sun Newspaper with contents that no one knew except Nicola. I told other prisoners about Nicola and Alex, but prisoners were defending them - telling me that they can get better result.

Several months later, when police gave hand-up-brief to my lawyer - it was clear that Police Informant in my case blocked everything by going to my family-in-laws for third and fourth time to ask them their opinion about some of the issues that I only discussed with Nicola and my new lawyer. My new lawyer could not work it out how police pre-empted and asked statement from my family-in-laws.

I sincerely believe that Nicola compromised my case and chance to prove that I had no intention of murdering my wife. Consequently, I believe that Police were able to pre-empt and counter my defence and evidence with new statements and full of statements of opinions from my family-in-law.

If my assistance would be required concerning above issues, I am happy to provide that assistance.

Yours sincerely



Tony Kellisar