

Wednesday, 6th September 2017

Mr John McKenzie
Legal Services Commissioner
Office of the Legal Services Commissioner
Level 9, 75 Castlereagh Street
Sydney NSW 2000

Dear Mr McKenzie

Re: Conduct of Terence Goldberg - your own conduct

I refer to your letter of 31st August 2017, which was received in yesterday's post (copy **attached**).

In your brief correspondence, you take care to mention that I have written to you on a number of occasions, however, you make no mention whatsoever of the issues raised in those letters to you, including serious concerns about your own conduct, and you simply state that you will not be '*drawn into further, unproductive correspondence*'.

Despite your acknowledgement of my letters to you, which speak of your own untruthfulness, you have not provided any explanation for the multitude of untrue statements you have made to me, nor have you provided any explanation as to the summary dismissal of complaints made to your office.

Although your letter is briefness in itself, you do state that my complaint about Terence Goldberg having made provably false statements in the Local Court, Sydney, on 26th February 2016 is seeking to 'reagitate' old complaints. This, like previous statements you have made, is an utter nonsense.

When did it become acceptable for a solicitor to provide false statements to the Honourable Court, and how does a complaint made about such false statements 'reagitate' previous complaints to your office?

Also, and quite simply, a member of the public seeking answers from your office is hardly '*unproductive*', especially when it has been brought to light that your office is covering up serious solicitor misconduct.

I will not go over old ground, as there is no need. It has all been said previously, however, I will cover some of the facts quite succinctly.

This whole matter has been mired in criminality. Firstly, our little community centre was plundered from within, and was then taken by fraudulent means from the outside, with your office turning a blind eye to the fraudulent conduct of a NSW solicitor. This, in turn, makes you and your office complicit in such.

You are quite aware that a sham entity was set up by Terence Goldberg in the name of The Congregation of the Enmore Spiritualist Church Incorporated, which supposedly exists at 3/349 Bourke Street, Darlinghurst, when there is in fact no operating entity there at all. The address of 3/349 Bourke Street is the given home address of Mr Jon Adrian Lindsay, with Mr Lindsay being a long-time associate of Terence Goldberg.

Terence Goldberg acted for Jon Adrian Lindsay in the Federal Court of Australia in proceedings NSD927/2007 (Jon Lindsay v John Fairfax Publications Pty Ltd) in 2007.

Mr Lindsay, himself, has his own criminal background, with Mr Lindsay having appeared in Ryde Local Court on 20th October 2004 charged with two counts of possession of child pornography. Find **attached** a Sydney Morning Herald news article of 22nd October 2004 reporting such.

The above Darlinghurst address is also the given home address of Miranda McCarthy. Miranda McCarthy was one of the Plaintiffs in Supreme Court proceedings 2009/00291458-001 (Patricia Cleary and Ors v Recy Kypri and Ors) and it was in those same proceedings that Terence Goldberg acted for all four Plaintiffs and in which our small church was named as the sixth Defendant and was an unrepresented party.

Miranda McCarthy, too, has a long association with Terence Goldberg of Turner Freeman Lawyers as Mr Goldberg acted for Ms McCarthy in Supreme Court proceedings 'McCarthy v Murphy [2002] NSWSC 494' (1913/99 Miranda McCarthy and Allannah Colleen Wooloughan v Peter Robert Murphy), and Ms McCarthy's association with Mr Goldberg dates back to at least 1999.

As you saw in my letter to Herbert Smith Freehills of 10th March 2017, and as made known to you on several occasions, the distribution of funds from the now defunct Enmore Spiritualist Church Incorporated (the sixth Defendant in proceedings 2009/00291458-001) to former members of the church was prohibited as the church was an incorporated association, and yet, this is exactly what has taken place, with the direct input of Terence Goldberg.

Jon Lindsay and Miranda McCarthy were both members of the said incorporated association at the time of its winding up, and as you already know, it was, in fact, Jon Lindsay who voted to wind up the association in the first instance, with both Mr Lindsay and Ms McCarthy seemingly having profited from Mr Lindsay having done so.

I **attach** once again my letter to Herbert Smith Freehills of 10th March 2017, as such is pertinent to the history of this matter and describes in detail the pathway used to carry out the above.

Also, given the fraudulent nature of the information brought before you, I seek from you your detailed reasons as to why you have not raised this matter with the NSW Police, as you must do in accordance with section 465 of the *Legal Profession Uniform Law* (NSW).

A copy of this correspondence shall be provided to the Honourable Magistrate Milledge and to the Independent Commission Against Corruption.

I look forward to your prompt response.

Yours faithfully



Symn Waters