

# SYMN WATERS

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Tuesday, 18<sup>th</sup> August 2020

Mr Michael Tidball  
Chief Executive Officer  
Law Council of Australia  
19 Torrens Street  
Braddon ACT 2612

Dear Mr Tidball

***Re: Fraud and corruption***

On 14<sup>th</sup> September 2009, four individuals retained Turner Freeman Lawyers to act for them and to seek advices in relation to financial irregularities having been discovered within an incorporated association, in which they were committee members.

Due to the discovery of the said financial irregularities and missing monies, a meeting of the members was called for and subsequently held on 10<sup>th</sup> September 2009, with the said four individuals losing their positions as committee members of the association. That association was the Enmore Spiritualist Church Incorporated.

The four individuals commenced proceedings in the Supreme Court of NSW, naming five church members as defendants, and also naming the association itself as the sixth defendant. The naming of the association as the sixth defendant would, of course, have had the effect of binding the church into any decision as made by the Court. The four plaintiffs were seeking to declare as invalid the meeting that took place on 10<sup>th</sup> September 2009.

As above, the four plaintiffs were represented by Turner Freeman Lawyers, the first to fifth defendants were represented by Pigott Stinson Lawyers, and the sixth defendant, the Enmore Spiritualist Church Incorporated, was unrepresented.

The proceedings were heard in the Supreme Court of NSW on 27<sup>th</sup> November 2009, with one order only being made by the Court, ie "*Each party is to pay their own costs*". The Court declined to make any orders the plaintiffs had sought.

On 23<sup>rd</sup> June 2010, Terence Goldberg of Turner Freeman Lawyers filed with the Supreme Court of NSW an Application for Assessment of Solicitor/Client Costs, claiming in such that

there had been five plaintiffs and five defendants (in the said proceedings) and also claiming that he had acted for the Enmore Spiritualist Church (the sixth defendant). Terence Goldberg's lie was clear and uncomplicated. I **attach** a copy of the filed Application for Assessment of Solicitor/Client Costs.

Having made a complaint to the Office of the Legal Services Commissioner, the OLSC wrote to me on 27<sup>th</sup> April 2011 and stated that the matter had been referred to the Law Society of NSW for investigation.

On 7<sup>th</sup> September 2012, and after a 17 month long 'investigation', the Law Society dismissed all complaints against Terence Goldberg of Turner Freeman Lawyers, stating "*The Court did not make any order prohibiting the lawyers in the proceedings from recovering their costs from their clients*". As can be plainly seen, the sixth defendant was not Turner Freeman's client.

The Law Society's above statement was made despite all Court documents illustrating that Turner Freeman Lawyers did not act for the sixth defendant, and also with no documents stating anything to the contrary.

As you well know, Turner Freeman Lawyers, on the basis of the fraudulently filed Application for Assessment of Solicitor/Client Costs, obtained a judgment debt against the sixth defendant, and then entered into a conspiracy with the liquidator to fraudulently obtain all remaining funds as owned by it.

The fraud involved is simplicity in itself.

Yet, despite the simplicity of the criminality involved, The Law Society and the Office of the Legal Services Commissioner refuse to explain their respective positions that Turner Freeman Lawyers acted for the sixth defendant in the said proceedings, and that the church was their client. However, and, of course, that position is indeed unexplainable.

Both yourself and Pauline Wright wrote to me yesterday (separately) stating that the Law Society had dismissed my complaints as made to the OLSC in the first instance and that the OLSC had upheld such.

However, you both decline to state that that dismissal took place some eight years ago in 2012, and you both also fail to mention or comment on the further criminal activities entered into by Terence Goldberg of Turner Freeman Lawyers in the intervening period, with all of such taking place under your and Ms Wright's watch, and with both of you having been made fully aware of such (also in the intervening period).

It is also pertinent to mention, and given the obviousness of the fraudulent activities that have taken place, a complaint was made to the NSW Police on 5<sup>th</sup> May 2015. The NSW Police inform me that John McKenzie, the NSW Legal Services Commissioner, was interviewed by them in the latter part of 2015.

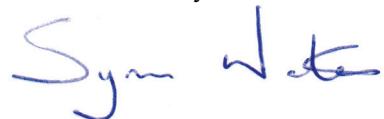
It therefore goes without saying that if Mr McKenzie had been truthful during that interview with the NSW Police, Terence Goldberg would have been charged with multiple counts of fraud. No charges ensued.

It is obvious that in your respective positions of Chief Executive Officer and President of the Law Society, both yourself and Pauline Wright sought to cover up the wrongdoing and protect Terence Goldberg from the weight of the law, thereby assisting him in his criminal endeavours.

Coincidentally, both you and Ms Wright now hold identical positions at the Law Council of Australia.

Do you wish to provide comment?

Yours faithfully

A handwritten signature in blue ink, appearing to read "Symn Waters".

Symn Waters