

Symn Waters

From: Symn Waters
Sent: Friday, 31 August 2018 3:02 PM
To: 'dubbo@parliament.nsw.gov.au'
Cc: 'contactus@lecc.nsw.gov.au'; 'pscelu@police.nsw.gov.au'
Subject: Undue influence and interference
Attachments: 2012 11 16 - Letter to the Attorney General - conduct of the Law Society.pdf; 2017 03 13 - Letter to Commissioner Andrew Scipione - evidence of fraud.pdf; 2015 05 05 - Letter to NSW Police - allegation of fraud, Turner Freeman.pdf

Dear Minister for Police

I refer to the news article in today's Guardian, being "*NSW police anti-corruption head says minister tried to influence hiring*". I also refer to a matter brought to your personal attention on a number of occasions. Given the subject of alleged undue influence, the aforementioned news article has prompted me to write this E-mail to you.

I strongly believe that undue influence has also been used in the matter I previously brought to your attention, as well as from within other departments of high government. Neither you nor your department has provided any response to any of my communications regarding the fraudulent conduct of a NSW solicitor.

Terence Goldberg of Turner Freeman Lawyers made false and dishonest statements in an Application for Assessment of Solicitor/Client Costs in order to create a debt where no debt was owed. In such document, Terence Goldberg claims that he acted for the sixth defendant in Court proceedings, where in fact, Mr Goldberg acted for the four plaintiffs. The said sixth defendant, an incorporated association, was an unrepresented party in the said proceedings. Terence Goldberg, having used a false instrument to create a purported debt, then sued that sixth defendant to pay the legal costs of his four clients, breaching an Order of the Court in so doing.

Mr Goldberg then, in league with other parties, created a sham entity and diverted the remaining and majority of funds belonging to the said incorporated association to the given home address of the created sham entity, as headed by a long-time acquaintance of Mr Goldberg. There is no operating entity at this address and such entity exists in name only, with the appearance of such entity having been created solely as a receptacle to receive improperly obtained funds.

As the title of the abovementioned Application denotes, Mr Goldberg makes the claim that the sixth defendant was his client. This is not so. Mr Goldberg's clients were the four plaintiffs in the abovementioned proceedings. As previously mentioned, the sixth defendant was an unrepresented party in the said proceedings, which clearly and obviously refutes Mr Goldberg's claim and proves such to be false. Also, a solicitor is barred by statute from acting for both and opposing parties in the same proceedings. As also previously mentioned, Mr Goldberg acted for the four plaintiffs in the matter. The four plaintiffs were Terence Goldberg's clients, with those clients being responsible for the debt they created, and not the sixth defendant.

As you can see from the attached documentation, most of the above has already been laid out in correspondence to the Attorney General's office, as well as to the NSW Police, with all parties turning a distinct blind eye to fraudulent and criminal conduct.

The question has to be raised why all parties have decided to wrongly claim that no wrongdoing has taken place, when the fraud is both clear and obvious. As can be seen, the fraud is quite simple and unsophisticated.

This whole matter smacks of corrupt conduct by a number of government bodies, the NSW Police included. I do not believe that Terence Goldberg is the sole person being protected in this matter.

I seek your urgent response and look forward to receiving such.

Yours faithfully

Symn Waters
20 Newman Street
Newtown NSW 2042

Tel: 9557 2885
Mob: 0435 222 456

Friday, 16th November 2012

The Hon Greg Smith SC MP
Attorney General of NSW
Level 31, Governor Macquarie Tower
1 Farrer Place
Sydney NSW 2000

Dear Attorney General

Re: *Conduct of the Law Society of NSW - Terence Goldberg, Turner Freeman Lawyers - dismissal of complaints*

I refer to the above.

I received an invitation from your office, via correspondence dated 8th October 2012, to write to the Law Society with my concerns regarding their dismissal of all my complaints about Terence Goldberg of Turner Freeman Lawyers and three other solicitors.

I subsequently wrote to Mr Justin Dowd, the President of the Law Society of NSW, on 15th October 2012, seeking an understanding of those dismissals and a copy of that correspondence to the Law Society was forwarded to your office.

As you are aware, I did not receive any response from the Law Society and corresponded with Mr Dowd once more on 29th October 2012, seeking a response to my letter of 15th October 2012 and once again requesting the Law Society's reasons for dismissing all my complaints against Terence Goldberg and three others.

I did then receive a response from the President, dated 30th October 2012. However, that response stated that no reasons for the dismissal of my complaints would be forthcoming and the Law Society would not correspond with me any further on this matter.

As Mr Dowd did not answer the questions put to both him and the Law Society regarding the dismissal of my complaints, I further wrote to Mr Dowd on 9th November 2012, and that correspondence has not had a reply, and therefore my questions remain unanswered.

This is quite surprising on two fronts. Firstly, it was due to an invitation from your office that I wrote to Mr Dowd, and it is both disturbing and concerning that Mr Dowd does not view the request from your office as having any importance and refuses to comply with such.

Secondly, due to the serious nature of Mr Goldberg's conduct, it is incredible that the Law Society dismissed all complaints against Mr Goldberg.

As you are also aware, the Law Society was provided with evidence that Mr Goldberg had, among other things:

- Made false claims in relation to the constitution of Enmore Spiritualist Church Incorporated ("the Association") and the Incorporated Associations Act;
- Knowingly produced a false Association membership list to the Supreme Court as part of proceedings 5454/2009, heard before Her Honour Justice Bergin, Chief Judge in Equity on 27th November 2009;
- Authored a false and defamatory letter for publication to several Association members stating that the Defendants in proceedings 5454/2009 had made use of Association funds for their own use and enjoyment while having absolutely no evidence as to such as such evidence does not exist;
- Misled the Supreme Court and falsely claimed to have acted for the sixth Defendant in proceedings 5454/2009 when he in fact represented the four Plaintiffs, by way of an Application of Assessment of Solicitor/Client Costs and filed with the Supreme Court on 23rd June 2010.
- Misled Mr John Bartos, costs assessor, by falsely claiming to have acted for the sixth Defendant in proceedings 5454/2009 and subsequently obtained a Certificate of Determination against that sixth Defendant;
- Misled Mr John Bartos, costs assessor, by falsely claiming that 11 Orders were made by Her Honour Justice Bergin in proceedings 5454/2009, when only one Order was made by Her Honour, and strongly inferring that the sixth Defendant was in fact a Plaintiff;
- Misled the District Court, Sydney, by falsely claiming to have acted for the sixth Defendant and obtained a Judgment Debt against that sixth Defendant in the sum of \$124,661.90;
- Claimed to Jones Partners, liquidators, that Turner Freeman was owed \$185,802.62 by Enmore Spiritualist Church Incorporated, being the sixth Defendant in proceedings 5454/2009 (despite the Judgment Debt improperly obtained in the amount of \$124,661.90), when such was false and despite, and in defiance of, the already mentioned Order made by Her Honour; and

- Provided several false statements to the Law Society in relation to its investigation;

Given the above examples, the Law Society's decision to dismiss all complaints against Terence Goldberg and three others is incomprehensible.

I can only contend, given the above examples, that the Law Society did not carry out any investigation into the conduct of Terence Goldberg and three others, or has simply shown 'wilful blindness' to such.

Either way, such is unacceptable.

It must also be pointed out that Terence Goldberg neither had the Order made by Her Honour Justice Bergin in proceedings 5454/2009 set aside, nor were there any other or subsequent orders made which would have enabled Mr Goldberg to use funds owned by the sixth Defendant to pay the costs and legal fees of his clients, the four Plaintiffs in proceedings 5454/2009. As such, Mr Goldberg defied quite blatantly the Order made by Her Honour.

As the Law Society resists complying with the invitation issued by the office of the Attorney General, I seek from the office of the Attorney General explanations as to why the Law Society dismissed all my complaints against Terence Goldberg and three others as well as why the Law Society of NSW refuses to explain its decision regarding the dismissal of those complaints.

Also, due to the turn of events, a formal complaint was made to the Independent Commission Against Corruption (ICAC) in relation to the Law Society's handling of the above and I was informed that the ICAC's remit of investigative authority does not cover the Law Society. As part of your office's response to this correspondence, can your office please provide me with the details of the authority or body which oversees the Law Society's conduct.

I look forward to your response and assistance on the issues raised.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Symn Waters', written in a cursive style.

Symn Waters

Tuesday, 5th May 2015

NSW Police Headquarters
Locked Bag 5102
Parramatta NSW 2124

To Whom it May Concern

Re: Alleged fraud

It is believed that an act of fraud has taken place and I set out the facts below:

1. Turner Freeman Lawyers commenced Supreme Court proceedings and represented the four Plaintiffs (see attached Summons marked "A").
2. Enmore Spiritualist Church Incorporated ("Church") was named as the sixth Defendant in those proceedings (see attached Summons marked "A").
3. The Court made the Order that each party was to pay their own costs. This was the only Order made in the proceedings (see attached Order marked "B").
4. Turner Freeman assessed its solicitor/client costs and sought such costs from the sixth Defendant, alleging that it acted for the Church as a Plaintiff when the Church was in fact a Defendant (see attached marked "C").
5. Turner Freeman Lawyers obtained \$185,802.62 by deception (see attached marked "D").
6. The above forced the sale of the premises of 2 London Street, Enmore, for the sum of \$965,000.00 and the remaining sum, totalling approximately \$770,000.00, appears to have vanished and is believed misappropriated.

If you require any further information, please do not hesitate to contact me.

Yours faithfully



Symn Waters

Monday, 13th March 2017

Commissioner Andrew Scipione
Commissioner of Police
Level 14, 201 Elizabeth Street
Sydney NSW 2000

Dear Commissioner

Re: Allegation of fraud - Terence Goldberg, Jon Lindsay and Michael Jones

I provide by way of brief of evidence to the NSW Police, copy of letter and folder addressed to Herbert Smith Freehills Lawyers, dated 10th March 2017.

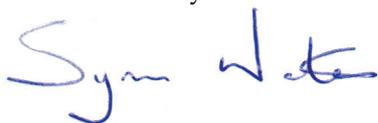
You will see such brief provides evidence of allegedly fraudulent conduct on the part of Mr Terence Goldberg (solicitor), Mr Jon Lindsay, and Mr Michael Jones (liquidator).

It is alleged that Terence Goldberg of Turner Freeman Lawyers created a debt to his firm by fraudulent means, therefore causing the improper winding up of an incorporated association, with the remaining substantial funds belonging to that association, after such debt was satisfied, making their way to the home address of a long-time acquaintance of Mr Goldberg.

The attached brief of evidence describes, in detail, the pathway used to carry out the above.

The above relates to my letter to you of 6th December 2016, and I **attach** copy of such correspondence directly to this letter.

Yours faithfully



Symn Waters