

Your reference: R53129

Monday, 27<sup>th</sup> November 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: *Complaint about Fiona Seaton - request for internal review***

I refer to your letter of 17<sup>th</sup> November 2017 (copy **attached**), in which you state:

*"I acknowledge the Law Society did not, in its reasons, refer to any material establishing a basis for Ms Seaton's statements. However, to carry out its own analysis of whether there was in fact a proper basis for the statements identified in your letter of 18 October 2017, this Office would need to revisit and review evidence in relation to events that took place as far back as 2009, and possibly before."*

I now refer to the Law Society website, on which it is stated (in relation to complaints):

*"The Professional Standards Department investigators must ascertain whether support for the statements of the complainant and the solicitor exists, and if so, obtain those supporting documents or statements from (sic) the complainant, solicitor or other witnesses."*

You are quite aware that the Law Society did not at any time request of Fiona Seaton to produce any documentation whatsoever relating to my complaint. This is despite Ms Seaton's repeated claims that I had a 'documented history of violence' and had partaken in serious criminal conduct, and it is therefore obvious that correct procedures have not been adhered to and that no proper investigation took place.

Also, on reading your above statement, it does not quite make sense and appears to be designed to obfuscate.

You in fact do not explain why the Law Society did not carry out correct procedures, and you go on to state in your letter of 17<sup>th</sup> November 2017 that your office does not have the

resources to carry out your correct function. I am unsure as to how those statements as made by you relate to each other.

How exactly do the financial resources offered to the Office of the Legal Services Commissioner have any bearing on the Law Society not requesting of Fiona Seaton to provide any documentation, which, it appears, it must do?

I also refer to my letter to the Law Society of 16<sup>th</sup> October 2017, wherein I speak of a suspected inducement having been provided to a person or persons unknown in order to cover up the complaint made. You received a copy of this letter on the same day. No response was received to this letter. I **attach** a copy of such correspondence.

I put the following direct question to you:

Are you aware of an inducement having been received by any person at either the Law Society of NSW or at the Office of the Legal Services Commissioner in order to provide wrongful benefit to a solicitor or solicitors at Turner Freeman Lawyers by covering up professional misconduct and improperly dismissing complaints?

It is more than obvious that a cover up has taken place, and I am unable to believe that such cover up took place on a whim.

For very obvious reasons, a copy of this letter shall be provided to the Independent Commission Against Corruption. A copy of this letter shall also be placed into the public domain.

I look forward to your immediate response.

Yours faithfully



Symn Waters



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THE OFFICE OF THE  
**LEGAL SERVICES COMMISSIONER**

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**Private and Confidential**

Mr Symn Waters  
20 Newman Street  
NEWTOWN NSW 2042

File Ref: R53129\_2

17 November 2017

Dear Mr Waters

**Your Complaint about Fiona Seaton – Request for Internal Review**

I write in response to your letters dated 13, 16, 18 and 27 October 2017.

You seek an internal review of the decision made by the Professional Conduct Committee of the Law Society of New South Wales (the Society) to close your complaint about Fiona Seaton on the basis it is misconceived or lacking in substance.

Your complaint was that Ms Seaton had made a large number of false and unsubstantiated allegations of criminal conduct against you in a letter to another lawyer dated 17 February 2017.

The Society concluded that the totality of the evidence available was not sufficient to prove that there is a reasonable likelihood Ms Seaton would be found by the disciplinary Tribunal to have engaged in unsatisfactory professional conduct or professional misconduct.

You say the Society at no time requested Ms Seaton to provide the basis for the claims she made about you, and had not provided any explanation as to why it considered your complaints to be misconceived or lacking in substance. In your letter of 18 October 2017 you asked this Office to provide any documents or evidence we have to hand that demonstrate you engaged in the conduct identified at points 1-13 of your letter.

I acknowledge the Law Society did not, in its reasons, refer to any material establishing a basis for Ms Seaton's statements. However, to carry out its own analysis of whether there was in fact a proper basis for the statements identified in your letter of 18 October 2017, this Office would need to revisit and review evidence in relation to events that took place as far back as 2009, and possibly before. I do not consider it to be in the public interest (as

opposed to your private interest), nor an efficient use of this Office's finite resources, to do so. Nor do I consider it appropriate for this Office to be drawn into the ongoing conflict between you, Terence Goldberg and now Fiona Seaton arising from Mr Goldberg's representation of the late Reverend Patricia Cleary and other members of the Enmore Spiritualist Church Incorporated in relation to the litigation that concluded in 2009 and subsequent dissolution of the Church.

The statements you complain about were contained in a private email from Ms Seaton to another lawyer. They were not made in open Court nor broadcast by Ms Seaton to the public at large. It remains unclear how you obtained the email, and for what purpose.

If you believe you have suffered damage to your reputation as a result of the statements being made you may wish to explore your prospects of making a claim in defamation. This Office is not permitted to provide legal advice and so cannot assist you in this regard. Should you make a claim and findings are made that Ms Seaton, Mr Goldberg or any other lawyer has made statements that were to their knowledge and in fact untrue, I would be prepared to reconsider your complaint. As things stand, however, I decline to exercise my discretion to conduct an internal review.

Your complaint about Ms Seaton remains closed.

Yours sincerely



John McKenzie  
**Commissioner**

Your reference: NOH 43238

Monday, 16<sup>th</sup> October 2017

Ms Natalie O'Halloran  
Professional Standards  
Law Society of NSW  
170 Phillip Street  
Sydney NSW 2000

Dear Ms O'Halloran

***Re: Dismissal of my complaints about Fiona Seaton, solicitor***

I refer to your letter of 9<sup>th</sup> October 2017, wherein you make it known to me that the Law Society of NSW has dismissed my complaint about Fiona Seaton, stating that my complaint was '*misconceived or lacking in substance*', and yet you have provided no actual evidence, nor even any explanation whatsoever, for the dismissal of such complaint.

Given the blatancy of the cover up that has taken place, I would like to know not only who directed that such take place, but also who received the inducement, as it is obvious that an inducement of some form has had to have been offered.

I am unable to believe that such complaint was covered up simply because the Law Society 'felt like it', or is the Law Society in fact stating that Fiona Seaton's claims that I am a dangerous individual with a documented history of violence, who also carries out criminal acts and befriends elderly women to steal their monies, are indeed true?

It is quite clear that solicitors from Turner Freeman Lawyers can say and do whatever they please, secure in the knowledge that the Law Society of NSW and the Office of the Legal Services Commissioner will turn a very obvious blind eye to equally obvious wrongdoing.

I look forward to your response.

Yours faithfully



Symn Waters