

Stephen Colditz

Hemmants List

Level 10 Chambers

Inns of Court

Brisbane 4000- QLD

By email to:

colditz@qldbar.asn.au

CC: Queensland Bar Association

Email:

Date: 23 February 2021

Dear Mr. Colditz

MATTERS BETWEEN YOU AND LILLAS & LOEL PUBLISHED ON LINKEDIN

I refer to your posting of details of a contentious legal matter between you and James Loel solicitor on my social media LinkedIn account on 19 January 2021.

As a legal practitioner you ought to have known that social media as a platform to discuss or publish any legal matter which is necessarily confidential in nature and may be subject to privilege is an invitation to trouble. Social media is an insecure platform and medium on which to publish such sensitive and potentially privileged matters or matters the subject of confidentiality. In any event it is vulnerable and prone to hacking.

Your motive for contacting me via social media is highly suspect. You have known for sometime now my personal contact details yet you chose social media to communicate private details of a particular matter with me.

The arrogance of your ignorance in indulging yourself with an opportunity to embarrass another practitioner (James Loel) and my former legal advisors Lillas & Loel through social media will be responded to via social media and the wider national broadcast networks who have expressed interest in matters relating to ongoing investigations into the legal profession and the bench at both the federal and state levels.

MEETING AT YOUR CHAMBERS 29 JANUARY 2021

At our meeting on 29 January 2021 you presented yourself to me, not as a barrister but as a thug and an overlord with a belief in an ascriptive right to bully, harass and threaten me under the pretext of interrogating a witness in your matter against Lillas & Loel.

Your demeanor and the way you addressed me that day was medieval, condescending and reminiscent of the old colonials in an era gone by. Then they addressed people of colour and those they considered to be of lower social standing and lesser beings than themselves in much the same way you and certain

other members of the profession and the bench continue to address people of colour like me as if we were created for them to vent their frustrations and anger out on at whim.

In your crude displays of anger and rage against Lillas & Loel for whatever reasons you have, you appeared to believe you were entitled to threaten, intimidate, harass and to bully me into submitting to your unlawful demands for me to divulge confidential information about James Loel, his wife and the firm of Lillas & Loel for your benefit in support of your claims Lillas & Loel.

YOUR PREVIOUS UNREPORTED RECORD OF SIMILAR MISCONDUCT

Clearly your idea of litigation is that it is a process of intimidation, coercion, coupled with threats and bullying whilst using the law as your fig leaf to advance your causes. You have a well documented recent history in this regard.

I have recently managed to prize out of James Loel's possession material that you authored and sent to Lillas & Loel and to James Loel to intimidate and coerce Lillas & Loel to cease acting for me in a matter. That correspondence on any interpretation could only describe as "shameful" "unethical", "unprofessional" and "unlawful".

Your correspondence was clearly designed to intimidate Lillas & Loel (through James Loel and directly to them) into compromising my case against amongst others you, in which Lillas & Loel represented me.

In that correspondence you coerced and intimidated James Loel and defamed me to Lillas & Loel by telling them they should cease acting for me in a matter citing an unfounded allegation that I withdrew monies from Delta Law which was meant for you.

In further and quite explicit sms and emails to James Loel you attempted to intimidate, coerce and bully him into influencing Lillas & Loel (run by his wife) to withdraw from acting for me as their client. You further pressured James Loel to lean on me to withdraw a subpoena I had issued against you in a matter.

You knew full well at the time James Loel was not a practicing solicitor. Accordingly it appeared from those sms's to James Loel that you were using James Loel to intimidate, coerce and harass and improperly induce his wife (the CEO of Lillas & Loel) to cause Lillas & Loel to withdraw from acting for me a matter in which you were likely to testify.

Your correspondences were at the very least improper and a direct interference in the matter using threats, intimidation and coercion directed at James Loel and to Lillas & Loel. There is more.

INDUCEMENTS TO DROP ME AS A CLIENT OF LILLAS & LOEL

As an inducement to Lillas & Loel if they dropped me as a client and (James Loel) influencing me to withdraw the subpoena issued to you, you made an offer through James Loel, to abstain from voting as a 'creditor' in favour of the Deed of Company Arrangement (DOCA) in the administration of my former law practice Delta Law. James Loel was not my lawyer. You had no right or authority to discuss matters relating to Delta or myself or to make offers of the kind you made through him to me.

Notably at the first creditors meeting of Delta Law you had in order to mislead the court claimed to be a creditor of Delta Law when in fact and in writing you had earlier given Delta Law a discharge over any debt it may have owed you.

Delta Law owes you nothing. But your offer was the quid pro quo for getting me to withdraw a subpoena issued to you. It was clearly an incentive and an inducement offered to James Loel and Lillas & Loel to withdraw the subpoena issued against you and for Lillas & Loel to drop me as a client.

The Queensland Bar and the Legal Services Commission have a very poor track record of investigating or prosecuting claims of improper conduct by barristers.

THREATS COERCIAN INTIMIDATION AND BULLYING

Your attack on me at our meeting on 29 January 2021 left a lot to be desired of you as a man and as a barrister, a member of that Nobel profession as it were.

You interrogated, harassed, intimidated and threatened me making every attempt at coercing me into disclosing personal and private information about the private matters of a legal practitioner, James Loel, his financial affairs, his communications with me and other persons.

You demanded under the threat of a subpoena to 'expose my personal emails and phone records' relating to financial transactions I may have entered into with James Loel and personal information relating to his wife and her relationship with the firm of Lillas & Loel. I refused to accede to your demands and you continued to threaten in order to force me to make disclosure in respect of a matter I have no knowledge of and no authority or right to disclose to anyone.

This unfortunately is not the first time you have engaged in such conduct, using threats, bullying and interfering improperly in the legal affairs of others that are before the courts.

When I reminded you I was without legal representation at our meeting and therefore would not respond to your bullying, you shouted in reply "you should have brought one with you then", demanding further in a threatening manner that I comply with your demands for answers or be force to do so in court.

Your conduct in this regard unfortunately is not novel nor an isolated one at the Queensland Bar. It appears to be par for the course, a staple, and is widespread and unchecked throughout much of the legal profession. It unfortunately also extends right up to the bench picked from the ranks of the Bar.

SIMILAR UNREPORTED AND UNPUNISHED MISCONDUCT AT THE TOP END OF THE QLD BAR

If it is of any consolation to you, your behaviour on that day at our meeting was not too dissimilar to the behaviour of former High Court judge (now Barrister) Ian Callinan QC when he racially disparaged me referring to me as "Khemlani", in a direct reference to my racial origins during the Mango Hill arbitration in which I was instructing solicitor for one side.

Ian Callinan racially disparaged me in the presence of high ranking members of the Bar, referring to me as "Khemlani" in a racial slur directed at me twice during the arbitration in BS 1714/2011 in 2015-2017.

Amongst those barristers present at that arbitration when Ian Callinan disparaged me was a Silk who now occupies the hallowed position of President of the Court of Appeal in Queensland. Amongst others present at that arbitration was the son of a High Court judge, a junior, and another prominent silk the brother of a then sitting Supreme Court judge. Not one of them budged or flinched or protested Callinan's shameful outbursts against me during the arbitration.

Ian Callinan's insults is sadly but one of many such examples of abuses by barristers (and judges) I have had to endure during my career as a solicitor in Queensland

At least the late judge Guy Andrew managed to find his moral compass and conscience after which he took his own life late last year. He physically assaulted me in the family court in Brisbane a few years earlier for having the "temerity" to caution him that I would be raising a challenge to his client's evidence at a family court hearing in 2012. He was an uncontrolled menace at the Bar and later on at the bench. No one paid any regard to the complaints about the man then. He was instead made a judge. Judge Andrew as you will be aware "topped" himself in a park in Brisbane in 2020.

I telephoned the Queensland Bar to report Andrew's assault in or about 2012 but all they did was to tell me that someone would get back to me on the complaint. I never heard back from the Queensland Bar.

I am not bound by any rules of professional conduct or ethical obligations as I am no longer a practicing solicitor. My reasons to publish are perhaps as valid as you would say yours are.

People in your position it appears, believe you have license to mistreat and treat disrespectfully and with undeserved contempt, people of colour and other minorities like women, who you consider to be a lesser species than you.

EXTERNAL ASSISTANCE TO EXPOSE A COVER UP OF A CULTURE OF HATRED, BULLYING AND IMPUNITY

I am not alone in my views with complaints on this subject of bias, bullying, racism, gender bias, unethical, unprofessional and criminal conduct within the legal profession, in particular the Bar. I am copying this correspondence to you, to the Bar Association of Queensland. I have agreed to provide my story in an interview to a national broadcast media network on the subject of corruption and other systemic failures within Legal Profession and the Judiciary in Queensland. I do not believe I will get a fair hearing before the Bar association, the Legal Services Commission (LSC) or other body tasked with investigating complaints into professional misconduct.

Just out of interest, a complaint by a female lawyer 3 years ago to having been raped by a barrister in Queensland went largely unnoticed. I believed her complaint was dismissed in much the same way the LSC, the Bar and other such bodies set up to investigate misconduct in the profession tend to do with complaints against certain barristers (usually white and male). This type of misconduct must and can only be satisfactorily dealt with in an open forum.

CONDUCT CONSISTENT WITH THE CULTURE OF THE LEGAL PROFESSION

I have come to the decision that your conduct which is reflective of the culture that is largely that of the Queensland legal profession cannot and should not go unchecked.

The culture of inequality, exceptionalism, bullying, hate, racial bigotry, and intimidation within the legal profession as exemplified by your conduct must end.

I reserve all my rights.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Quintin Rozario', with a long horizontal flourish extending to the right.

Quintin Rozario

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