

Dossier of:

ISSN: 1834-805X

16 July, 2007.

Issue 200703.terence.joseph.mellifont

Publisher: **Australian Law Publishers** Pty Ltd[ACN 010 615 933] [AuLP] [E: info@AustLawPublish.com](mailto:info@AustLawPublish.com)

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keywords: Criminal Law (Rehabilitation of Offenders) Act 1986; Criminal Code (Qld); deceitful, dishonest, dishonourable, 73 Hawbridge St, Carseldine Q4034; associates, Bridget Eileen Mellifont, Christie Maree Mellifont, Jennifer Anne Mellifont, Julie Maree Mellifont, Michael Francis Mellifont, District Court Judge Julie Dick, Qld Governor Quentin Alice Louise Bryce, Federal Court Judge Jeffery Ernest John Spender; Julie Maree Dick; *Mellifont v. The Queensland Law Society Incorporated* [1981 QdR 17]

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Terence Joseph Mellifont

deceitful, dishonest, dishonourable

That was the unanimous finding of the Full Court of the Supreme Court of Queensland in the decision *Mellifont v. The Queensland Law Society Incorporated* [1981 QdR 17]. It also found that Mellifont was “unfit to practice as a solicitor”. That finding was in 1980, but Mellifont is “still around” and associating with other people. What we make of those associations is open to the reader. We propose to publish just the facts.

Linda Haller, in her article: *Waiting in the Wings: The Suspension of Queensland Lawyers* - [2003] QUTLJJ 24 at 26:

<http://www.austlii.edu.au/au/journals/QUTLJJ/2003/24.html>

refers to the **Statutory Committee of the Queensland Law Society Incorporated [QLSI] as the tribunal**, “The tribunal had found that Mellifont had acted fraudulently in seeking to hide errors in the trust account. He had

made false trust account entries, fabricated a letter to explain a payment from the trust account and had lied to the Law Society. He also **perjured** himself in his evidence before the tribunal.” Perjury is a crime. The Queensland Criminal Code defines Perjury:

Perjury

204.(1) A person must not, in a judicial proceeding or for starting a judicial proceeding, knowingly give false testimony about anything that is material to an issue pending in the proceeding, or intended to be raised in the proceeding.

In fact, Terence Joseph Mellifont has given his name to the legal test of when a solicitor should be struck off the roll of solicitors compared to merely being suspended for a specific period of time; the **MELLIFONT TEST**.

This Journal is part of the Mellifont/Spender/Queensland Rail fraud topic. This month we have four journals addressing this topic. They are archived at <http://AustLawpublish.com/20070716AustralianCriminalLawJournalissue200707.judge.julie.dick.pdf> , <http://AustLawpublish.com/20070716dossierof.judge.julie.maree.dick.pdf> , <http://AustLawpublish.com/20070716dossierof.terence.mellifont.pdf> , <http://AustLawpublish.com/20070716QBAissue200702.pdf> /. These are in addition to seven of our previous journals. In April, we published [HaigReport \[ISSN 1834-6294 #200701 26 March, 2007\]](#) (we held it over for a month)/. It is also archived online at <http://austlawpublish.com/20070314%20HaigReport%20journal%20issue200701.pdf> /. That gave the factual setting from which this umbrella topic has arisen. In May, 2007, we publishing a further six journals which are relevant to this topic/matter. Our then newest Law Journal, very topical in Australia in the lead up to the 2007 Federal Election, was the [Australian Industrial Relations Law Journal ISSN 1834-8378 \[AIRLJ\] Issue #200701](#) which is archived at [<http://austlawpublish.com/20070521 Australian Industrial Relations Law Journal issue200701.pdf>]. Although the [Australian Judiciary Law Journal ISSN 1321-4497 Issue #200701](#) [<http://austlawpublish.com/20070521 Australian Judiciary Law Journal issue200701.pdf>], is included as part of the [Australian Criminal Law Journal ISSN 1321-6562 Issue200705](#) [archived at <http://austlawpublish.com/20070521 Australian Criminal Law Journal issue200705.pdf>], we also reference its separate publication as <http://austlawpublish.com/20070521 Australian Judiciary Law Journal issue200701.pdf>, and the Dossiers of: three people involved are [Dossier of: Walter Norman Reiman](#) archived at <http://austlawpublish.com/20070521dossierof.walter.reiman.pdf> , [Dossier of: Jeffery Ernest John Spender](#) archived at <http://austlawpublish.com/20070521dossierof.jeffery.spender.pdf> and [Dossier of: Frank Thomas Heffernan](#) archived at <http://austlawpublish.com/20070521dossierof.frank.heffernan.pdf> and for background [HaigReport \[ISSN 1834-6294 #200701 26 March, 2007\]](#), also archived online at <http://austlawpublish.com/20070314%20HaigReport%20journal%20issue200701.pdf> /.

Perjury is lying under oath, regardless of whether it is in court or a tribunal. The location is irrelevant. It is the oath, or other sanction authorized by law,

that is determinant. Though Mellifont was not charged with perjury, that does not alter the fact that he committed perjury, a very serious crime. Accordingly, we are happy to refer to him as a criminal. It may be worthy of contemplation; the reason that Mellifont was not charged with the crime of perjury, at the time. There is much corruption in Queensland, both then and now. The Full Court decision referenced above was a disciplinary hearing, not a hearing in the criminal jurisdiction of the court. Hence, the Full Court could not “punish” Mellifont. We believe that Mellifont should have been punished for his crime of perjury.

That would have meant that there should have been a prosecution, and his being charged by the Queensland Police [QP] or the Queensland Director of Public Prosecutions [QDPP]. We know [have irrefutable evidence] that the QP is a corrupt organisation; [talk about organised crime], but what about the QDPP. Mellifont, along with Jeffrey Ernest John Spender [Spender], are/were Labor Lawyers. [Mellifont was struck off the roll of solicitors, as being unfit to practice, so is no longer a 'lawyer', now a reserved term in Queensland.] We know that the ALP/labor, regards incentive as an anathema, for, to value incentive, one has to have ability; a characteristic lacking from the traditional labor supporter. Maybe perjury is a characteristic of labor supporters. Being the public service, one would expect the QP and QDPP, to be stacked with labor parasites. That would explain the QP corruption.

The Mellifont Spender association/connection is interesting and worthy of further consideration. They were both 'labor lawyers'. Spender was counsel for Mellifont, when Mellifont appealed his five year suspension, which was increased to a striking off the roll of solicitors deeming Mellifont as not fit to practice as a solicitor, to protect the community. Spender appeared with Cedric Hampson QC.

In 1974, our Associate Haig was set up with lies and perjury by Queensland Rail and defrauded of what in today's money would be worth about \$25,000. Ironically, and culpably haig was referred by the Queensland Law Society Inc [QLSI] to Mellifont for legal representation. Haig was cheated by Mellifont who secretly sided with his labor mates in the Railway and defrauded his client. [He also tried to over charge Haig by over one and three quarters what he should have charged Haig, had he acted properly and conducted himself professionally. That took his bill for his services to nearly THREE TIMES what it should have been had he acted ethically. We have just seen the Supreme Court Taxing file that arose at the time.]

Mellifont instructed his then labor lawyer mate Jeffery Ernest John Spender to be counsel for Haig. Since Mellifont had not performed his role properly, Spender was not properly briefed. That should have made the job harder for Spender as he should have been put to greater effort to make good the Mellifont shortfall. Spender did not. It seemed it was a labor celebration, the whole tribunal hearing. During any breaks in the proceeding, instead of Spender attempting to make good his deficient brief from Mellifont by attempting to discuss the evidence with Haig, Spender would rush over to the labor cliché which would rapidly expand as all the railway hangers-on and “witnesses/perjurers” would gather round to hear the words of a labor “luminary” when Spender would bathe in the fawning gush of the labor sycophants. Leading up to the hearing, the only thing Mellifont did relating to Haig's case was to secretly go down to the Railway premises and discuss how they would cheat and defraud Haig. That is what happened.

There is an irony regarding Mellifont's 1980 striking off. If Mellifont had been charged and convicted of Perjury or any other criminal offence arising therefrom, then consequent upon the **Criminal Law (Rehabilitation of Offenders) Act 1986 [the Act]**, we would not be able to refer to him as a criminal as that would bring attention to his spent conviction. As he has not been charged, so not convicted, there is no consideration of a “spent” conviction. All the evidence is on the public record.

The Full Court's decision to strike Mellifont from the roll of solicitors was to protect the public. It was not done as a punishment. As there is no limitation of actions in criminal matters, Mellifont could still be charged. This casts a complexion upon the Beattie government's appointment of Julie Maree 'Mellifont' [nee Dick] to be a judge of the District Court of Queensland. She is the 'common law wife' of a criminal, regardless of how anyone attempts to characterize it. It is not a crime, by itself, to be the wife of a criminal, but surely it has to raise some doubts as to the wisdom of appointing the wife of a criminal to be a Judge of the District Court of Queensland. We wonder (?) what her



Dick, Mellifont or both? HAIGPHOTO

considerations were when she decided to use her maiden name, professionally.

Possibly, the Beattie Government thought that DCJ Dick may have a greater affinity with criminals; those who are in truth criminals, the truly guilty defendants. Apparently she has been associating with Mellifont the criminal since at the latest, 1984. One wonders how that may make her a better judge. Such may suggest that actual criminals would be less likely to be convicted and/or receive lighter penalties, and those who were actually innocent and had been set up by a corrupt police force and public service, would be more likely to be convicted with stiffer penalties. Maybe that applies to other judicial appointments by this Beattie government, as well.

The irony of the Beattie government appointing the wife of a criminal to the District Court, could be especially piquant for Beattie, given that the crime was and is, perjury.

Just as police associate in the main with other police [who else would really wish to associate with them as “friends”], and lawyers and judges associate with other lawyer and judges for much the same reason, so criminals associate mainly with other criminals. Like think alike. For this reason, all else being equal, a person who associates with a criminal is more likely to be a criminal himself or herself, than does a person who does not associate with criminals. So, what did the Beattie government think it was doing appointing JM Dick SC to the District Court? Do other lawyers see Mellifont as being merely unlucky in that he was just “caught”?

It does not appear as though DCJ Dick and TJ Mellifont are estranged. In the evening of Tuesday, 14 February, 2006 Quentin Alice Louise Bryce, the person appointed by the Beattie Government to be Governor of Queensland, hosted a Dinner Party at Government House. The guests included Her Honour Judge Julie Dick, SC and Mr Terry Mellifont as a unit, amongst guests numbering approximately 21. The other guests recorded were Group Captain Ross Clelland, AM, retd and Ms Julia Alexandra; Mr Paul Dean and Mrs Leesa Dean; Mr Peter Kenny and Mrs Hiliary Kenny; Reverend Archibald MacNicol and Mrs Heather MacNicol; Ms Adele Rice and Dr Michael Rice; Mr William Robinson and Mrs Shirley Robinson; Councillor Margaret Strelow and Mr Darryl Strelow; Mr Barry Thornton and Mrs Heather Thornton; Dr David Whiteman and Dr Cathy Whiteman, and Professor Ian Wronski. One wonder if maybe tthe purpose of the Dinner Party, was to increase Terence Mellifont's contacts. That was clearly a bit of labor largess at Queensland taxpayers'

expense. Our interest was raised when we became aware of two people of interest to us, Mellifont and Bryce [the “interest” arising on different occasions, many years apart], together in the same room.

The Australian Electoral Roll shows the names, Bridget Eileen Mellifont, Christie Maree Mellifont, Jennifer Anne Mellifont, Julie Maree Mellifont, and Michael Francis Mellifont as having 73 Hawbridge St, Carseldine Q4034 as their electoral address.

District Court Judge Julie Dick, Qld Governor Quentin Alice Louise Bryce,

It is ironic that The Queensland Law Society Incorporated [QLS] had taken action against Mellifont, [and were the respondent in this action] [but then they were duty bound by the law, to do so], because they had referred our close associate and official photographer, the ubiquitous Haig to Mellifont in 1974.

This is particularly concerning, even today, because, as mentioned by Andrews J. in his reasons in the above decision, the QLS had found Mellifont Guilty of Profession Misconduct on July 6, 1970, in respect of six instances between July 31, 1969 and October 30, 1969 [a period of only three months – that's one per fortnight] but fined him a mere \$150 in respect of all six instances.

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