

LEGAL DOCUMENT  
PRIVATE & PRIVILEGED DOCUMENT

FACSIMILE NUMBER: \_\_\_\_\_02 6230 7341\_\_\_\_\_

DATE: 4<sup>th</sup> April 2016

SENDER: Simon Golding

REFERENCE: CONTAINS DOCUMENTS OF LEGAL PRIVILEGED PURSUANT TO  
THE MATTERS OF SIMON GOLDING.

# Of TRANSMISSION PAGES (Including this one): \_\_\_\_\_4\_\_\_\_\_

Have a Nice Day

Simon Golding D72826

WCC

LMB 2000

Archerfield QLD

4108

4th April 2016

**To: Australian Commission for Law Enforcement Integrity – ACLEI**

**From: Simon Golding**

**Fax: 02 6230 7341**

This is a formal letter of complaint for **NO RESPONSE** from neither ACLEI nor ACBPS/Border Force after repeated requests by me.

**This is a letter of request for official response by CUSTOMS/ACBPS/Border Force and ACLEI for my repeated requests to these agencies.**

I have requested ACBPS/Border Force for an official investigation into misconduct, corruption and non-disclosure of CUSTOMS/ACBPS officers being present at the Scarborough marina on the 12<sup>th</sup> October 2010. Two requests have been sent to CUSTOMS/ACBPS/Border Force since 17<sup>th</sup> December 2015 and I have had no response. **Please advise me of the legal statute of time for an official receipt and response and reasons why I have not had a response.**

I request all evidence of Operation Collage/Bergonia be retained by ACLEI

**I request an official response by ACBPS/Border Force and ACLEI regarding the non-disclosure and perjury in Subpoena and Freedom of Information responses to this matter “immediately”!**

**A court order was issued in the Supreme Court of Queensland on the 09/06/15 to supply all names of ACBPS staff/officers in Operation Bergonia. This has not been done by CUSTOMS/ACBPS/Border Force and is in contempt of court.**

This is an official request that all drug evidence be maintained by ACLEI in regard to Operation Collage/Bergonia for independent testing / DNA testing.

**The Australian Crimes Commission has also not responded to my request. This is an official request for a response by the Australian Crimes Commission and reasons why my request has been ignored.**

Golding V Australian Crimes Commission in the Federal Court established that the Australian Crimes Commission did act unlawfully in the ACC Examination of Simon Golding. It has been recognised that the ACC have acted unlawfully in the Supreme Court of Queensland and yet no one has been charged.

This is also a request to investigate the telephone and communication intercepts on my friends and family. This is current and unlawful. What are the reasons for this other than the AFP attempting to control damage of corruption? What are ACLEI doing in regard to this?

**The AFP says they have referred my request of them to ACLEI. Please notify me if this is correct, and what is the status of this? I have asked ACLEI for this before.**

There are obvious serious charges to be laid against officers of agencies according to their own acts and the Crimes Act. The ACC have serious breaches in law. AFP has failed to disclose crucial evidence and have perjured themselves in the Supreme Court of Queensland. ACBPS/Border Force are guilty of massive non-disclosure and perversion of Justice.

Charges of perjury, misleading and false statements, tampering with evidence, removing property under seizure, theft, concealing a indictable offence and perversion of justice relate to AFP Aaron Burgess, Luke Read, Paul Watt, Simon Wynd, Luke O'Shea, Simon Castles, Christine Geissler, Karen Mazlin, Angus McGilvray, Carmen Begbie, William Tooth under the Crimes Act 1914.

AFP Aaron Burgess being the case officer was responsible for full disclosure of evidence in this case. AFP obviously had a concerted effort to hide CUSTOMS / ACBPS/ Border Force officers that were present at the Scarborough Marina on the 12<sup>th</sup> October 2010 until the 2015 trial. It doesn't take genius to work out why.

CDPP did not disclose this information either and CUSTOMS/ACBPS/Border Force just flatly lied about it in subpoena and FOI requests.

**What are ACLEI doing in regard to agents breaking the law?**

Is this seriously what happens in this country when agencies get caught stealing evidence? AFP involved in stealing and lying get promoted. Aaron Burgess is put on as the contact for all enquiries into the case because no one else knows the lies better. Too many agents caught with their greedy hands in bags to disclose "for the public good"? It is the best for public good to expose corruption, not hide it no matter what the damage at that time.

ACLEI "investigates" for 4 years and nothing is shown. ACBPS just change their name to Border Force, hide all persons involved and lie to the courts. Some resign, others are promoted.

Non Disclosure, Corruption and now ignoring of all of this by all agencies, for years. When is someone going to answer questions about this corruption?

This is another formal request for a response and status of what is being done, and what has been done by ACLEI regarding this case.

I have given multiple requests for investigation and answers to ACLEI. ACLEI have unofficially responded saying they will give a response but have failed so far in doing so knowing full well that massive corruption has occurred in AFP, Border Force and the ACC. ACLEI is fully aware that accused/convicted have not been given the crucial evidence they were lawfully entitled to since 2010 that they vigorously pursued.

The non disclosure, cover ups and perjury in this case is nothing short of astounding and equates to Malicious Prosecution. ACLEI is fully aware that accused/convicted in this case would not be serving sentences for the crime they were arrested for if evidence was not unlawfully hidden by agencies. What does ACLEI have to say in regard to this?

**This is another request to ACLEI for immediate response and explanation of why multiple requests have been totally ignored by Border Force, Australian Crimes Commission and ACLEI. Are officers being charged for offences or are you simply in damage control to get past the election and beyond?**



Simon Golding

2<sup>nd</sup> march 2016**To: Australian Commission for Law Enforcement Integrity – ACLEI****From: Simon Golding****Fax: 02 6230 7341**

This is a formal letter of complaint, for investigation and charge.

This is a letter of request for official response by CUSTOMS/ACBPS/Border Force and ACLEI for my repeated requests to these agencies.

I have requested ACBPS/Border Force for an official investigation into misconduct, corruption and non-disclosure of CUSTOMS/ACBPS officers being present at the Scarborough marina on the 12<sup>th</sup> October 2010. Two requests have been sent to CUSTOMS/ACBPS/Border Force since 17<sup>th</sup> December 2015 and I have had no response. Please advise me of the legal statute of time for an official response and reasons why I have not had a response.

I request all evidence of Operation Collage/Bergonia be retained by ACLEI as the agency name change from Australian Customs & Border Protection Service (ACBPS) to Border Force allows for destruction of evidence and data that is crucial for further legal proceedings.

I request an official response by ACBPS/Border Force and ACLEI regarding the non-disclosure and perjury in Subpoena and Freedom of Information responses to this matter immediately. A court order was issued in the Supreme Court of Queensland on the 09/06/15 to supply all names of ACBPS staff/officers in Operation Bergonia. This has not been done by CUSTOMS/ACBPS/Border Force and is in contempt of court.

This is an official request that all drug evidence be maintained by ACLEI in regard to Operation Collage/Bergonia for independent testing / DNA testing.

The Australian Crimes Commission has also not responded to my request. This is an official request for a response by the Australian Crimes Commission and reasons why my request has been ignored.

Golding V Australian Crimes Commission in the Federal Court established that the Australian Crimes Commission did act unlawfully in the ACC Examination of Simon Golding. It has been recognised that the ACC have acted unlawfully in the Supreme Court of Queensland and yet no one has been charged.

Please see request to the Australian Crimes Commission outlined below

*This is a formal request for an investigation into misconduct and unlawful actions of the Australian Crimes Commission.*

*I was unlawfully examined by the Australian Crimes Commission on the 22 October 2010 in Brisbane.*

*The Australian Crimes Commission ignored the view of the High Court of Australia that the compulsory unauthorised interrogation by Executive Government of a person charged in respect of matters relating to their charge is unlawful.*

*The Australian Crimes Commission was fully aware of the decisions of OK and Hammond at this time, making this examination unlawful. The ACC are also fully aware of the decisions of X7 & LEE.*

*The Australian Crimes Commission did unlawfully kidnap me from the protective custody of the Corrective Services of QLD without permission or court order.*

*The Australian Crimes Commission has disseminated my unlawful examination transcripts to the very prosecution team in my case and to "others" placing my life at considerable risk and fundamentally failed my constitutional right of ever receiving a fair trial.*

The Australian Crimes Commission Act 2002 Section 25C **Disclosing examination material to prosecutors of the examinee** (1)(ii) post charge examination material; under an order made under subsection 25E(1) **Courts powers to order disclosure and to ensure a fair trial** Courts may order that material may be disclosed.

**No court order exists**

The Australian Crimes Commission Act 2002 Section 25D **Disclosing derivative material to prosecutors of the examinee** (1)(C) a post charge disclosure of derivative material obtained from post charge examination material, and the disclosure is under an order made under subsection 25E(1). *Meaning they needed a court order to do so.*

**No court order exists**

The prosecutors, Glen Rice and Melanie Ho in case 864/11 did unlawfully obtain my unlawful ACC examination transcripts. Mr Glen Rice explained to the Supreme Court that Melanie Ho did have the examination transcripts, as she was part of the "Confiscations Unit" within the CDDP. This is also unlawful without court order. On the very same day as Mr Rice's statement to the Supreme Court of Queensland an affidavit was given to the Supreme Court by Melanie Ho stating that she was totally unaware that accused had been to the ACC. This is clear perjury.

This is a formal request for the arrest and charge of Glen Rice and Melaine Ho for blatantly disregarding the act, for not disclosing this to the courts as it is their duty to do so. For Perjury.

For failing to disclose evidence to the courts, and not notifying the Court immediately of the non disclosure when it was discovered that up to 20 Customs were at the Scarborough Marina on the 12<sup>th</sup> October 2010.

This is also a request to investigate the telephone and communication intercepts on my friends and family. This is current and unlawful. What are the reasons for this other than the AFP attempting to control damage of corruption? What are ACLEI doing in regard to this, my previous concerns and requests to investigate?

The AFP say they have referred my request of them to ACLEI. Please notify me if this is correct, and what is the status of this. ACLEI have investigated this case for a number of years now. When am I going to get an official response concerning this?

There are obvious serious charges to be laid against officers of agencies according to their own acts and the Crimes Act. The ACC have serious breaches in law. AFP has failed to disclose crucial evidence and have perjured themselves in the Supreme Court of Queensland. ACBPS/Border Force are guilty of massive non-disclosure and perversion of Justice.

Charges of perjury, misleading statements, tampering with evidence, removing property under seizure, theft, concealing an indictable offence and perversion of justice relate to AFP Aaron Burgess, Luke Read, Paul Watt, Simon Wynd, Luke O'Shea, Simon Castles, Christine Geissler, Karen Mazlin, Angus McGilvray, Carmen Begbie, William Tooth under the Crimes Act 1914.

Charges and summons are being drafted by myself along with a detailed evidence package if ACLEI is not going to do so. It is very clear that these people have broken the law and I will prove so in court. The media will have a field day and the evidence will be handed to them.

This is an official request of arrest of AFP Peter Baker who was present at my unlawful ACC examination and present at the Scarborough marina. He has aided in dissemination of my unlawful examination transcripts and information and has breached the ACC Act by being part of Operation Collage/Bergonia. This is unlawful.

This is an official request for the arrest of Tara Feeney of the ACBPS/Border Force. She was also present at my unlawful ACC examination and at the Scarborough Marina. She has aided in dissemination of my unlawful examination transcripts and information and has breached the ACC Act by being part of Operation Collage/Bergonia. There are clear communications between her and the AFP case officer and others. This is unlawful.

This is a formal request for the arrest of Minister Peter Dutton for the non-disclosure and non-compliance with court order. The failings of disclosure of ACBPS/Border Force fall directly on his shoulders and is responsible for perversion of justice.

I request that in the light of huge non-disclosure, corruption and unlawful acts in this case that I am released from custody immediately pending the outcome of all investigations and conclusions under the Crimes Act 1914, Section 20BE. *Attorney General may order release.*

This matter needs to be raised immediately with the Commonwealth Attorney General.

Lastly, the unlawfulness in this case is the pinnacle of blatant disregard for law. The people involved are the ones who are entrusted with upholding the law yet they escape any persecution what so ever when they themselves break the law.

The AFP and ACBPS followed no procedure and acted illegally and corruptly. The ACC then acted unlawfully and knew they were doing so with blatant disregard of law. The CDPP had absolutely no interest in the truth told and only for conviction. This all equates to perjury, non-disclosure and malicious prosecution. The serious non-disclosure by the ACBPS/Border Force allows accused/convicted to go back to committal hearings that were held five years ago. If the truth were disclosed five years ago, it would be a vastly different story to the one we have today. Agencies now just ignore the issue and hope to get as much time between the unlawfulness and now to pass the blame. Agencies have even changed their name for this.

The people involved in "law enforcement" should be held higher to account than any normal person because of the abuse of power involved. These people think and act as they are above the law.

Time lines of official request to agencies and the lack of responses are being compiled for distribution. I request an immediate formal response by ACLEI and other agencies about the ignoring of these requests. The failure to respond is inexcusable on the clear corruption issues of Operation Collage/Bergonia/ SC864/11. The truth seems to be the main casualty in this case and ACLEI seem to be doing very little in regard to it after years of investigating it. This is a formal request for a response by ACLEI.

A handwritten signature in blue ink, consisting of several overlapping loops and lines, positioned above the name Simon Golding.

Simon Golding



*Commonwealth Law Enforcement Ombudsman*  
*GPO Box 442*  
*Canberra ACT 2601*  
*Fax No: 02 6276 0123*

5<sup>th</sup> April 2016

From: Simon Golding

Dear Sir/Madam

This is a letter for request of investigation into Operation Collage/Bergonia 2010 and unlawful actions by AFP and ACBPS/Border Force.

The unlawfulness in this case starts with serious misconduct of AFP and CUSTOMS/ACBPS/Border Force, stealing evidence and subsequently giving misleading and false statements, non disclosure, tampering with evidence, perjuring in subpoena and FOI requests. Perversion of justice is very clear with ample evidence of this.

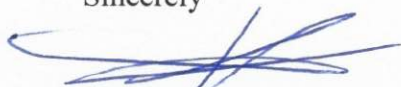
The most blatant example of this is the non disclosure of Customs/ACBPS/Border Force officers being present at the Scarborough Marina on the 12<sup>th</sup> October 2010 and then the perjury involved of the agency stating that "No CUSTOMS/ACBPS/Border Force officers were present at the Scarborough Marina on the 12<sup>th</sup> October 2010". This was a clear lie. Why did they do this? Because AFP and Customs were caught stealing evidence and it's been a cover up ever since because of the amount of people involved and the damage of public perception of Australian agencies. Agencies now try to distance themselves between the events with time. Some officers have resigned, others have been promoted.

Complaint and investigation requests have been sent to Australian Federal Police, Border Force, Australian Crimes Commission, Commonwealth Department of Public Prosecutions, ACLEI, Commonwealth Ombudsman, Commonwealth Attorney General, Commonwealth Governor General and Parliament.

Most are trying to ignore the massive problem and refuse to respond despite multiple requests, most notably being Border Force who has perverted the course of justice.

The easiest way to get a start on information is to look at twitter page **simonxgolding** and look at attached dropbox information. This is unorthodox but the most effective way to get you this information in current circumstances. I look forward to your prompt response.

Sincerely



Simon Golding

14th March 2016

Simon Golding D72826

W C C

Brisbane Queensland

Commonwealth Ombudsman  
GPO Box 442  
Canberra ACT 2601

Fax: 02 6276 0123

Dear Sir/Madam

I would like to bring to your attention and raise complaint and investigation into to numerous Government agencies involved in Operation Collage(AFP)/Bergonia(ACBPS/Border Force).

To save inundating your office with a lengthy fax giving all disclosure, unlawfulness and corruption involved in this case it would be easier if I draw attention to twitter account simonxgolding , which holds some of the requests and evidence of this in the form of dropbox attachments and email to Ministers/Senators. Simply Google my name and look for the twitter feed. This is unorthodox but the most efficient way of getting you this information in the circumstances.

Official complaint has been raised with:

Australian Commission of Law Enforcement Integrity-ACLEI  
Australian Federal Police-AFP  
Australian CUSTOMS/ACBPS/Border Force  
Commonwealth Director of Public Prosecutions-CDPP  
Commonwealth Attorney General  
Commonwealth Governor General

The unlawfulness in this case is broad and I have received no response or receipt of requests by most agencies involved. Most notably being ACLEI and ACBPS/Border Force.

Response back from the Commonwealth Attorney General states that the executive Government cannot interfere with judicial process of the courts but this is exactly what has happened with the unlawful examination and dissemination of material by the Australian Crimes Commission. The relevant acts state that the Commonwealth Attorney General and Governor General can and do rightfully act when it suits them and this is a clear case of when they should be, especially considering the blatant ignoring of requests, receipt of notice and disregard of law by the Government agencies and courts involved. The huge corruption issues involved and lack of any action over a

long period of time also should weigh heavily into account in this case. It seems most are either ignoring the blatant issues or passing the trouble for another to hopefully deal with it. It is truly amazing how in over five years of Government agencies knowing and having proof of massive corruption and non disclosure by the AFP and CUSTOMS/ACBPS/Border Force and nothing has ever been exposed to neither the public nor any action taken on corrupt officers involved.

I have included in this fax, my last request to ACLEI. I have previously sent ACLEI four other requests and have personally dealt with them from 2012. I have received neither acknowledgement of receipt nor any formal communication.

There is clear corruption and subsequent attempted covering of corruption in this case. ACBPS/Border Force has perjured themselves and perverted the course of justice. This is undeniable and the delaying of any exposure of this is clear.

This is an official letter for your office to act accordingly, without hindrance or lengthy time restraint.

I look forward to your response.

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form the name 'Simon Golding'. The signature is positioned above the printed name.

Simon Golding