

“Back Off Government” sign
appears on the front lawn of a small town

37 Wellington Street,
Bowmanville, Ontario

Recently, Bert Werry sold a Landowner membership and sign to a man on residential street in Oshawa. As the man put up the sign on his front lawn, his neighbour from across the street yelled over and said, “Put one on my lawn too.” Urban people are sick of too much government too. Good work, Bert.



Digg'in up the Legal Dirt

Is theft appropriate or mis-appropriate?

by Sam Spade

In April 2003, the Law Society disbarred Oakville lawyer William Sinclair, preventing him from practicing as a lawyer in Ontario. Sinclair and the Law Society agreed in writing that he had “misappropriated” \$3 million from his client’s trust funds and funneled his ill-gotten gains into Georgian Bay area real estate. Wild Bill never faced a criminal prosecution for this fraud and theft.

Why not? According to the Law society they couldn’t divulge information to the police under section 49.12 of the Law society Act. If this were true - it would be a strange twist indeed, when it’s criminal to report suspected criminal activity to the police if the suspect happens to be a lawyer.

‘Apparently, a vault of secrecy closes tightly around any investigation of the legal community. According to OPP detective David Shantz, ‘For six months, the law society would not talk to us, they would not even return our phone calls’

Two and a half years after Sinclair’s’ 2003 law society hearing, Halton Region police told the Toronto Star they are investigating but can’t release any details. While, Sinclair’s victims have clamoured for their money to be returned for years, many have also incurred substantial legal expenses fighting Sinclair in civil court while the Law Society continues its investigation of secrecy. However there remain many victims. Some money has been paid back, while a significant amount remains outstanding to many and many have been victimized twice. One of Sinclair’s victims is Jacqueline Gowland who paid \$20,000 in legal fees to another lawyer and received a judgment against Sinclair but still hasn’t collected the misappropriated money.

In November 2005 Sinclair told the STAR that he did nothing wrong. “There was no theft.” Sinclair said, adding that nobody lost money. When the STAR reporters showed Sinclair the agreed statement of facts that set out his crimes, Sinclair altered his position, a friendly smile on his face at all times, “People will get their money back eventually, with interest,” Sinclair replied.

Sinclair now offers a will writing service, www.wills-net.com and is “very careful not to practice as a lawyer.” Malcolm Heins, the CEO of the Law Society, says cases of lawyers who break the law are treated very seriously. “We have a public trust to maintain. All lawyers are distressed when something like this happens,” said Heins. Asked why the Sinclair case and many others do not result in a criminal prosecution, Heins suggests that police are “under resourced.” “White collar crime is an arduous investigation and it takes a lot of time and money.

Police interviewed by the STAR disagreed with Heins. Detective Sergeant Gary Logan of Toronto Police Services Fraud & Forgery Squad said while they are busy, they never turn a valid complaint away. “This is our job. We don’t pick & choose” Mr. Logan sees the problem differently and that “If people see criminal conduct they should notify the police.”

In a letter from Premier Dalton McGuinty’s Office, it states, The Ministry is satisfied that the procedures in place at the Law Society to address the public concerns about lawyers, are adequate. Dalton happens to be a member of the same society, as he is a lawyer in Ontario.

For further info-or to report legal dirt contact:

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