

# OPEN LETTER to:

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E: [Info@AustLawPublish.com](mailto:Info@AustLawPublish.com)

<http://austlawpublish.com> 254 Hawken Drive, St Lucia, Qld. 4067.

Skype: russellmathews

Editor-in-Chief: **Russell G H Mathews BCom BSc LLB BA**

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## Coral McVean<sub>of</sub> NAMBOUR

*By Alex Gordon LLB*



**Dear Coral,**

**We write on behalf of your brother Haig. Haig has supplied us with much information of the ways in which he has been bullied, mistreated and discriminated against by various people since 25 November, 1967.**

**A large part of that has been by your husband Hugh McVean. He has acted criminally towards Haig, on repeated occasions. Of course, his being a coward means he has done it in a clandestine manner. We know that Hugh has also treated you abysmally. You are in a powerful position viz a viz your criminal husband Hugh McVean, and later in this **Open Letter to:**, we will detail the power you have.**

*Coral McVean violated by Hugh McVean. HAIGPHOTO*

**As you know, Haig has suffered from disability since his head injury and concussion on 25 November, 1967 and subsequent fortnight stay in Hospital from that date. You know how he has suffered disability since then for nigh on 40 years. I am sure you will be pleased to hear the good news that Haig is at last recovering, much hopefully, but only some to date, of his former ability, slowly but progressively as he can now manage effectively, his Obstructive Sleep Apnoea since he has lost weight and takes other measures to effectively manage it. This has happened since the OSA diagnosis was confirmed only a few years ago, when he had been afflicted by it for almost 40 years. Unfortunately, his medical advisors tell him that he will always be disabled, despite his prospective substantial recovery.**

**Haig has told us how your criminal husband has acted towards you. Clearly, he knows just how far he can push you and put it over on you.**

**This Journal is part of the Hugh McVean topic which we have and are covering in the journals:**  
[http://AustLawPublish.com/20070618 Australian Criminal Law Journal issue200706.hugh.mcvean.pdf](http://AustLawPublish.com/20070618%20Australian%20Criminal%20Law%20Journal%20issue200706.hugh.mcvean.pdf),  
<http://AustLawPublish.com/20070716openlettersissue200701.nambour.people.pdf> ,  
<http://AustLawPublish.com/20070716openlettersissue200701.coral.mcvean.pdf> , and  
<http://AustLawPublish.com/20070716dossierof.john.mcvean.pdf> .

**Hugh keeps the computer in your home to himself so preventing your becoming computer-literate. We think he is a little strange the way that he keeps the computer isolated up the narrow flight of stairs to the small mezzanine floor in your lounge such that no-one can look over his shoulder to see what he is doing, writing or viewing.**

**We realise that you are in a perilous position. We trust that one of your friends will assist you to see this open letter.**

**We know that Hugh has treated you abysmally. Haig has told us how, before you were married, when marriage was first mentioned, Hugh asked your and Haig's parents, how much “dowry” they would pay him to marry you. That is a massive insult to you, to suggest that he would have to be paid to marry you, despite his pretending it was a “joke”. He persisted with that”joke” ad nauseum and in front of his boozie mates, [whom we will discuss later]. We know you were smitten with him for his resemblance, in your eyes, to Paul Newman and, at age 20, as you were then, your great crush on Paul Newman. We realise that to you he was like your very own Paul Newman.**

**Haig also tells us that Hugh was bragging around Townsville at that time, before you were married, that he was having sex with you, a very attractive redhead. He must have been a very insecure person. Maybe there was**

something in his family background. For this reason, we are this month profiling Hugh's brother [John Alexander Francis McVean of 12 Snowgum Drive, Bilambil Heights, in NSW](http://austlawpublish.com/20070716dossierof.john.mcvean.pdf), at [<http://austlawpublish.com/20070716dossierof.john.mcvean.pdf>](http://austlawpublish.com/20070716dossierof.john.mcvean.pdf). Haig also tells us that your wedding was not a white wedding, when you and your mother made your wedding gown; off white so it would not be too obvious that you were not having a white wedding.

Haig also tells us of the “water ski” incident in about 1970, when Haig was extremely disabled, with the undiagnosed OSA, the ongoing consequences of the head injury and psychotic drugs. That clearly meant that Haig was disabled and you and Hugh well knew it. That meant that Hugh owed Haig a Fiduciary Duty {FD}, then and all the while Haig has been disabled, as he still is. In early 2005, let alone not knowing the nature of a FD, Hugh could not even SPELL it. Owing a FD, is a matter of Common Law [CL].

Because all Haig's history was known to Hugh, he owed Haig a fiduciary duty, which basically means, to look out for Haig and look after Haig as though Haig was his own self. To emphasize FD, we have assembled some detailed definitions, [we could write a book on FD, and still leave much uncovered].

*Black's Law Dictionary describes a fiduciary relationship as "one founded on trust or confidence reposed by one person in the integrity and fidelity of another." **A fiduciary has a duty to act primarily for the client's benefit** in matters connected with the undertaking and not for the fiduciary's own personal interest. **Scrupulous good faith and candor are always required. Fiduciaries must always act in complete fairness and may not ever exert any influence or pressure, take selfish advantage, or deal with the client in such a way that it benefits themselves or prejudices the client. Business shrewdness, hard bargaining, and taking advantage of the forgetfulness or negligence of the client are totally prohibited by a fiduciary.***

A fiduciary Duty is far more onerous for the Fiduciary [the one having the Fiduciary Duty], than is the Duty of Care, which can itself be quite onerous.

Wikipedia, the FREE encyclopedia defines [and we approve of this definition] fiduciary thus:

*A fiduciary duty is the highest standard of care imposed at either equity*

*or law. A fiduciary is expected to be extremely loyal to the person to whom they owe the duty (the "principal"): they must not put their personal interests before the duty, and must not profit from their position as a fiduciary, unless the principal consents. The fiduciary relationship is highlighted by good faith, loyalty and trust, and the word itself originally comes from the Latin fides, meaning faith, and fiducia.*

*When a fiduciary duty is imposed, equity requires a stricter standard of behaviour than the comparable tortious duty of care at common law. It is said the fiduciary has a duty not to be in a situation where personal interests and fiduciary duty conflict, a duty not to be in a situation where their fiduciary duty conflicts with another fiduciary duty, and a duty not to profit from their fiduciary position without express knowledge and consent. A fiduciary cannot have a conflict of interest. It has been said that fiduciaries must conduct themselves "at a level higher than that trodden by the crowd."<sup>[1]</sup>*

That water-skiing “episode” was on the strand in Townsville, one Sunday morning we believe. Hugh had bought a water ski-boat, and invited his boozier mates and their wives/partners together with you and Haig, to water-ski. Haig was unaware of so much, including the reason that all the females, before they had a ski, would pull on a particular pair of board pants. [He later learned that they were a tight weave material to prevent enemas and the like.] When it came Haig's turn to water ski, he prepared in the water as instructed and that was to sit in the water with the tip of the skis just out of the water and with his knees under his chin. Rather than drive the boat as required to enable Haig to ski, Hugh merely idled the boat so that Haig was dragged through the water in that position at sufficient speed to give him massive enemas but too slowly to enable him to rise out of the water. Hughie was obviously showing off his great talent at being able to control the speed of the boat, so as to give Haig those enemas. Haig tried to stand but the skis just sank into the water and he fell off. This happened repeatedly and on about about the sixth occasion, Hugh drove the boat correctly and it sprang into motions and Haig was quickly out of the water and skiing. That did not happen with anyone else. It happened well into the ski-ing when Hugh would be unable to say that he was just a “novice” at driving a water ski boat. [We know Hugh is on record as trying to excuse his poor conduct as being that of a “novice”.] At the time, Haig did not realise what was happening. Hugh clearly knew that so kept doing it. Hence, your Hughie was able to repeat the exercise numerous times. Haig still did not realise what had happened although he

was extremely sick, and he evacuated into the sea water. He went up to the toilet in the bowling club and tried to evacuate further but was unable to although he had severe cramps. He realised what had happened to make him ill, only after your friend Barry Stanton, the then engineer in the Townsville City Council, came up beside Haig when he was sitting down after his ski, and let out a raucous shout of “enema” when apparently another skier in another group of people water ski-ing in the area, came off his skis. Barry Stanton thought enemas from water ski-ing extremely funny. No doubt, Hugh will be able to blame Barry Stanton for encouraging him to give Haig an enema. Gutless people always like to blame someone else. Hugh could even try to blame Haig for the enemas as he continued to line up for them. Now, Coral, that was assault by Hugh on Haig, and since Hugh owed Haig a fiduciary duty, the assault becomes Aggravated Assault. Of course, you realise that is criminal. Haig has realised that that was done deliberately only after he discovered that Hugh forged a purported Tenancy agreement, in 1994.

Hugh has really messed your life around. You know he had so ruined his name and reputation in Townsville, being his bragging about having sex with you before you married him, and with his dowry “joke” in public and his aggravated assault of Haig with the “water ski enemas”, [his boozier mates ensured that was widely broadcast in Townsville as they too thought it was so funny that he would do that to an disabled person], that he could not find reasonable work as a pharmacist and so he/you had to buy a pharmacy sufficiently far from Townsville so as not to be affected by his “indiscretions” [speech and actions] in Townsville. Your and Haig's parents had to help financially for the sake of their only daughter. That forced you to have to sell your beautiful home in Townsville, and move away from your family and friends, because of the actions of your husband which were in fact criminal being in one case, aggravated assault.

Haig has also discovered the nefarious secret dealing Hugh has undertaken in consort with other criminals in the Brisbane City Council, with the purpose of harming Haig further by their breaking into his yard and home and stealing much of his property, but in keeping with Hugh's sleazy character, Hugh tried to do it without it being known by Haig, what Hugh had been doing.

Hugh owed your superannuation fund a fiduciary duty, as too Hugh [and you] owed a FD to Haig as well. Those FDs are in conflict. It is illegal to have a conflict of FDs, because it is logically impossible to do so, so therefore the fiduciary has to be breaching at least one. This is obvious

**when you understand the nature of a FD. So, it is not a matter of picking which of the two parties have been wronged. Both have been violated. One wonders what the ATO will think of a breach of the FD owed by the trustee of a Superannuation Fund. We may do another Open Letter to: the ATO at the time of this one, or later and refer to these. That will mean that it will be public so the ATO will have to act. The ATO will be scrutinized by Federal parliamentarians both Government and opposition. In fact Hugh and you owed to Haig a FD arising from two sources. One is because Haig is disabled, and the second is as Trustee of his home.**

**Haig had wanted to buy the home himself, but to facilitate that, Haig asked you if you would secure it for him while he organised the finance. Haig says he did this as you had offered on behalf of Hugh and yourself, if you could do anything to help the situation in which Haig found himself, you were happy to help. When you made that offer Haig was in the front passenger seat of his parents car and your and his mother was driving and your and Haig's father was in the back seat of the parents' car. Haig says that you were looking at your mother when you made the offer, so he did not know if you would secure the home for him while he organised finance. Haig tells us further that you referred Haig to Hugh saying that he handled all things like that. It is clear that at that time, Hugh decided that he would pretend that he was agreeable to that trust, [apparently, without his realising the equitable considerations raised, and that a real trust was formed], and once he had his name on the title, he thought he could ignore the trust so formed, as the agreement with Haig was only verbal. You know that Hugh confides in his dodgy solicitors, believing all that transpires between them is always secret. That is not always so and we will detail that later.**

**It is clear that Hugh set out to injure Haig when he forged that purported tenancy agreement. Forgery is a criminal act. Hugh has made you a party to that forgery as your signature appears on it as well as Hugh's. Hugh and his solicitor put your super-fund of which you are one trustee, as a part legal owner with himself in Haig's home which, because of prior Fiduciary Duty owed to your brother Haig, has caused an illegal situation of "Conflict of Duties". The ATO is likely to strike down all the preferential treatment of your super fund, such that with increased tax rates and penalty tax over FOURTEEN YEARS, [AND WITH PENALTY INTEREST ON THE INCREASED TAX AND PENALTY TAX, your super-fund is likely to be wiped out completely. It should not concern you**

**but that is also likely to set the ATO upon your and Hugh's solicitors, AND ALL THEIR OTHER CLIENTS. That will be of interest to the other people of Nambour who read this *Open Letter to:* you, who may be their clients also or have lost to their corruption.**

**It is reprehensible that Hugh has made your and Haig's mother a party to that forgery too. Hugh has increased the level of criminal conduct by yourself by having you sign an application to a Court in Queensland attaching that forged purported contract. Courts take such criminal conduct whereby one or more persons attempt to mislead the court with forged documents, as matters of serious contempt of the legal process. Apart from being criminal, that is also contempt of court. These are very serious offences, leading to long jail terms. Your saying you cannot remember would not assist you in any way but be more detrimental to you. Since that is your signature and you know it and so does Hugh, you would be unable to give any evidence as to how it arose. Either you would then have to perjure yourself or tell the truth of how it is a forgery. As well, you could be required to give lengthy evidence in a witness box as to matters surrounding that document and very many related matters. One could be the FD you owe to Haig, and another the FD Hugh owed and owes to Haig. In reality you would be doing all this increased criminal conduct, if you continued down the criminal path on which Hugh has placed you, to save the solicitors, and they have already committed multiple instances of Professional Misconduct.**

**Hugh is clearly psychopathic by his thinking it was funny to use his water ski boat to injure another person with his “water ski enemas”. His repeated criminal acts, [just the ones of which we are aware] mean Hugh is also a pathological criminal. We think that in the 30 odd years that you and Hugh have been in Nambour, it is unlikely that Hugh has not committed other criminal acts, probably with the help of his dodgy solicitors. Having the dodgy solicitors assisting may mean that the other people have been silenced. It is for that reason that we are concurrently publishing an [\*Open Letter to: to the People of Nambour.\*](#) We will not be surprised to discover numerous additional criminal and quasi criminal acts by your Hughie.**

**You must realise that you Hughie is a gutless coward: the way he bullies at the end of a water ski tow rope, and by secretly encouraging the Brisbane City Council to commit criminal acts, for his benefit, bragging about**

**having sex with you before you were married behind your back, and conspiring in what he thought was secret with his solicitors. Haig tells us, therefore you would know how Hugh ensured he lined up those dodgy solicitors as his first move once you both moved to Nambour. We would not be surprised to find that he and the dodgy criminal solicitors, had ensured that you are in a financial straight jacket.**

**Apropos Hugh's encouragement of the BCC criminal invasion and theft from your brother. To date, the criminal Brisbane City Council and the corrupt courts of Queensland have been able to keep a lid on this corruption. That will not continue indefinitely. They will eventually be brought to account. We, at AuLP have been able to achieve quite a record for success, via our publishing. We claim credit for the ridding of our area of the previous BCC elected Councillor, Judy Magub. She just up and resigned earlier this year without giving any reason. We claim full credit for her demise, due to our Open Letter campaign directed at her and the Liberal Party. We are becoming stronger too as a New Media entrant. We are excited by the many developments. All build upon the other developments, and the rate is increasing. As lead Journalist for AuLP, I am pleased to have been recently brought on board.**

**We highlighted this BCC corruption in our [Australian Criminal Law Journal Issue 200701 published 29 January, 2007](http://austlawpublish.com/20070116%20Australian%20Criminal%20Law%20Journal%20final01.pdf) and archived at <http://austlawpublish.com/20070116%20Australian%20Criminal%20Law%20Journal%20final01.pdf> or [http://austlawpublish.com/20070116 Australian Criminal Law Journal final01.pdf](http://austlawpublish.com/20070116%20Australian%20Criminal%20Law%20Journal%20final01.pdf) /. We will continue supporting Haig, and in fact we will be increasing our support. We will be bringing more attention to this situation of breach of Fiduciary duties and the Disability Discrimination Act 1992 [DDA] through our new journal the [Australian Disability Law Journal with online directory](http://austlawpublish.com/austlawpublishADLJ.html) at <http://austlawpublish.com/austlawpublishADLJ.html> /.**

**The BCC will eventually succumb or be brought to account. This will be a big achievement for us. When they are brought to account, will you be surprised if they heap much blame on your criminal husband, for his encouragement of their criminal conduct. They will claim that your criminal husband put them up to it. Your Criminal husband tried to do so much by phone so there would be less evidence. The evidence he did leave in letters and email are most compromising of him. The BCC will read this and this will give them more encouragement to take this approach when they are finally exposed so publicly, that it cannot be suppressed.**

You see, Coral, our publishing and the methods we follow, permits us to come at each subject from many angles and directions.

## **What you are able to do! You are in a powerful position.**

We mentioned the Legal Professional Privilege [LPP]: LPP means that discussions with solicitors such as Hugh has had with his dodgy criminal solicitors, is in general secret. LPP is also termed CLIENT PRIVILEGE. This emphasizes that the “ownership” of that privilege against publication is the client's. The solicitor has not say in whether it becomes public. That is the reason that the advice of Ian Callinan QC [as he was then], to George Herscu re the Caboolture Park Shopping Centre, resulted in a three million dollar “Wasted Costs Order” being awarded against the solicitors, Flower & Hart, who implemented Callinan's advice. Now, since Hugh's discussion with them was on behalf of you both, then even when you were not there personally, you still own that privilege JOINTLY with Hugh, so you can choose to publish it. That includes all written and verbal communications. You are entitled to all documentation. Any discussion you had with Hugh where he told you the advice of the criminal solicitors, can be published in evidence as it is excluded from the “hearsay rule” of evidence, being an admission.

We have no doubt that your Hugh is a lowlife and that he really wished your brother harm. However, regarding Hugh's involvement with the solicitors, and Haig's home, where you and Hugh are trustees, for Haig, Hugh has set out to swindle Haig. As a result, Hugh, you and your superannuation fund are losing money, a big sum of money, as well as the vast sum that Haig, your brother has lost. The point is that Hugh would not have been able to do this without the assistance of the criminal solicitors. We suspect that there will be other people in Nambour who have also been cheated by these solicitors. Many will know that the ones who cheated them are these criminal solicitors used by your husband, Hugh. We are asking these people in our Open Letter to: the people of Nambour, to contact us.

We already have sufficient evidence to have Hugh's dodgy solicitors struck off the roll of solicitors to protect the community. They are the reason you and your super-fund have lost money. It is not necessary that they conspired with Hugh. It is enough that from Hugh's speech and

**actions, a suspicion of fraud or cheating could be apprehended. We suggest that that suspicion could be readily apprehended from the circumstances, even without comment from Hugh.**

**Hugh so despises your brother that he will be prepared to suffer a loss to ensure that Haig also loses. That will not be happening. Haig will not lose over this but we are not publishing the reasons yet. If you decide to come forward with this evidence only after the firm is well on the way to being struck off the roll of solicitors, your evidence will have far less weight and the Trustee of the Solicitor's indemnity fund is likely to allege that you are being opportunistic. The trustee will surely allege that both Hugh and you, were knowingly involved in the fraud of your brother. You do not deserve to lose over the actions of this mongrel once resembling Paul Newman.**

**In fact, if you decide to come forward, before the strike off process has begun, we are prepared to publish your evidence. WE can handle all the necessary documentation for you.**

**Nambour is about to be shaken AND stirred financially. You will need to pick your side, sooner rather than later. You are either with your brother or against him. He has told us some of the things he has done for you and Hugh over the 40 years since you met your Hugh. He has never done anything to harm you. He has been severely disabled for all but five months of that time.**

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