

# RE: Member Representation and Welfare

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**From:** Duncan Pittard <dpittard@liv.asn.au>

**Received** Thursday 27 May, 2021 08:45 pm

**To:** Peter Mericka <peter@lawyerslegal.com.au>

**CC:** Reviews <reviews@liv.asn.au>

**Subject:** RE: Member Representation and Welfare

**Attachments:**

**Associations:** LAW INSTITUTE OF VICTORIA [1793]

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Hi Peter

Thank you for your reply.

As the matter referred to in the letter you attached in this morning's email has now been delegated to an independent external party, it would be inappropriate for me to comment further.

As per the letter dated 26<sup>th</sup> May 2021, all further correspondence should be referred to the LIV's Manager of Reviews at [reviews@liv.asn.au](mailto:reviews@liv.asn.au)

Kind regards

Duncan

**Duncan Pittard | General Manager Member Experience & Support**

Law Institute of Victoria, Level 13, 140 William St, Melbourne Vic 3000, Australia

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**P:** [+61 3 9607 9311](tel:+61396079311) (Switchboard)

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**From:** Peter Mericka

**Sent:** Thursday, 27 May 2021 6:23 PM

**To:** Duncan Pittard ; Peter Mericka

**Cc:** Reviews ; Olivia Jenner

**Subject:** RE: Member Representation and Welfare

**Importance:** High

Hi Duncan,

Thank you for replying to my email. If I may, I would like some clarification as to the role of the LIV as my professional organisation and its interest in my professional well-being.

You have told me,

**"I understand you have asked the LIV to consider initiating a complaint to IBAC to support your allegations, however we are not in a position to do this, as we have not been directly impacted nor are we aware of the issues surrounding your claims."**

I am a member of the LIV, and I have publicly 'blown the whistle' on serious corruption in the legal profession and in the office of the regulator of the legal profession. I have told you that the party who is the subject of my complaints is actively pursuing me through the LIV, and seeking to have the LIV assist in this pursuit. And yet you say that the LIV is not directly impacted?

Furthermore, you claim to be unaware of the issues relating to my complaints. Could you not **become** aware by making some enquiries, perhaps inviting me to a meeting to discuss the matter with you, or with someone else at the LIV?

Can you empathise with me when I tell you that it seems that the LIV is looking the other way, rather than taking an active interest in something that has very serious implications, not only for an individual member of the LIV, but also for the profession that the LIV is supposed to be representing?

I look forward to your reply.

Regards,



**Peter Mericka B.A., LL.B**

Australian Legal Practitioner & Authorised Principal  
Pursuant to the *Legal Profession Uniform Law Application Act 2014*

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**From:** Duncan Pittard <[dpittard@liv.asn.au](mailto:dpittard@liv.asn.au)>  
**To:** Peter Mericka <[peter@lawyerslegal.com.au](mailto:peter@lawyerslegal.com.au)>  
**Cc:**  
**Subject:** FW: Member Engagement Contact  
**Received:** Thursday 27 May, 2021 04:54 pm

Hi Peter

Thanks for your email and my apology for not responding to you sooner.

Your feedback has been escalated to me as the GM of Member Experience & Support at the LIV.

I thank you for speaking with Olivia from my team during our member outreach initiative and take your feedback on board.

I understand you have asked the LIV to consider initiating a complaint to IBAC to support your allegations, however we are not in a position to do this, as we have not been directly impacted nor are we aware of the issues surrounding your claims.

The LIV is a professional association governed by a Constitution and any action taken by the organisation must be initiated and approved by its membership, represented by the LIV Board and Council.

If you have received correspondence from a separate department of the LIV, it does not fall within my team's responsibilities and I would encourage you to contact the relevant person in that department with regards to your queries.

I thank you once again for your feedback and wish you well.

Kind regards

Duncan

**Duncan Pittard | General Manager Member Experience & Support**  
Law Institute of Victoria, Level 13, 140 William St, Melbourne Vic 3000, Australia  
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**P:** [+61 3 9607 9311](tel:+61396079311) (Switchboard)  
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**From:** Peter Mericka <[peter@lawyerslegal.com.au](mailto:peter@lawyerslegal.com.au)>  
**Sent:** Thursday, 27 May 2021 12:09 PM  
**To:** Olivia Jenner <[ojenner@liv.asn.au](mailto:ojenner@liv.asn.au)>  
**Cc:** Reviews <[reviews@liv.asn.au](mailto:reviews@liv.asn.au)>  
**Subject:** RE: Member Engagement Contact  
**Importance:** High

Hi Olivia,

I must say, I am quite disappointed with your handling of this matter. I have just spoken with Mr Lynn and he has confirmed that no-one from the Law Institute of Victoria has contacted him.

You will recall that it was you who reached out to me by telephone, and you asked me about my satisfaction with the LIV.

You will also recall that I expressed dissatisfaction with the LIV and its tendency to 'look the other way' when issues of corruption or improper conduct on the part of regulators, judicial officers and the like are raised. As I spoke to you, and you assured me that what I was telling you was the sort of information you were hoping to obtain from street-level practitioners, I felt hopeful and encouraged. This was reinforced when I received your email stating,

***"Following up on our conversation, I wanted to thank you for the information you provided. Member feedback helps us to ensure we are aligned with your needs and expectations, and the needs of the profession, and are very much appreciated.***

***I have escalated this up to my direct managers as we discussed and will receive contact from them shortly.***

***If you have any further thoughts or feedback for us, please reply to this email or contact our Member Services team on (03) 9607 9470, Monday to Friday, 9am to 5pm."***

You will also recall that I told you that you could obtain independent corroboration of the matters I had divulged to you by contacting Mr Maurice Lynn who, like me, is a former Victoria Police Member, former Police Detective and a Legal Practitioner. It was my expectation that you would indeed contact Mr Lynn, or that someone from your office would do so.

Despite your assurances and my follow-up emails, neither I nor Mr Lynn have heard anything from you or from anyone else in your office.

Yesterday I received a communication from the Victorian Legal Services Commissioner (see attached) advising me that the issuing of my Practising Certificate was once again being delayed, purportedly in relation to my being a 'fit and proper person'.

I now suspect that your contacting me, as you put it in your email of 19 April, 2021, "*quite out of the blue*" and inviting me to provide you with "*feedback*", was merely a ruse, the purpose of which was to elicit from me information that the Law Institute of Victoria could use against me in order to provide the Victorian Legal Services Commissioner with the outcome she desires.

I now require you to place this email on record, together with the related emails exchanged since you contacted me, for future reference.

Regards,

**Peter Mericka B.A., LL.B**  
Australian Legal Practitioner & Authorised Principal  
Pursuant to the *Legal Profession Uniform Law Application Act 2014*

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**From:** [peter@lawyerslegal.com.au](mailto:peter@lawyerslegal.com.au)  
**To:** Olivia Jenner <[ojenner@liv.asn.au](mailto:ojenner@liv.asn.au)>  
**Cc:** "Lynn, Maurice (Maurice)" <[maurice@olindalegal.com](mailto:maurice@olindalegal.com)>  
**Subject:** RE: Member Engagement Contact  
**Sent:** Wednesday 19 May, 2021 10:05 am

Hi Olivia,

I note that it is now a month to the day you sent me the email below, and I note that no-one from the Law Institute of Victoria has contacted me, nor has anyone spoke with Mr Maurice Lynn.

Are you able to provide a timeframe for further discussion on the very serious matters I raised with you when you reached out to me for street-level feedback?

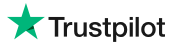
I still remain hopeful that the Law Institute of Victoria will be supportive.

Regards,

**Peter Mericka B.A., LL.B**

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**From:** Olivia Jenner <[ojenner@liv.asn.au](mailto:ojenner@liv.asn.au)>  
**To:** "[peter@lawyersrealestate.com.au](mailto:peter@lawyersrealestate.com.au)" <[peter@lawyersrealestate.com.au](mailto:peter@lawyersrealestate.com.au)>  
**Cc:**  
**Subject:** Member Engagement Contact  
**Received:** Monday 19 April, 2021 05:00 pm

Good Afternoon Peter,

Thank you for your time on the phone today, I know it was quite out of the blue.

Following up on our conversation, I wanted to thank you for the information you provided. Member feedback helps us to ensure we're aligned with your needs and expectations, and the needs of the profession, and are very much appreciated.

I have escalated this up to my direct managers as we discussed and will receive contact from them shortly.

If you have any further thoughts or feedback for us, please reply to this email or contact our Member Services team on (03) 9607 9470, Monday to Friday, 9am to 5pm.

Thanks again Peter and have a lovely evening!

Kind regards,

**Olivia Jenner | Member Engagement Officer**

Law Institute of Victoria, Level 13, 140 William St, Melbourne Vic 3000, Australia

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