


# RE: Peter Mericka

**From:** peter@lawyerslegal.com.au  
**Sent:** Monday 20 September, 2021 07:42 am  
**To:** Peter Docherty <pdocherty@liv.asn.au>  
**CC:** Tania Wolff <president@liv.asn.au>  
**Subject:** RE: Peter Mericka <peter@lawyerslegal.com.au>

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

 This email was sent as High priority

Dear Mr Docherty,

## Introduction

I have realised that Ms Wolff's letter of 30 August, 2021 incorrectly interpreted Judge Gray's recommendation as requiring me to remove material from my website prior to my Practising Certificate (PC) being renewed. In fact, the recommendation was that my PC should be renewed, but with a condition attached requiring me to remove allegations of corruption from my website and to refer the matter to IBAC or the Victorian Ombudsman for investigation.

Judge Gray's recommendation is quite clear, ***"I recommend that Mr Mericka's PC be renewed with the conditions previously proposed."***

The acceptance of Judge Gray's recommendation by the LIV Council is equally clear, ***"The Council has accepted...the Judge's recommendation."***

## Renewal of Practising Certificate With Condition

I confirm that I will not be making any further changes to my website at [www.PeterMericka.com.au](http://www.PeterMericka.com.au) unless I am required to do so as a condition of my PC renewal.

I also confirm that I will immediately remove my entire website at [www.PeterMericka.com.au](http://www.PeterMericka.com.au) from the internet upon my PC being renewed with a condition stating, ***"That Mr Mericka take down from his website the allegations of corruption against the VLSC and Commissioner and refer them to IBAC or the Victorian Ombudsman for investigation."***

## My Reason for Accepting Judge Gray's Recommendation

The reason I am able to accept Judge Gray's recommendation is that you have recently confirmed that the word *"unsubstantiated"* does not belong in the Judge's finding as reproduced in Ms Wolff's letter of 4 August, 2021 and that the truth of my allegations is not contested.

Consequently, while I do not accept the Judge's reasoning or his conclusion regarding the importance of the hierarchy of corruption reporting options, I am prepared to accept his recommendation.

I now believe that, by accepting Judge Gray's recommendation, the outcome I have been seeking over the years will finally be realised insofar as I will be in a position to submit formal complaints to IBAC or the Victorian Ombudsman for investigation on the basis that doing so is required by the Victorian Legal Services Commissioner upon the recommendation of Judge Gray with the endorsement of the President of the Law Institute of Victoria and the Law Institute of Victoria Council.

I believe that this will reduce the likelihood of these matters being referred back the VLSC for self-investigation, which was one of the concerns I expressed to Judge Gray during our interview.

## Confirmation of Communications

I confirm that the Judge's recommendation has been expressed as follows:

At paragraphs 38 and 39 of Judge Gray's Memorandum dated 22 June, 2021

***"If he is prepared to remove the corruption allegations from his website and refer them to IBAC or***

***the Ombudsman for investigation then in my opinion his PC should be renewed. These matters can be the subject of conditions.***

***Any practising certificate should be subject to the following condition:***

***- That Mr Mericka take down from his website the allegations of corruption against the VLSB and Commissioner and refer them to IBAC or the Victorian Ombudsman for investigation."***

In his Supplementary Memorandum Judge Gray confirmed his recommendation in the final paragraph of that document:

***"I recommend that Mr Mericka's PC be renewed with the conditions previously proposed."***

In her letter dated 4 August, 2021, Ms Tania Wolff, President of the Law Institute of Victoria, confirmed as follows:

***"The LIV Council resolved as a preliminary decision, to grant the Practising Certificate subject to the condition that you remove allegations of corruption against the Victorian Legal Services Commissioner and VLSB from your personal and business website."***

and

***"The Council further provisionally accepted that, given the narrow ambit of the conduct, the condition imposed on the practising certificate would sufficiently address the conduct..."***

and

***"If you accept the LIV Council's preliminary view and the proposed condition, please let us know."***

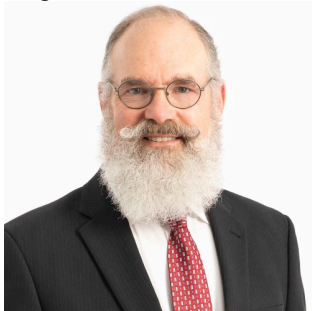
### **Website Removal**

Upon renewal of my PC with the inclusion of the condition, ***"That Mr Mericka take down from his website the allegations of corruption against the VLSB and Commissioner and refer them to IBAC or the Victorian Ombudsman for investigation."***, I will immediately remove my entire website at [www.PeterMericka.com.au](http://www.PeterMericka.com.au) from the internet.

As I will need at least a day to effect the total removal of the website, I would suggest that my PC be renewed no later than midday on Monday 20 September, 2021.

This will ensure that the matter is dealt with and finalised by 21 September, 2021.

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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