

REPORTING ILLEGAL CONDUCT OF LAWYER CONNECTED AND INVOLVED IN CONSPIRED 2017 DETAINMENT AND LETHAL INJECTION - CONSPIRED/PRE-MEDITATED



THE LAW SOCIETY OF SOUTH AUSTRALIA

ETHICS AND PRACTICE

Postal Address: GPO Box 2066, Adelaide SA 5001 • DX 333, Adelaide
T: [REDACTED]
E: [REDACTED] • www.lawsocietysa.asn.au
Level 10, Terrace Towers, 178 North Terrace, Adelaide SA 5000

23 March 2017

Our ref: [REDACTED]

Ms Jacqueline Pearce

[REDACTED]

Dear Ms Pearce

Complaints against practitioners Heidi Salvemini, Lachlan McAuliffe, Bill Otham, Michael Wood, Eugenia Matthews, David Prendergast, Heather Mack, Dino Di Rosa, John James Johnson

I confirm receiving your letter with annexure dated 1 March 2017, directed to the Society regarding your complaint against the above mentioned practitioners.

Complaints against legal practitioners in South Australia fall within the jurisdiction of the Legal Profession Conduct Commissioner. It appears from your documents that you are aware of this and so I remind you that the Commissioner can be contacted at:

Level 10
30 Currie Street
Adelaide. SA 5000
Telephone: [REDACTED]

I attach your correspondence and annexure and request that you forward it to the Commissioner directly.

Please note that with regard to complaints against Magistrates I would suggest that you contact the Courts Administration Authority to establish the correct process. They can be contacted at:

20 Main Road
Port Pirie, South Australia, 5540

Postal Address:
The Registrar
Port Pirie Magistrates Court
PO Box 583
Port Pirie SA 5540

EVIDENCE: INDIV INVOLVED IN CONSPIRED COVER UP
OF LAWYERS INVOLVEMENT IN 2017 DETAINMENT.
LETHAL INSECT.

7/13/2020

Mail - Jacqueline Pearce - Outlook

RE: Confidential -Your Complaint about Ms Heidi Salvemini

Jacqueline Pearce [REDACTED] >

Wed 6/04/2016 2:30 PM

To: Lee Moulden [REDACTED] >

1 attachments (691 KB)

Dear Nadine Lambert,

I am contacting you today in relation to our previous correspondence in regards to the report, Heidi Salvemini, Westside Lawyers, Port Pirie. Illegal representation -Illegal Access to medical records - Illegal ordering of the [REDACTED]

I have just received a copy of an appointment made for the [REDACTED] after I had informed this person to contact you in regards to the illegal representation of which this was ordered. Refer to Attached

I am requesting your immediate attention in relation to this urgent matter under the act of this illegal representations threat of using her authority to have myself placed within the imprisonment [REDACTED] as stated within the denial of legal aid, Bill Otham, the police offences of which did not carry a term of imprisonment.

As you are aware this representation of a [REDACTED] holds no relevance to the police offences or can stand within a court of law and hold power to that effect against myself.

I am requesting that you contact the Port Pirie Courthouse in relation to the copy of the official letters being faxed through the fines department to the magistrate on the 4/04/2016, in relation to this illegal representation and the official letters of your investigation into these matters.

I am requesting your immediate assistance to overturn this order of the [REDACTED] in regards to the illegal representation and the current investigation.

Yours Sincerely
Jacqueline Pearce

From: [REDACTED]
To: [REDACTED]
Subject: Your Complaint about Ms Heidi Salvemini
Date: Wed, 30 Mar 2016 05:18:04 +0000

Dear Ms Pearce,

Please see attached letter dated 30 March 2016 sent on behalf of Ms Nadine Lambert of this office.

Regards,

Lee Moulden
Administration Officer

REPORTING ILLEGAL CONDUCT OF LAWYER CONNECTED AND INVOLVED IN 2017 CONSPIRED DETAINMENT AND LETHAL INJECTION - CONSPIRED/PRE MEDITATED HEIDI SALVEMINI - CONNECTED TO SA HEALTH ROGER KIRCHNER

ILLEGAL REP

ILLEGALLY OBTAINED AND SUBMITTED FALSIFIED MEDICAL RECORDS

FALSIFIED BY CONNECTED AND INVOLVED INDIV DR ABDUL KAJAJANI - ALSO CONNECTED TO SA HEALTH ROGER KIRCHNER



Complaint details

1. Complainant(s) (person making the complaint)

First name(s)	JACQUELINE CAROL			
Surname	PEARCE			
Residential address	Street	[REDACTED]		
	Suburb	State	Postcode	[REDACTED]
Postal address	PO Box	[REDACTED]		
	Suburb	State	Postcode	[REDACTED]
Telephone number (daytime)	[REDACTED]			
Telephone number (after hours)	[REDACTED]			
Mobile phone number	[REDACTED]			
Fax number	[REDACTED]			
Email address	[REDACTED]			

2. Are you making this complaint on behalf of another person?

- No, I am the person making the complaint
- Yes, I am complaining on behalf of a child under 18 years
- Yes, I am exercising a Power of Attorney
- Yes, I am complaining as a guardian and/or administrator
- Yes, I am a lawyer acting on behalf of my client
- Other (give details)

PRIOR TO 2017 JANUARY DETAINMENT.

Lawyer conduct commissioner

3. About the lawyer(s) - the person(s) you are making the complaint about

Who is your complaint about?

First name(s)

Surname

Firm name

Firm address

Postal address

Telephone number (daytime)

Mobile phone number

Fax number

Email address

Who was the lawyer acting for? Me Another person (please name)

HEIDI SALVEMINI WESTSIDE LAWYERS

Street Suburb State Postcode PO Box Suburb State Postcode

Who is your complaint about?

First name(s)

Surname

Firm name

Firm address

Postal address

Telephone number (daytime)

Mobile telephone number

Fax number

Email address

Who was the lawyer acting for? Me Another person (please name)



4. About the complaint

Area of law

What type of matter was the lawyer involved in?	Worker's compensation	Company law	Family law
	Wills and probate	Migration law	De facto law
	<input checked="" type="checkbox"/> Criminal	Industrial	Real property
	Conveyancing	Medical negligence	Commercial law
	Building dispute	Personal injury	Criminal injuries compensation
	Other (give details)		

When did the conduct you are making the complaint about occur?

COURT DOCS ←

* 11/03/2016

ILLEGAL REPRESENTATION
 COURT RECORDS
 WITHDRAWN REPRESENTATION
 DOCUMENT - FEBRUARY

If it occurred more than three years ago, please explain the reasons for the delay in making the complaint.

4 About the complaint - continued

-  Please attach copies of relevant documentation to support your complaint. If there are witnesses who can provide independent information that will help us deal with your complaint, please provide their names and full contact details and say why you think they could help.

Please tell us about:

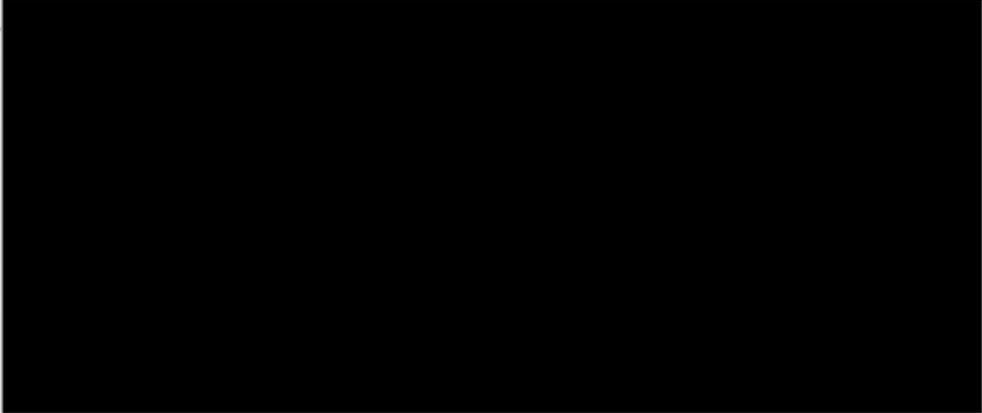
- the events that have led to your complaint
- what you say the lawyer did or did not do

PLEASE SEE ATTACHED

WITNESS - CYNTHIA PEARCE - PH: 
* (WITNESS) - DAVID PEARCE - PH: 

IN RELATION TO INFORMATION ATTACHED

DARREN McDIARMID - PH: 

* DAVID PEARCE - 

B. Why are you making this complaint

- To resolve my dispute with the lawyer
- To improve communication with the lawyer
- To have my documents/files transferred to another lawyer
- To improve the service provided by the lawyer
- To receive an apology
- To get the work re-done properly
- To have the lawyer disciplined
- To resolve a costs dispute with the lawyer's firm
- Other (give details)
CONVICTION

Have you tried to resolve the complaint with the lawyer?

No

Yes, please give details of the efforts you have made and the result



Overcharging



If you believe that you have been overcharged by your lawyer, you can complain to the Commissioner by completing this section (Section B).

If you wish to complain about overcharging it is important that you read the information sheet on overcharging before you complete this section. In particular, there are time limits in relation to a complaint of overcharging that you should be aware of.

Normally, the Commissioner will first try to see if, through a conciliation process, the bill (tax invoice) can be agreed between the parties. If it can't then the Commissioner will recommend what he thinks is a fair and reasonable amount for the legal fees to have been.

If that recommendation is not accepted by both you and your lawyer, and if the amount in dispute is \$10,000 or less, then the Commissioner may make a **binding determination** in relation to the amount in dispute.

1. Overcharging details

On what date (if uncertain, please approximate) did you first engage your lawyer?

24/09/2015

Are you a third party payer (ie. have you agreed with a lawyer to pay the legal fees of another person)?

Yes No If yes, who

Is your matter with your lawyer finished?

Yes No Unsure

Do you have an agreement with your lawyer about costs?

Yes No

Is the cost agreement written? (if so, please attach a copy)

Yes No

Have you received a bill (tax invoice) from the lawyer? If so, please attach a copy

Yes No

What is the amount in dispute between you and your lawyer? \$

How much have you already paid to the lawyer for legal services? If you do not know the precise amount, please provide an estimate \$

Have you requested an itemised account from your lawyer? If your lawyer has provided one to you please attach a copy

Yes No

You say the account is too high because:

- A lesser amount was estimated or quoted for legal fees
- The account includes work that was not done
- The account includes work that was not necessary
- The legal work was done poorly
- The account includes work you did not ask to be done
- The charges for the work are not as agreed with your lawyer

Have you talked about the account with your lawyer or someone else at the firm? If yes, please provide details

Yes No

I BELIEVE THAT I HAVE
PAYED WESTSIDE LAWYERS
FOR FALSE REPRESENTATION

Has the lawyer issued a summons against you for payment of the account? If so, please attach a copy of the summons

Yes No

Are you willing to attend a conciliation conference (if the lawyer agrees) to try to resolve the cost dispute?

Yes No





Declaration

- D** Please read through this form to check all questions have been answered.
Please attach all necessary documents and sign the declaration below.

Declaration by the complainant

I have read through this completed complaint form and believe, to the best of my knowledge, that all of the information provided is true, correct and not misleading.
I authorise the Legal Profession Conduct Commissioner to forward a copy of this complaint to the lawyer named in this complaint.

Signature

* Date 16/03/2016

- I agree to the terms of this declaration.

D Privacy Statement

Personal information you provide on this form is used by the Commissioner for the purposes of carrying out his functions under the *Legal Practitioners Act 1981*. Those functions include assessing, conciliating, investigating and prosecuting complaints about lawyers. To do that, the Commissioner will usually disclose your personal information to the lawyer you are complaining about and to his or her lawyer (if represented).

If a complaint proceeds to a disciplinary hearing, your personal information may even be disclosed to the Legal Practitioners Disciplinary Tribunal or the Supreme Court. Disciplinary hearings are open to the public.

The Commissioner will not use or disclose your personal information for any purpose not connected with his role under the *Legal Practitioners Act 1981* without your consent, unless such use or disclosure is required, or authorised by law.

If printed, please send this form and photocopied attachments to:

Legal Profession Conduct Commissioner
Level 10, 30 Currie Street
ADELAIDE SA 5000

or

Legal Profession Conduct Commissioner
GPO Box 230
ADELAIDE SA 5001

ILLEGAL REPRESENTATION OCCURRED 1 MONTH
AFTER WITHDRAWN REPRESENTATION

* **Your complaint about Ms Heidi Salvemini**

Robyn Hurni <[REDACTED]>

* Wed 8/06/2016 4:49 PM

To: [REDACTED]

1 attachments (622 KB)
2016-06-09_Pearce (s).pdf;

Dear Ms Pearce

Please see attached letter sent on behalf of Ms Lambert of this office dated 8 June 2016

Regards,

Robyn Hurni
Administration Officer



Level 10, 30 Currie Street, Adelaide SA 5000
GPO Box 230 Adelaide SA 5001

T [REDACTED]
F [REDACTED]
I [REDACTED]

www.lpcc.sa.gov.au

This e-mail is intended solely for the named recipient and is confidential.
If you have received this e-mail in error, please let us know by telephone immediately.



Your complaint about Ms Heidi Salvemini

Legal Profession Conduct Commissioner <[redacted]>

FR 15/07/2016 11:52 AM

To: [redacted]

Cc: Nadine Lambert [redacted]

1 attachments (31 KB)

2016-07-15_Pearce.pdf

Strictly Private & Confidential

The attached letter is to be opened only by the email recipient

Dear Ms Pearce

The attached letter is sent on behalf of Ms Lambert.

Please note that the original copy of the letter will **not** be sent to you by post.

If you wish to respond to this email, please direct your response to Ms Lambert at

Yours sincerely

Robyn Hurni
Administration Officer



Level 10, 30 Currie Street, Adelaide SA 5000
GPO Box 230 Adelaide SA 5001

Tel: [redacted]
Fax: [redacted]
Email: [redacted]

www.lpcc.sa.gov.au

This e-mail is intended solely for the named recipient and is confidential.
If you have received this e-mail in error, please let us know by telephone immediately.



legal profession
**conduct
commissioner**

Level 10, 30 Currie Street,
Adelaide SA 5000

GPO Box 230
Adelaide SA 5001

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www.ipcc.sa.gov.au

OUR REF:EJM:RMH: Ack-letter

* 18 March 2016

Ms Jacqueline Pearce


Dear Ms Pearce

Ms Heidi Salvemini

* I acknowledge receipt of your correspondence on 18 March 2016.

This is a formal acknowledgement and one of the Commissioner's officers will contact you shortly.

For your records I *enclose a copy of your complaint excluding attachments. The original complaint and attachments will be kept by us and form part of the file.

Yours sincerely


ELIZABETH MANOS
Principal Legal Officer

Email: 

*Enclosure

1. Copy of complaint

EFTA00268803

* 30 March 2016

E-MAILED
30/3/16 @ 3:48 pm



legal profession
conduct
commissioner

Ms Jacqueline Pearce
[REDACTED]

Level 10, 90 Currie Street,
Adelaide SA 5000
GPO Box 230
Adelaide SA 5001

AND via email: [REDACTED]

T [REDACTED]
F [REDACTED]
E [REDACTED]

www.lpcc.sa.gov.au

Dear Ms Pearce

* Your Complaint about Ms Heidi Salvemini

I refer to the Complaint received by the Legal Profession Conduct Commissioner (Commissioner) on 18 March 2016 and further material and information received on 24 March 2016.

The Commissioner has the power under the *Legal Practitioners Act 1981 (Act)* to investigate allegations of unsatisfactory professional conduct and professional misconduct made against legal Practitioners.

I am an investigating solicitor employed by the Commissioner. The Commissioner has assigned your Complaint to me and, as the Commissioner's delegate, I will consider the conduct of the Practitioner that has led to your Complaint. A report will be prepared for the Commissioner to enable him to make a determination in relation to your Complaint.

There is no standard way of investigating a complaint. It is our usual practice when investigating a complaint to send a copy of the complaint to the practitioner who has been complained about, and to seek the practitioner's response. When the response is received, a complainant will usually be given a copy of it so that he or she can comment on what the practitioner has said about the complaint.

I note that you have requested that the Commissioner's office investigate the Police Prosecution, various Police Officers, the Magistrate, witnesses and other persons. You have also sought the laying of criminal charges against a number of people including the Practitioner.

The Commissioner's jurisdiction is limited to investigating complaints about legal practitioners. Accordingly, the Commissioner only has jurisdiction to investigate the conduct of the Practitioner. The Commissioner does not have the power to investigate the other persons named in your Complaint, nor does the Commissioner have the power or the jurisdiction to lay criminal charges.

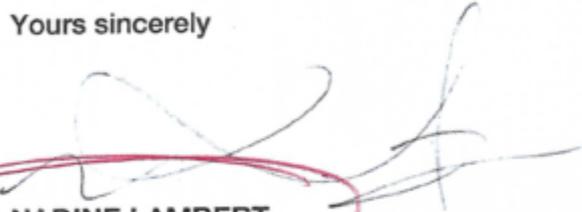
I further note your request that a Victims of Crime Application be made on your behalf, again this is outside of the Commissioner's jurisdiction. Should you wish to make such an application, you should seek independent legal advice.

At all times, the investigation will be as transparent as possible, and we will adhere to principles of natural justice and procedural fairness.

* Your Complaint has been published to the Practitioner and we are waiting for a response.

Once the response is received, I will contact you further.

Yours sincerely


* NADINE LAMBERT

Solicitor

Email: 

legal profession
**conduct
commissioner**

Level 10, 30 Currie Street,
Adelaide SA 5000

GPO Box 230
Adelaide SA 5001

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F
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www.ipcc.sa.gov.au

OUR REF:NL:RH:201603112X

* 14 April 2016

Ms Jacqueline Pearce
[REDACTED]

Dear Ms Pearce

* Your Complaint about Ms Heidi Salvemini

* I confirm receipt of your two emails of the 6 April 2016.

As per my letter to you of the 30 March 2016, the Commissioner's office cannot investigate the conduct of the Police, doctors or other medical staff.

I note your request that the Commissioner contact the Court and have the Order for a mental health evaluation overturned.

* I again advise that the Commissioner does not have the power to interfere with, or alter, decisions made by a Court. The order for the evaluation has been made by a Court and the Commissioner cannot intervene in relation to the ordering of the [REDACTED]

Yours sincerely

* NADINE LAMBERT

Solicitor

Email: [REDACTED]

INDIV INVOLVED
DENIED ILLEGAL CONDUCT
OF HEIDI SALVEMINI
PRIOR TO 2017 DETAINMENT
VICTIM WAS DETAINED
ILLEGALLY BASED ON
ILLEGAL CONDUCT OF
HEIDI SALVEMINI

EFTA00268806

INTENTION - CONSPIRING WITH THE GOVERNMENT TO CAUSE HARM - [REDACTED]

OUR REF:NL:Rk:201603112X

**conduct
commissioner**

Level 10, 30 Currie Street,
Adelaide SA 5000
GPO Box 230
Adelaide SA 5001

www.lawson.com.au

* 2 September 2016

Ms Jacqueline Pearce
[REDACTED]

Dear Ms Pearce

* Your Complaint against Ms Heidi Salvemini

I refer to our previous correspondence regarding your Complaint about Ms Heidi Salvemini (Practitioner).

We have now completed our investigation, and the Commissioner has considered the outcome of that investigation.

The Commissioner is satisfied that it is appropriate that he make a determination that there is no misconduct by the Practitioner. I have *enclosed a copy of the Determination as to Conduct in that respect, which sets out the reasons for the Commissioner making that Determination.

While section 77K of the *Legal Practitioners Act* provides the right to appeal to the Legal Practitioners Disciplinary Tribunal against some types of decisions by the Commissioner, the Act does not provide any right of appeal against a determination by the Commissioner to that there is no misconduct by the practitioner.

* The Tribunal has previously decided that it does not have any jurisdiction to hear such an appeal.

Even if you are dissatisfied with the Commissioner's Determination, there is no further assistance that the Commissioner or his office can provide to you. We are not able to give you any advice about any other rights you may have, whether under the Act or otherwise.

* We will now be closing our file.

Yours sincerely

* NADINE LAMBERT
Solicitor

Email: [REDACTED]

*enclosure

1. Copy of Determination

INDIV INVOLVED

EFTA00268807

COPY

**DETERMINATION AS TO CONDUCT
BY
THE LEGAL PROFESSION CONDUCT COMMISSIONER
UNDER SUBDIVISION 3 OF DIVISION 2 OF PART 6 OF THE ACT**

IN RELATION TO

HEIDI SALVEMINI

LPCC File No. 201603112X

1 SEPTEMBER 2016

Greg May

Legal Profession Conduct Commissioner



Level 10, 30 Currie Street, Adelaide SA 5000
GPO Box 230 Adelaide SA 5001

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www.lpcc.sa.gov.au

EFTA00268808

INTERPRETATION

1. In this Determination, unless otherwise provided:
 - Act means the *Legal Practitioners Act 1981 (as amended)*;
 - Complainant means Jacqueline Pearce;
 - Complaint means the complaint I received from the Complainant in relation to the Practitioner;
 - Practitioner means Heidi Salvemini;
 - CLCA means the *Criminal Law Consolidation Act 1935*;
 - any term used that is defined in the Act has the same meaning in this Determination as it has in the Act;
 - references to sections are references to sections of the Act.

GENERAL

2. This Determination relates to the conduct of the Practitioner, and it follows an investigation into that conduct. In very general terms, the Complaint is about the following circumstances:
 - (a) The Practitioner acted for the Complainant in relation to criminal matters before the Port Pirie Magistrates Court.
 - (b) The Complainant subsequently sought to terminate the Practitioner's instructions.
 - (c) She alleged that thereafter the Practitioner continued to act for her (despite the termination of her instructions by the Complainant) and also accessed her medical records in circumstances where the Complainant had withdrawn her authority to do so.
 - (d) It was further alleged that the Practitioner ordered the Magistrate to remand the Complainant in custody for an evaluation [REDACTED]
3. The conduct complained of occurred after 1 July 2014. Accordingly, I have considered the Practitioner's conduct by reference to the misconduct definitions in sections 68 and 69.
4. The investigation into the Practitioner's conduct included the following:
 - (a) considering all of the issues of concern raised in the Complaint, including a detailed review of all of the materials provided by the Complainant;
 - (b) considering the responses received from the Practitioner once the alleged conduct had been published to her, including a detailed review of all of the materials provided by the Practitioner's lawyer;

DECISION AS TO CONDUCT

5. I am satisfied that there is no unsatisfactory professional conduct or professional misconduct by the Practitioner, for the following reasons:
 - (a) During the course of acting for the Complainant, the Practitioner received advice from the Complainant's treating GP that the Complainant was suffering [REDACTED]
 - (b) The Complainant's behaviour, in particular her comments in relation to Police forcing her into prostitution and that the Practitioner was part of a conspiracy, reinforced the Practitioner's concerns about the [REDACTED]

- (c) The Practitioner expressly turned her mind to the provisions of section 269W of the CLCA. It is my view that the Practitioner's conduct in Court on the 11 March 2016 was entirely appropriate.
- (d) On that day, the Practitioner advised the Court that she appeared for the Complainant and expressly drew the Court's attention to section 269W of the CLCA. She sought to tender the [REDACTED]
- (e) On the basis of the Practitioner's submissions and the medical notes, the Court formed a view that it was appropriate for a [REDACTED] to be ordered. The Court turned its mind to whether it was appropriate to utilise the provisions of 269X of the CLCA. The presiding Magistrate spoke directly to the Complainant who assured the Court that she would cooperate with any assessment.
- (f) I have no doubt that the Practitioner genuinely believed that she was authorised by the relevant provisions of the CLCA to act for the Complainant and to exercise her independent discretion in what she believed to be her client's best interests, notwithstanding the purported termination of her instructions by the Complainant. It is also evident that the Court was satisfied that it was appropriate in all of the circumstances to order [REDACTED]
- (g) It is my view that the Practitioner acted entirely appropriately and in her client's best interests. The Practitioner gave very serious consideration to her ethical duties to both her client and to the Court in what were clearly very difficult circumstances. She appropriately sought the advice, guidance, and assistance of both the Law Society and a senior member of the Bar.

Dated 1 September 2016


Greg May
Legal Profession Conduct Commissioner

INDIU INVOLV.

LEGAL AID DENIED

INVOLVED



Legal Services Commission
OF SOUTH AUSTRALIA

ABN: 90 731 571 498
159 Gawler Place
ADELAIDE SA 5000
Postal Address:
GPO Box 1718
ADELAIDE SA 5001
DX 104

Our reference: AS15014414/AKS
Telephone: [REDACTED]
Date: 7 September 2015

A
T
F
TTY
Legal Help Line

www.lsc.sa.gov.au

MS JACQUELINE CAROL PEARCE
[REDACTED]

Dear Ms Pearce,

Re: Your application for legal aid

We wish to advise that legal aid has been refused in relation to Exceeding Prescribed Content Of Alcohol, Refuse Breathalyser/Fail To Supply Specimen, Refuse Name And Address, Resist Arrest.

Legal aid has been refused for the following reason(s):

* We consider that you will not be imprisoned and therefore legal aid is refused. If you believe we need more information about your case you should provide us with that information in writing (including a copy of your summons) and we will look at your file again.

If you choose to appeal this decision, please provide copies of your bank statements for all the accounts that you operate for the last 3 months.

Although you are ineligible for a formal grant of legal aid, your local Community Legal Centre may be able to provide you with assistance:

Organisation	Phone	Organisation	Phone
Aboriginal Legal Rights Movement (ALRM)	[REDACTED]	Legal Advice Clinic	[REDACTED]
Central Community Legal Centre	[REDACTED]	Riverland Community Legal Service	[REDACTED]
Children's and Youth Legal Service	[REDACTED]	South East Community Legal Service	[REDACTED]
Southern Community Justice Centre	[REDACTED]	Welfare Rights	[REDACTED]
Includes Child Support Advice	[REDACTED]		[REDACTED]
Northern Community Legal Service	[REDACTED]	Women's Legal Services Port Augusta	[REDACTED]
Includes Child Support Advice	[REDACTED]		[REDACTED]
Westside Community Lawyers Inc	[REDACTED]	Justice-Net	[REDACTED]
Westside Community Lawyers Inc - Port Pirie	[REDACTED]	Women's Legal Service	[REDACTED]

VICTIM WAS IMPRISONED - DETAINMENT / A FORM OF IMPRISONMENT.