

# Tom Lonsdale Veterinary Surgeon

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13 April 2016

The Registrar  
NCAT  
Level 10 John Maddison Tower  
86-90 Goulburn Street  
Sydney NSW 2000

Dear Registrar,

**Tom Lonsdale v University of Sydney**  
**Review of a decision under Government Information (Public Access) Act 2009**  
**File No. 1510239 and Appeal File No: AP 15/55753**

**The Australian Skills Quality Authority (ASQA), litigants in person and University Draft Sponsorship Provisions**

Please find enclosed 5 April 2016 media release 'Vet School Scandal: Commission of Enquiry Needed' and record of complaint logged by Australian Skills Quality Authority (ASQA).

**ASQA related matters raised with NCAT**

Please note points 23 and 24 of my 14 August 2015 Submission drawing attention to ASQA related issues and likely motives of the University in its attempts to keep secret its junk pet-food deals:

23.)

*Education Services for Overseas Students Act 2000*

The principal objects of this Act are:

- (a) to provide tuition assurance, and refunds, for overseas students for courses for which they have paid; and
- (b) to protect and enhance Australia's reputation for quality education and training services;

(TL comment) In respect to (a) any tertiary education facility that pushes junk pet-food risks needing to repay Overseas Students tuition fees.

In respect to (b) secret deals with junk pet-food makers traduces Australia's reputation for quality education and training.

24.)

*Tertiary Education Quality and Standards Agency Act 2011*

3 Objects

The objects of this Act are:

- (a) to provide for national consistency in the regulation of higher education; and
- (b) to regulate higher education using:
  - (i) a standards-based quality framework; and

- (ii) principles relating to regulatory necessity, risk and proportionality; and
- (c) to protect and enhance:
  - (i) Australia's reputation for quality higher education and training services; and
  - (ii) Australia's international competitiveness in the higher education sector; and
  - (iii) excellence, diversity and innovation in higher education in Australia; and
  - (d) to encourage and promote a higher education system that is appropriate to meet Australia's social and economic needs for a highly educated and skilled population; and
  - (e) to protect students undertaking, or proposing to undertake, higher education in Australia by requiring the provision of quality higher education; and
  - (f) to ensure students undertaking, or proposing to undertake, higher education, have access to information relating to higher education in Australia.

(TL comment) Pushing junk pet-food and inculcating students with junk pet-food propaganda breaches the provisions of this Act.

ASQA may have its own means for gaining disclosure of the University/junk pet-food secret deals. Nevertheless, I believe that there exists an overwhelming case for full disclosure to the public under the provisions of the GIPA Act.

#### **NCAT and litigants in person**

July 2015 Professor Rosanne Taylor, Dean of the Veterinary Faculty, Dr Hugh White, Director of the Centre for Veterinary Education, Dr Michael Spence, Vice-Chancellor of the University and the junk pet-food companies Hill's a division of Colgate-Palmolive and Royal Canin a division of Mars Inc. all refused to make voluntary disclosures and submissions.

14 September 2015 NCAT refused my applications for summons of University and junk pet-food company documents and to summons witnesses to attend.

21 December 2015 the Appeal panel under A/Judge K O'Connor AM, Deputy President, Appeals and Dr J Lucy, Senior Member upheld the decision of the Respondent and its junk pet-food sponsors and the decision of NCAT to refuse to provide documentary evidence or for witnesses to attend in person.

In a separate matter *CBL v Southern Cross University* 18 February 2016 Dr J Lucy stated:

Another relevant case to refer to in relation to principles governing the issue of summonses is a case called *Roads and Maritime Services v AF* [2011] NSWADTAP 63. This was a case decided by the former Appeal Panel of the Administrative Decisions Tribunal which was the predecessor to NCAT. . . :

The Appeal Panel went on to comment at [46]-[48]:

"46 In our view, care must also be shown where the review applicant is, as is the case here, a litigant in person. There is an increased risk .as compared to cases where a legal practitioner appears on behalf of the review applicant, of the examination and cross-examination of witnesses exceeding the bounds of relevance, respect and fairness expected to be observed by a legal practitioner.

48Care must be taken, as we see it, for the Tribunal not to accede to review applicant applications for witness summonses that are in the nature of fishing expeditions based on suspicion, speculation or the attribution of corrupt motives."

In the same document, Dr Lucy leant weight to the foregoing by reference to her own 21 December 2015 Appeals Decision in my still undecided matter before NCAT:

There is another recent case of the NCAT Appeal Panel in December last year called *Lonsdale v University-of Sydney* [2015] NSWCATAP 277. It is to similar effect in relation to the *Government Information (Public Access) Act 2009* ("GIPA Act") and it points out that in administrative review proceedings usually it is for the agency to put forward its material and it is an unusual case where it is relevant for the applicant to summons witnesses who are members or officers of the respondent agency.

From my perspective, gained through several NCAT hearings and appeals, it appears that NCAT purports to be even handed and fair. But in fact holds a deep and enduring predisposition to view litigants in person as second class litigants to be kept firmly in check and denied fundamental procedural fairness lest some imagined catastrophe disrupts the orderly dispensation of justice.

In my view both the main NCAT Hearings and the Appeals Hearing suffered from a reasonable apprehension of bias.

Please advise.

### **21 March 2016 Draft Faculty of Veterinary Science Local Provisions for Sponsorship**

The Sydney University draft provisions carry the reminder:

Staff and students are reminded that all sponsorship arrangements with the University, a publicly funded institution, are matters of public interest and subject to potential freedom of information requests.

Despite the University's assertion that sponsorship arrangements 'are matters of public interest' the University has now spent many months and likely a great deal of money seeking to frustrate the public's right to know about 'all sponsorship arrangements'.

### **Your letter 11 April 2016**

Today I am in receipt of your 11 April letter. I shall endeavour to provide a response by 22 April 2016. Meanwhile I send this letter in hard copy and also by email so that you may access the web addresses.

With thanks.

Yours faithfully,



Tom Lonsdale

Encs.

CC: Heesom Legal, Information Commissioner



# MEDIA RELEASE

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Media release: Dr Tom Lonsdale

Tuesday 5<sup>th</sup> April 2016

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## **Vet School Scandal**

Commission of Enquiry Needed

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# Vet School Scandal

## Commission of Enquiry Needed

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ABC Lateline focused the spotlight on [shady dealings at Sydney University Vet School](#).

The University is deep in the pockets of Colgate-Palmolive, makers of junk pet food 'Science Diet' and Mars Corporation, makers of junk pet food Pedigree, Whiskas, My Dog and Royal Canin.

When the University discovered junk foods tested by them were dangerous to pet cats (according to their own artificial and unreliable standards) the University refused to protect the interests of pets, pet owners and students and maintained a cover-up.

ABC The World Today revealed that [Sydney University is aware of its failings](#) and is making behind the scenes changes. However, the Vice-Chancellor Dr Michael Spence and the Dean of Vet School, Dr Rosanne Taylor refused to be interviewed by the ABC.

Dr Tom Lonsdale is one of two vets who blew the whistle on [vet school corruption back in 1991](#).

His [Freedom of Information research into seven Australian Vet Schools](#) and their dirty deals with Colgate and Mars is revealing some troubling information.

'For peanuts the Universities sell their students into servitude as life-long sales personnel for Colgate and Mars.'

'The Universities know that wild carnivores and those in zoos need a fully natural diet. But domestic carnivores, according to them, should be fed from their sponsor's junk pet-food can or packet.'

Dr Lonsdale made educational videos showing the devastating effects of [Colgate junk food Hill's 'Science Diet'](#) and [Mars Corporation junk food 'My Dog'](#). (May distress some viewers.)

Australian vet schools know it's wrong to:

- Cruelly force animals to consume junk every day of their tortured lives.
- De-fraud pet owners who otherwise place their trust in vets.
- Brainwash vet students in breach of their duty of care.

Dr Lonsdale says 'It's high time Australia's seven vet schools were made accountable.'

'The junk pet-food fraud is costing Australia \$billions. A high-level Commission of Enquiry is well overdue.'

**Dr Tom Lonsdale**  
**Bligh Park Pet Health Centre**  
**48 Rifle Range Road**  
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X-Original-To: admin@rawmeatybones.com  
Delivered-To: rmbadmin@mail.summit.net.au  
From: complaints@asqanet.asqa.gov.au  
To: admin@rawmeatybones.com  
Cc: ComplaintsTeam@asqa.gov.au  
Date: 8 Apr 2016 15:27:25 +1000  
Subject: Receipt of complaint regarding University of Sydney  
X-Antivirus: AVG for E-mail 2016.0.7497 [4545/11983]  
X-AVG-ID: ID1E13681E-4F68E866

Please do not reply to this email.

Dear Dr Lonsdale **Complaint received - University of Sydney** The Australian Skills Quality Authority (ASQA) has received your complaint about University of Sydney, a summary of which appears below.

Complaint lodged on: 08-Apr-2016 15:26:35

Complaint number: 1012010

Your details: Dr Tom Lonsdale Bligh Park Pet Health Centre BLIGH PARK NSW 275602 4577 7061 admin@rawmeatybones.com

Complaint about: University of Sydney

Complaint details: Dave Congreve requested this complaint be lodged. See saved and attached emails. ~#~# The University is deep in the pockets of Colgate-Palmolive, makers of junk pet food â€˜Science Dietâ€™™ and Mars Corporation, makers of many junk pet-food brands including Pedigree, Whiskas, My Dog and Royal Canin. ~# When the University discovered junk foods tested by them were dangerous to pet cats (according to their own artificial and unreliable standards) the University refused to protect the interests of pets, pet owners and students and maintained a cover-up. ~# The Universities know that wild carnivores and those in zoos need a fully natural diet. But domestic carnivores, according to them, should be fed from their sponsorâ€™™s junk pet-food can or packet. â€™™ ~# Dr Lonsdale made educational videos showing the devastating effects of Colgate junk food Hillâ€™™s â€™™ Science Diet â€™™ and Mars Corporation junk food â€™™ My Dog â€™™. ~#~# Dr Lonsdale says â€™™ Itâ€™™s high time Australiaâ€™™s seven vet schools were made accountable. â€™™

ASQA is the national regulator for Australiaâ€™™s vocational education and training (VET) sector and is responsible for ensuring that training providers (Registered Training Organisations and registered providers to overseas students) and other people comply with the requirements of the [National Vocational Education and Training Regulator Act 2011](#) (the NVR Act) and the [Education Services for Overseas Students Act 2000](#) (the ESOS Act).

ASQA will now conduct an initial assessment of your complaint to decide the best action to take. ASQA may:

- retain the information in your complaint as intelligence and use it to inform future regulatory activity
- require the provider to review its practices and procedures to ensure it is compliant
- require the provider to take action to correct non-compliance
- contact the provider to request a specific action, and/or to request evidence of compliance with the NVR Act and/or the ESOS Act
- conduct an audit on the provider
- undertake a formal investigation
- issue an infringement notice
- make changes to a providerâ€™™s registration.

ASQA may contact you to seek further information about your complaint, and will advise you how the information has been used. ASQA will also inform University of Sydney that it has received a complaint.

For more information on how ASQA handles complaints, please refer to our [website](#) and the [ASQA Complaints Policy](#)

ASQA takes all complaints it receives about vocational education and training seriously. For this reason, please be aware that complaints can take some time to be assessed depending on the complexity of the matter and issues raised.

Thank you for bringing the matter to ASQA's attention.

*Please note this email address is not a monitored account. If you require more information, contact the Initial Assessment and Referral team at [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au). Please include the complaint number in all correspondence.*

Yours sincerely, ASQA Initial Assessment and Referral team  
Notice: This email and any attachments to it may contain information that is confidential or legally privileged. If you have received it in error, please notify us immediately by calling 1300 701 801 and delete all copies from your system. If you are not the intended recipient, any use, disclosure or copying of this message is strictly prohibited. Any opinions presented in this email or its attachments may not necessarily represent those of ASQA. ASQA does not accept liability for any data corruption, interception or consequences of viruses. You can read ASQA's privacy policy on [www.asqa.gov.au/privacy.html](http://www.asqa.gov.au/privacy.html)

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Version: 2016.0.7497 / Virus Database: 4545/11983 - Release Date: 04/07/16



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