

# Tom Lonsdale and Associates

## Veterinary Surgeons

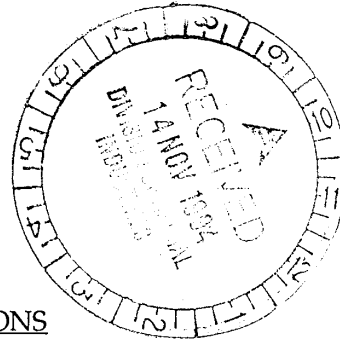
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8 November, 1994

Mr M Harcombe  
Board of Veterinary Surgeons of NSW  
Locked Bag 21  
ORANGE NSW 2800



Dear Mr Harcombe,

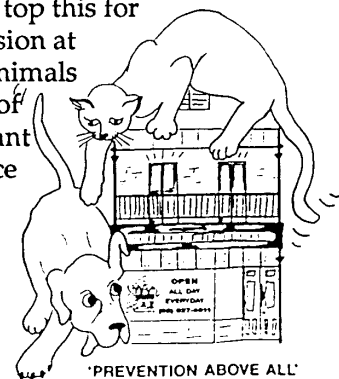
MEETING WITH BOARD OF VETERINARY SURGEONS  
11.05-11.45 am, 7 November, 1994

My recollection of the salient points of our meeting is as follows:

The Chairman of the Board introduced me to the assembled members and then went on to provide his overview. He explained that the Board was required to be proactive rather than retroactive in its responses. He was at pains to point out that the letter of 9 May, 1994 detailing a complaint against me was in the Board's opinion more a matter of friendly advice. That there was no intention to proceed against me but that the name of the complainant had to be withheld. That the Board operates within the meaning of the Act and that there was some concern as to the tone and direction of the debate. I was then invited to speak about my observations concerning the relationship with the Board with an 11.30 am finish.

Firstly I thanked the Board for what had been perceived, in part, as friendly advice regarding sentiments expressed by others. However I believed that such information should have been relayed by telephone for once it appeared in writing then it was necessary for me and my legal advisors to accord it the highest order of significance. (This being especially so when the Board Circular subsequently indicates that information merely attributed to a person may result in that person's prosecution.)

Lest the Board be in any doubt I impressed upon them that this was the single biggest issue likely to come before them in the twentieth century. With 94 years gone, in the remaining six years I maintain that nothing is likely to top this for sinister implications. In brief, it is to do with the veterinary profession at large advising and selling material for consumption by domestic animals which has a toxic effect in the bowel and results in the production of poisonous substances in the mouth. I referred to how my accountant had drawn the analogy between the current veterinary performance and that of doctors who might continue to prescribe thalidomide, discounting the birth defects and championing the efficacy of the drug in controlling morning sickness. Lawyers and any client



acquainted with the details quickly make the correct assessment of the situation and as such I was finding it hard to understand the Board's implacable resistance.

Whilst relations were superficially cordial there was no evidence we were communicating on these matters. I spoke about the analogy with baby milk formula sales in Third World countries. How in the Third World baby milk formula companies paid inducements to the medical profession who then went on to earn profits from the sale of the baby milk formula and further profit from the treatment of the ailments arising out of the consumption of said product. How the whole trade was aided and abetted by the governments who were also in receipt of funds. I asserted that the Veterinary Board, an arm of government, was wittingly or unwittingly acting in concert with the pet food manufacturers. I did not, however, suggest that the Board is in receipt of funds from the pet food manufacturers but that the Australian Veterinary Association, the pinnacle professional body is openly in receipt of funds and assistance. (Three Board members are nominated by the AVA and the other three are recorded as being AVA members.)

Much has been made about my utterances on these matters and the implications that the 'tone was becoming a little out of order'. I am inclined to view veterinarians who remain silent on these matters as being in breach of their responsibilities. I insisted that the Board was under a double obligation since the individuals were both veterinary surgeons and also Board members. I drew attention to items 1.1 to 2.1 in Schedule 1 of the Veterinary Surgeons Code of Professional Conduct. I would have gone on to raise other matters but little interest was shown in the specificity of the Board's apparent failure to meet with the basic requirements expected of veterinary surgeons.

At intervals during our conversation individual members made comment or asked questions. Dr Richard Dixon asked how the Board should evaluate the matter when 20 veterinary surgeons might oppose my adopted position against my lone voice. I remarked that if one simply weighed the individuals they would far exceed my 83 kg. That this was similar to the technique used in assessing Gallileo's assertion that the earth was round. It was incumbent upon the Board to look beyond veterinary fora assembled from indoctrinated individuals to legally constituted bodies which could easily assess the truth or falsehood of the evidence. Earlier I had pointed out that for the most part clinical small animal information is based on a fallacy and must therefore be wrong. The fallacy has allowed information to be assembled without taking into account that the animals from which the information is derived have in virtually all instances been fed an artificial, unnatural diet and suffer an unnatural disease condition in the mouth.

When I asked if the Board was answerable to a higher authority such as the Minister Dr Dixon was quick to point out that in past times the Minister's view has not necessarily been accepted by the Board.

Dr Garth McGilvray appeared to understand that ultimately judgments must depend on the quality of the scientific evidence. There remains a number of

problems in this regard. Not least that my quality scientific evidence is not examined but the conventional misinformation obtains uncritical acceptance.

Dr Kath Walker provided an accurate synopsis of my disagreements with the Board but then despaired of reaching a judgment on the matter in the absence of sufficient evidence. I replied that I believed that the Board had failed to meet its responsibilities and yes it was difficult for them to reach a decision in the absence of evidence. However once again the Board was, in my opinion, negligent in not taking appropriate steps to adequately inform itself in order to perform work of a standard of competence acceptable to the public.

At this point Dr Chris Bellenger pointed out that Dr Walker's synopsis indicated that I believed the Board had made an adverse judgment ( in particular the letter of 9 May). He, Dr Bellenger, was concerned to say that the Board had not made any judgment. (The very fact that the Board passed on the complaint in that letter and the fact that they now refer to the tone of the debate as being offensive confirms that the Board is very much in the business of making judgments.)

Dr Bill Howie echoed the sentiments of several of the individuals that there were sympathies for the position I had adopted but that as a Board they approached the matter in a different way. He remarked I should feel pleased with the progress made in the last eighteen months in educating the profession and that it was like a snowball which must ultimately grow in size. (He appeared unaware of the irony which required that the regulatory authorities have an obligation and that matters of such dimension should not be left to the exertions of a lone individual.) Earlier in our discussions I had complained to the Board that they were prepared to examine the small print of the Veterinary Surgeons Act in assisting a complainant against me. Meanwhile the big picture and the major public interest was completely discounted.

The Board did not appear to acknowledge the validity of my remarks. They constantly reiterated that the Board conducts itself in an evenhanded manner and that (despite expressing elaborate opinions in the Board Newsletter) they are only free to act on complaints. (This seems to demonstrate a limited view of the Board's responsibilities under the act.) I explained that I had a list of eight potential complaints but because of the dangers from fallout I was more inclined to discuss these matters first. I attempted to list the items in the remaining minutes but signs of impatience were characterising the proceedings. Dr Chris Bellenger said that they could not hear details of any potential complaints for fear that this might influence future disciplinary committee hearings. Prior to termination I did mention that:

1. Veterinarians appearing in TV programs, advertisements and promotional videos were often in breach of the Act.
2. That the AVA's Pet Pep program specifically targeting defenceless primary school children is in direct conflict with its own published statement in the October, AVJ. At this point Dr Howie said that he believed I had written to the AVA and as a result there was to be a rewrite of the Pet Pep. I informed

him that the Pet Pep program was being rewritten as a result of the national curriculum criteria. (My letter to the AVA on this subject had been ruled defamatory by the AVA News editor and AVA solicitor and as such AVA members should not have access to the letter.)

3. A twenty point complaint had been lodged with the veterinary directors of a zoo. It was felt that they were unable or unwilling to deal with the complaint lodged against themselves and as such those twenty points would likely, in future, need to be dealt with by the Board.
4. There is a case involving a Sydney veterinary surgeon who seriously misdiagnosed and mistreated an animal. The Board members declined to look at the still photographs taken from the two-hour video detailing the necessary corrective surgery.

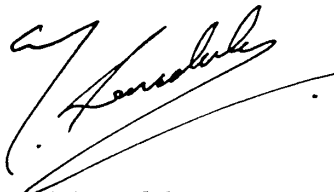
Prior to closure I repeated my invitation to the Board to pay a visit to my practice. I provided to each Board member and the Secretary, a video and a number of documents.

(• ABC Investigators/Ray Martin Midday Show video, • Pet Foods Insidious Consequences- A Presentation to the Staff and Students of Massey University Veterinary Faculty, • Control and Therapy - Laxative Diets: Dogs and Cats, No. 3477, • Control and Therapy - Solving the Pernicious Advertising Latitude, No. 3516, • A collection of documents provided to all dog-owner clients of my practice, • Hocus Pocus - Keeping Science out of Focus - A Sydney Morning Herald critique of biased scientific conduct).

These documents should go some way towards remedying the Board's lack of information.

The Chairman of the Board wound up the session by reiterating his earlier remarks. I asked for a written statement from the Board regarding our meeting. This was agreed to by the Board. The chairman advised me that the Board minutes are a matter of public record thus available to anyone. Please supply complete minutes of the meeting, of Board meetings from the past three years and minutes of all future Board meetings until advised to the contrary.

With thanks.  
Yours sincerely,



T Lonsdale