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Dear President Guard you may remember I wrote to you twice on the 7/4/2013 and 20/4/2013 in regards to how I was treated by Senior Member Robert Davis in VCAT hearing of Doctor Mel Hooper versus the Chiropractic board.

On both of those replies to those letters you stated that you were unable to comment or act upon my complaint whilst the hearing was still in place. Given that the hearing is now finished I know wish to know what you are going to do about my complaint about Senior Member Robert Davis and his behaviour towards me?

It seems to be that of the many patients and colleagues that submitted testimonials and letters of support showing the good character of Dr Hooper and the benefits they have received from his treatments, have been dismissed by the senior member Davis without them even having a chance to speak and their evidence is considered inappropriate without even speaking to them. Some of the witnesses were discredited so badly that it was denied that they even had a disability. On the other hand witnesses for the Chiropractic board are heard openly, which hardly seems fair or civil for that matter!

It seems to me there is a gross injustice happening here. It certainly wasn't a fair or balanced hearing and a good man Dr Mal Hooper is being persecuted unnecessarily, just because he may be going outside the normal chiropractic methods! In my opinion he should be applauded and praised by the Chiropractic board for how he has gone out of his way to help many patients with many different ailments who have otherwise been abandoned by conventional treatments. It is unfair, unjust and un-Australian and he certainly should be cleared of any wrong doing and compensated for all his costs to enable him to put his life back together again. The whole process has been totally unnecessary and certainly very damaging to good man's character and the way he, I and others have been treated by VCAT is disgraceful.

Because of this hearing Dr Hooper has had to endure a lot of unjust negative politics in regards to the research fraternity and funding possibilities for clinical trials. The sad part is that because of the cost burden to Dr Hooper he has had to sell the Lokomat treadmill, so it has been lost to all of the patients that were receiving positive results and improvements in their rehabilitation and in a lot of ways it has diminished their prospects of recovery in the future significantly.

The Chiropractic board and VCAT have a lot to answer for to those patients as they have inadvertently taken away the tool that was actually helping many disabled people with a range of different disabilities.

The irony is that the very pursuit that Dr Hooper and I were aiming to achieve, which was to apply for funding from TAC and Workcare to assist spinal patients by using the Lokomat treadmill technology, to which they knocked back, partially because of this hearing against Dr Hooper and secondly because they too didn't see it as a legitimate treatment. However contrary to all this TAC funding is now financing a very similar treadmill program, to the tune of \$5 million, the SCIPA Project (which I also supported and was involved with) at the Royal Talbot hospital for spinal patients (details below).

3. SCIPA Full-On Project

Austin Health is currently searching for people with SCI to participate in the SCIPA (Spinal Cord Injury + Physical Activity) Full-On project which examines the effects of exercise on recovery, health and well-being after spinal cord injury.

Regular physical activity through upper body training is effective in improving fitness and psychological well-being in people with spinal cord injury. However there are now reports that regular and intensive *activity-based therapies* promote neurological improvement. These therapies include partial body-weight-supported treadmill training (BWSTT), functional electrical stimulation-assisted leg exercise, and exercises to improve control of trunk and lower limb musculature. There is some evidence that these interventions may improve an individual's ability to move and perform functional activities, however this has not been rigorously tested in a randomised controlled trial.

Full-On is a randomised controlled trial comparing the effects of a comprehensive exercise program exercising the paralysed limbs and upper body musculature with an upper body strength and fitness training program. The centres involved will be spinal units in Melbourne, Sydney, Adelaide, Perth and New Zealand. Austin Health is the Melbourne spinal unit participating in this trial.

Participation in the project involves undertaking an intensive exercise program three times per week for 12 weeks and attending for assessments. Participants must be 18 years of age or over, have completed their primary rehabilitation, and will need to have medical clearance to participate.

This study has been approved by the Austin Health Human Research Ethics Committee. If you would like further information, or wish to participate in this project, please contact the site coordinator:

For information please contact Ms. Janette Alexander;
Victorian Spinal Cord Service
Phone: (03) 9490 7285
Email: Janette.Alexander@austin.org.au

This study has been approved by the Austin Health Human Research Ethics Committee. This is a Spinal Cord Injury study and has been funded by the Transport Accident Commission (TAC)

See their website <http://www.scipa.unimelb.edu.au/>

So all of this seems an extreme contradiction that now the treatments that Dr Hooper has been practising and pioneering for a number of years and the very treatment he is being persecuted for are now being looked at as seriously legitimate. So as far as this VCAT hearing and the Chiropractic board discrediting Dr Hooper's treatments, it just goes to show what a contradiction it all is, how wrong they have been and how unjust this whole process has been.

However, I'm flabbergasted to hear that VCAT under the guidance of senior member Davis have concluded with that very ruling of misconduct. After reading his comments about Dr Hooper in the press, it sounds to me like he is talking about himself, because I am sure he would never admit he was wrong in his behaviour towards me personally and others throughout this hearing and the way he has conducted himself has been appalling. How could they possibly give a fair hearing and come up with that ruling after not listening and dismissing a lot of vital evidence supporting Dr Hooper is absolutely astounding! Senior member Davis comments about protecting the public, which is an absolute joke, who is protecting the public from unfair and bias from VCAT, who seem to be a law unto their own, with no watchdog or control over them?

It just doesn't make sense because all he has ever done is tried to help people with a disability. This outcome is extremely unjust and a terrible loss to many patients across several different disabilities, not to mention destroy a good man's professional reputation, income source and life's work!

So after everything being considered, it absolutely astounds me that VCAT would conclude the hearing with a verdict that Dr Hooper was negligent in any way shape or form!!

Since writing in support of Dr Hooper, I was contacted by an orthopaedic surgeon who had a case in VCAT with the same senior member residing and was treated in exactly the same way and said to me that everything I wrote sounded like I was talking about his hearing. So it's not only doctor Hooper and has been treated in this way.

I have also written to the State Attorney General Robert Clark and I received a reply back from his chief of staff expressing his concerns about rudeness from VCAT members, stating it is simply not acceptable and he advised me to write to you again. It's amazing to me how the wheels of bureaucracy go around in circles!

However he did state in his letter, and I quote "The Victorian coalition government is committed to implementing important reforms that will strengthen Victoria's justice system. These reforms include the creation of a judicial commission which will assume responsibility for investigating complaints about judicial officers and VCAT members in the future".

Surely by reading my initial letter it would have been of great alarm to you that one of your employees was acting in such an appalling manner and you would want to do something about it straight away. If that was someone that worked for me and it was reported that they had that sort of attitude towards people, especially disabled, I would be immediately concerned to deal with it.

I hope you won't again put your head in the sand about this issue and turn a blind eye to protect a colleague and covering up his discretions and not taking my complaint seriously? It should be a privilege to serve the community and not abuse that privilege by mistreating people. If people cannot get a fair hearing, as VCAT promotes, then your organisation is contradicting its very own principles.

Everyone around me, including my friends and family are absolutely disgusted by the behaviour of Mr Davis and the way this has been handled and even more so the fact you will not intervene. I find it quite distressing, as it seems like you are condoning this sort of behaviour by allowing it to continue. Do you expect me to just accept and forget about the way I was mistreated by Mr Davis and let him get away with it?

If you are condoning and accepting this type of behaviour and sweeping this under the carpet, then this behaviour and the lack of justice that is going on here seems to be seriously wrong. I would have thought that VCAT would want to eradicate this type of behaviour, yet Mr Davis is one of the worst examples of this I have ever experienced! Surely you would want to put an end to it immediately?

As a Victorian citizen I really wonder if this sort of behaviour is considered okay by VCAT and I only hope you will seriously reconsider your immediate action in this case, otherwise this discriminatory behaviour will continue which is totally un-Australian!

I eagerly wait for your reply as soon as possible, now that the hearing is finished. I certainly hope that you don't give me another ineffective reply of no action. Surely your position is not beyond a decent reply to a member of the public who has been discriminated against and has lodged a legitimate complaint. I hope you take seriously the content of my complaint and your willingness to deal with it accordingly in the way that you should be doing.

Yours sincerely

Gary Allsop