



NCAT Complaint Form

If you wish to complain about the service you received from NCAT, please read the [NCAT Complaint Policy](#) before completing this complaint form.

INSTRUCTIONS ON HOW TO LODGE A COMPLAINT

Use the following instructions to lodge a complaint against a Tribunal Member, Conciliator, Mediator or Registry staff, our service or process.

1. You should only use this form to make a complaint if you want the Tribunal to respond and take some action as a result of your complaint. If you do not want the Tribunal to respond or take action, you can use the [NCAT Feedback Form](#) available on the NCAT website.
2. You can complain about the conduct of a Tribunal Member, Conciliator, Mediator, Registrar or staff member. You can also complain more generally about the service you received or a process.
3. If you are dissatisfied with a decision of the Registrar or the Tribunal and want it challenged, you should challenge the decision by lodging an appeal against the decision, applying for leave to appeal or applying to have the decision set aside or varied. Learn more about [appealing against a decision](#).
4. A complaint must be in writing and cannot be anonymous.
5. Identify what you are complaining about and describe the factual basis for the complaint. Set out the dates and places of hearing if these are relevant.
6. Make a copy of your complaint before you send it to NCAT.
7. Send the original complaint form marked attention to the Principal Registrar:
NSW Civil and Administrative Tribunal
Principal Registry
PO Box K1026
HAYMARKET NSW 2000
or
Email: ncatenquiries@ncat.nsw.gov.au

Note: NCAT is not responsible for government policy or the law itself and as a result may not be able to respond to complaint about those matters.

YOUR DETAILS

Full name: PETER ZONNEVYLLE

Postal address: XXXXXXXXXXXX

Daytime telephone: XXXXXXXXXXXX Email address:

NCATCOMPLAINTPEARSON@PZGIPA.COM

DETAILS OF NCAT PROCEEDINGS

Provide details of NCAT proceedings if applicable.

NCAT File Number **2018/00333885**

Division (list): AEOD

EVENTS OR CIRCUMSTANCES ABOUT WHICH YOU COMPLAIN

Identify what you are complaining about and describe the factual basis for the complaint. Set out dates and places of hearing if these are relevant.

Jan 23,2019 Applicant requests attendance by telephone for Jan 29,2019 directions hearing

Jan 25,2019 Applicant receives notice from member Pearson stating:

Case title Peter Zonneville v Rob Stokes, Minister for Education
Application under Government Information (Public Access) Act 2009
On 25 January 2019 the following orders (and/or directions) were made:

1 The request by the applicant to participate in the hearing listed at 10.00 am on 29 January 2019 is refused.

The applicant does not live in a regional area, and no reason has been provided as to why he is unable to attend in person.

2 The request by the applicant to participate in the hearing listed at 10am on 29 January 2019 by telephone is refused.

The applicant does not live in a regional area, and no reason has been provided as to why he is unable to attend in person.

L M Pearson, Principal Member (Legal)

Issued: 25 January 2019

For further information about your rights and obligations in relation to this order please read NCAT's Rights and Obligations Guideline available on the NCAT website at www.ncat.nsw.gov.au.

Jan 25,2019 The applicant sends an urgent message to Pearson requesting reasons why Pearson has refused both attendance by telephone and in person for the Jan 29,2019 directions hearing

Jan / Feb,2019 The applicant repeats the request for Pearson to provide written reasons for her decision

March 8,2019 No response from Pearson has been received

Pearson has quite clearly breached CAT Act Sect.62 & the NCAT member codes of conduct

Reference:

Civil and Administrative Tribunal Act 2013 No 2

Current version for 14 January 2019 to date (accessed 10 March 2019 at 13:19)

HYPERLINK "<https://www.legislation.nsw.gov.au/>" \ " /view/act/2013/2/part4?"[Part 4](#) HYPERLINK "<https://www.legislation.nsw.gov.au/>" \ " /view/act/2013/2/part4/div5?"[Division 5](#) Section 62

62 Tribunal to give notice of decision and provide written reasons on request

(1) The Tribunal (including when constituted as an Appeal Panel) is to ensure that each party to proceedings is given notice of any decision that it makes in the proceedings.

(2) Any party may, within 28 days of being given notice of a decision of the Tribunal, request the Tribunal to provide a written statement of reasons for its decision if a written statement of reasons has not already been provided to the party. The statement must be provided within 28 days after the request is made.

(3) A written statement of reasons for the purposes of this section must set out the following:

(a) the findings on material questions of fact, referring to the evidence or other material on which those findings were based,

(b) the Tribunal's understanding of the applicable law,

(c) the reasoning processes that lead the Tribunal to the conclusions it made.

(4) Nothing in this section prevents the Tribunal from giving oral reasons or a written statement of reasons for a decision it makes even if it has not been requested to do so by a party.

There is alleged to systemic conduct issues against the applicant

OUTCOME FROM YOUR COMPLAINT

NOTE: If you want a decision of the Registrar or the Tribunal changed, you should challenge the decision by lodging an appeal against the decision, applying for leave to appeal or applying to have the decision set aside or varied, rather than lodging a complaint.

What action do you want taken as a result of this complaint?

1. A formal response from Pearson detailing
 - a. her reasons for the decision
 - b. her reasons to refuse to respond to the applicants legitimate requests
 - c. her reasons for breaching Sect.62 and her conduct obligations
2. A formal response from the Deputy President / President (not the registry) detailing
 - a. why the deputy president Hennessey did nothing about this complaint (she received a copy of the emailed complaint
 - b. why this conduct is tolerated and not actioned against
 - c. why Hennessey allegedly supports & institutionalizes such misconduct
 - d. an apology from the deputy president or president for the procedural fairness denied the applicant
 - e. compensation for the deliberate & detrimental distress caused to the applicant
3. notice of Pearsons misconduct to be published in the public domain to warn the public of misconduct compromising & undermining the impartiality / objectivity of NCAT
4. complaints against all members similarly breaching CAT Act Sect.62 to similarly be listed

SIGNATURE

Complainant's name and signature.

Name PETER ZONNEVYLLE

Signature XXXXXXXXXXXXXXXXXXXXX

Date 10-03-2019