

Statement from Jim Selim

Thursday 14 August 2008

Today is a very important day in my life. Over five years ago, the TGA destroyed Pan, and took away 400 jobs. At the same time, it left a void in Australia's complementary health care industry which has not been filled today. Thousands of shareholders lost all their money, and hundreds of businesses who were customers and service providers to Pan, were all affected. Some did not survive.

Today, the Commonwealth has consented to judgment being entered against it in respect of two claims I have brought in the Federal Court. One of these claims alleged multiple acts of misfeasance by the TGA. I have alleged that a group of public servants deliberately plotted the downfall of Pan. I alleged that these people were motivated by a wrongful sense of vengeance, and a misguided concern that Pan may avail itself of the legal system to protect itself against improper TGA action. I alleged that these people knew full well the catastrophic effect their decision would have on Pan, its employees, customers, service providers, shareholders and of course, me and my family, both financially and personally. The Commonwealth has consented to judgment in the face of these pleaded claims.

I have won a hard fought victory. It has come at great personal cost, which cannot be fully compensated by any agreed amount of damages.

The capitulation of the Government after years of exhausting litigation vindicates my position. I was innocent of any wrong doing in the downfall of Pan. The destruction of Pan was the responsibility of others, who broke their trust with the Australian public in their actions.

I now call on the TGA to offer me a full public apology, in recognition of its own decision that its defence to my claims became no longer tenable.

Finally, I call on the Government to conduct a full enquiry with extensive terms of reference, and to end the reign of terror of the TGA over the industry. What happened to Pan, and all of its associates, and to me and my family, must never be allowed to happen again.

Jim Selim