

**INQUIRY INTO REVIEW OF THE EXERCISE OF THE
FUNCTIONS OF THE WORKCOVER AUTHORITY**

Name: Dr Anthony Lowy

Date received: 24/03/2014

From: Tony Lowy
Sent: Monday, 24 March 2014 3:42 PM
To: Law
Subject: Previous emails to Min. Constance

To CURRENT HEARING COMMITTEE [21-28 MARCH 2014].

This email plus others were sent by me in 2014.

It is very sad that no notice was taken by any person.

If the Minister or any other person involved in W/C and CTP had any real interest in looking at the current situation in these jurisdictions, then this email could have been labeled a "SUBMISSION" to the March committee [the FIRST SUCH COMMITTEE].

Premier O'Farrell knows this stuff from me and obviously has rejected it. Therefore no follow up and no invitation to be a "witness" to the March committee.

Anyway, perhaps this email could be drawn to the attention of the March Committee.

Just know that the status quo will remain as long as no attention is paid to the content of this email; shame on this O'Farrell Government and all those colluding with the system. At least NSW is not as bad as Comcare, which is saying something.

After decades of my words to every relevant Minister, State and Federal, it is beyond sadness that maintenance of system and the principal stakeholders [= vested interests] overrides common sense and decency. It's partially explained below.

From: Tony Lowy
Sent: Friday, 7 February 2014 1:16 PM
To: 'office@constance.minister.nsw.gov.au'
Cc: 'office@premier.nsw.gov.au'; 'diary@premier.nsw.gov.au'
Subject: FW: Correspondence from the Office of the Premier

Minister Constance,

Please refer to my previous correspondence to you re having a minimum 30 minute meeting with me about the serious long term administrative problems within the NSW P-I industry; I refer to both WC and CTP. I assure you I am serious and very sincere; I'm not trivial or irrelevant, but probably "too hard" which is what I suspect has resulted in all your predecessors since 1987 refusing to talk or meet with me; and boy have I tried; Premier O'Farrell whilst polite, dismisses me outright exactly as all his predecessors back to John Fahey.

By not meeting with me, you simply ensure the continuation of the status quo in the system/s.

All the Admin and Legal changes since 1987 have made not an iota of difference in the real world. One has to be a long term practitioner to be able to accurately and properly see what's happening, which is NO CHANGE. So Minister in your time as Minister of this jurisdiction, if you wish to follow your predecessors and maintain a sick, a very sick P-I industry, you will not meet me.

Actually Minister, this is the moment to act; why? Because :

1. Scientific Theory

At this time, the scientific theory [medical] of human pain experience is at a very important [and exciting] stage [led by Prof Lorimer Moseley from Adelaide], which I can explain to you [plural] with diagrams and ordinary language over 15 minutes.

Contemporary PAIN THEORY is revolutionary and totally unhelpful [yes unhelpful] to the anachronistic system of decades-long claims management [really shocking mismanagement], together with the decades-long incorrect understanding of "chronic" pain together with legal principles of practice within the NSW "benevolent" legislation of persons suffering persistent pain. From 2002 The current system [WCC and WorkCover, plus MAA] was locked in with vigor and righteousness partly by a mixture of ideology [politics] and power within legal system [for want of a better expression].

2. Systems

What I'm also saying is that our systems [plural] of claims management for P-I in most jurisdictions, esp WC and CTP, was and is driven by a mixture of:

i. power, ideology, practice, admin, agendas and vested interests within each stakeholder group section, which comprises:

a. employers [too many ignore simple OH & S factors, and wake up reluctantly and / or rather late ; since 1983!]

b. insurers [plain INCOMPETANT; nothing more or less; which one? The lot !]

whilst Claims Officers always blame the "LAW", they are where the real problem begins; young incompetent claims officers/ case managers [constant change].

c. health professionals [fee-for-service] [see my cartoon; very few, if any, have the correct "words to say it" ; they precipitate and ensure CHRONICITY

d. rehabilitation providers [good idea in 1980s , but during 2000s RSPs are THE MOST REDUNDANT, EXPENSIVE AND USELESS HEALTH PROFESSIONAL GROUP EVER].

Anyone and everyone who contradicts the above sentence is plain lying; I've watching this lot for 33 years; DISGRACEFUL money making business.

e. Lawyers [at all stages and all levels, esp plaintiff lawyers]. [they all tell me " doctor it's the law...it's the law.." [IS IT MINISTER? REALLY.]

Some lawyers initiate and perpetuate; again it's fee for service and I know you probably think this is heresy, but mister Minister, that's the way it is.

I put legal practitioners last in this short list, only as a gesture towards courtesy which is undeserved.

3. So again Minister Constance, if you as an individual man, would like to try to modify the system and not leave it the way it is [out of control and getting worse], please think about trying to enact proper and far reaching changes within a truly confusing system, you talk to me in your office [with adequate time].

4 Liaison

I am a most suitable conduit between the various stakeholder in the P-I industry [been there and done that; since 1970s I've been the medical officer of dozens of companies across industries as well as hired and fired over three dozen medicos ...expert witness...]. .

I'm full time medical specialist for 33 years since 1980, and part time in RTW of injured workers and their Occupational rehabilitation in South Sydney [1969-1980].

5. I'll finish with a non-sequitur; COMCARE systems and admin is beyond absurd; circuitous documents providing their officers with never ending rhetoric and bottomless pits of files; absolutely ridiculous.

All the above applies in multiples and even after the RSI catastrophe [of which I was a part and made a lot of money, whilst my wife Eva got a PhD in Psychology out of it], the CERC Act / COMCARE ; as if "stress " has not cost enough; the Commonwealth Employer is now tripping over workplace bullying, harassment...what a pathetic joke; [now it's my daughter's PhD; serious; she already has her MPsyg ; UNSW].

Anthony LOWY FRACP[OM] CIME

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