

**Submission
No 3**

INQUIRY INTO PERSONAL INJURY COMPENSATION LEGISLATION

Organisation:

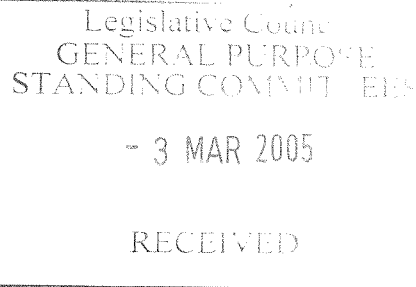
Name: Mr Mark Peterlin

Telephone:

Date Received: 03/03/2005

Subject:

Summary



**The Director,
General Purpose Standing Committee No 1
Legislative council
Parliament House Macquarie Street,
Sydney NSW 2000**

Re: inquiry into personal injury compensation

I believe the people who institute changes to legislation rarely are subjected to the brutality of its effects, particularly changes to workers compensation legislation.

I wish to paint a personal picture to the standing committee of how the new workers compensation legislation impacts on the poor souls who are subjected to it.

I was injured at work , doing my job , doing what I believed to be expected of me.

I submitted a workers compensation claim , which initially received attention by the insurer and my employer.

Within a very short space of time communication from the insurance company was non existent.

I did not receive guidance from the insurance company (I now know that I should have been informed of a whole range of procedures and details).

Because I fast became caught up in the black void of trying to get answers from insurance companies, seeking resolution of a myriad of issues, and being denied services I found that I was on my own for all things relating to rehabilitation and costs. Eventually I attended to my own rehabilitation; bearing in mind that all doctors and

physiotherapist appointments were in my own time, and predominantly paid for by myself.

No amount of requests from myself and my doctors received attention from the insurer.

Because of this antagonisation by the insurer I quickly found myself being coerced by the legal system into a situation I found to be very unsavoury. Before I knew it I was embroiled in legal action. Remembering that I was injured, in constant pain, being antagonised, taking powerful drugs, unable to lead life as I should have been, and becoming more cranky, angry and frustrated as time progressed and ultimately not thinking correctly. This impacted on my family and friends and my life in general.

Next thing I know I am involved in court proceedings – and for someone who has never been in a court house, this is a very distressing experience. I realise now that I was a pawn in a system that makes a lot of money for everyone apart from the injured party. I was chewed up and spat out the other end of court proceedings being declared “overzealous”. The judge declared that I was overzealous; yet in my mind I was doing what I was employed to do, what I was expected to do, what I was indoctrinated to do, what my employer admitted they expected me to do.

I understand that there needs to be a system of eventual resolution but the cards are heavily stacked against the poor soul who is legitimately injured. This whole system is designed to ignore the well being of the injured party and their families and in fact is designed to denigrate them into submission.

To my mind the new legislation has had the desired effect; that is to remove the benefits available to injured workers, and give total power to the big end of town.

If you think this is a single opinion you are correct; but speak to anyone who has been seriously injured at work and their stories will be quite similar to the one above.

Yours faithfully



Mark Peterlin