

**FIRST REVIEW OF THE WORKERS COMPENSATION
SCHEME**

Name: Name suppressed
Date received: 22 September 2016

Partially
Confidential

I may have made a submission to this enquiry some time ago – if so, consider this an update. I can barely be bothered to write, I am exhausted and become ill when I do write about this.

I note that this commission will not be reviewing individual claims – fair enough, you have to delineate the extent of your parameters somehow, but I would ask you, if you had an accident and I passed by, would you want me to help you? How would you feel if I just referred you on to someone else and ignored your immediate needs for assistance – which might include such basic things as water? How would you feel if instead of helping you, I kicked you in the stomach and walked away?

I have been diagnosed with PTSD following a failed WorkCover claim. The claim failed as there was not enough medical evidence – although there was and still is plenty available; and my employer lied. I was able to establish an employer / employee relationship – they had tried to claim I was a contractor; however, they made the claim that I had said “I couldn’t be responsible for my actions”, which apart from being utterly false is also utterly absurd, but this apparently gave them the right to sack me on the spot and obviate WorkCover/ anyone else from any claim or responsibility – how convenient.

The consequences for me have been catastrophic. I have lost nearly everything, including at times the will to live in a world that I seem to have no place in.

I sold nearly everything I owned to survive and avoid homelessness. At times I had to forage in my neighbour’s garden for food and if they hadn’t had chickens, I would have found myself with worse health related issues than I did.

I didn’t claim Centrelink benefits as I knew I was not able to work, especially not full-time. Eventually, I was referred to a mental health crisis team who gave me assistance with making a Centrelink claim.

Obviously, Centrelink is not enough money to live on – certainly not enough with which to recover from chronic illness, so I had to continue working and selling whatever I had left to survive. This was all very haphazard and stressful, particularly as I was trying to find justice for the way I had been treated at work and the ongoing health issues that resulted. I was also trying to rehabilitate myself, as I had no access to any of that.

Eventually, after the claim was denied, I decided to go back to university to update my qualifications and focus on trying to rebuild myself. I had decided several times to kill myself – I had ropes, razor blades, significant research – and a car, all of which I entertained as possibilities, as well as stockpiling prescription medication and finding a poisonous snake – which would not have been difficult where I lived. I chose to have hope instead.

After a semester’s study, I moved to Sydney to complete a masters degree. I received Austudy and had a casual home based job. At the time the government had proposed making all masters by coursework degrees eligible for Austudy by 2014 or 15 – this never happened. I completed a graduate diploma but have been unable to complete the masters degree given ongoing poverty. I’m now stuck in Sydney, I don’t want to live here as I cannot afford to participate in anything.

When I first moved to here, I experienced a period of homelessness which was extremely distressing, especially as I have a cat. I lived in affordable housing, but once I finished studying, found I had to work too many hours in what had become a very stressful casual home based job and I couldn’t cope. I moved out, renting a room in a private house where I currently reside. I both work and ‘live’ in a bedroom with

my cat who is dying of kidney disease and I can afford minimal treatment only – this is really hard. I'm a middle aged woman, I'm single, I have no children and minimal family support.

My current work is exploitative, the conditions are punitive and I'm underpaid – my only recourse here, is to engage with a system which utterly failed me previously and in which I have no faith at all. It seems to me that the world exists for other people, not me. I have no opportunities, I can't find work and I cannot generate my own work as I lack the resources and equipment. And, I cannot afford justice. I also have a reduced capacity to deal with stress – especially as it relates to my casual job and the prospect of trying to get things put right there.

My current employer demands I work in my own time without pay (this is a casual job – not a salaried position), I'm not paid penalty rates or proper award rates – the work I do is covered by an award – there are other issues I don't have the energy to document. With assistance from a community legal centre, I have estimated that I have been underpaid by nearly \$18,000 – this doesn't account for the stress and the debilitating effects on my health, especially coming after what I experienced in my previous job and various government agencies, including WorkCover.

Of course, if I make a claim against this employer, they will use their significant resources to block it and try and demonise me in some way. I'm stuck between a rock and a very hard place. I need the work to survive and avoid homelessness, but I can't cope. If I quit, I will have to wait several weeks for Centrelink benefits – I actually loathe the idea of having to approach Centrelink. If I keep going, I may fall apart completely.

Basically, the system seems to be set up to destroy people, perhaps in the hope that they will kill themselves so that no money needs to be spent.

I used to be a teacher, a graphic designer (I still do that occasionally), photographer and artist – I had also tried a bit of stand-up comedy and to my surprise, was placed in competitions. I'm an excellent writer, though this is probably not reflected here, and I'm highly intelligent. Currently I work in a call centre (from home). I'm isolated, I live in poverty in a rundown house, I'm unhappy, I rarely laugh, some days I don't want to live.

Sometimes I wonder what my life would be like had I received the assistance I asked for when I needed it. I wonder what contribution I might have made to the community I lived in.