

**FIRST REVIEW OF THE WORKERS COMPENSATION
SCHEME**

Name: Name suppressed
Date received: 23 September 2016

Partially
Confidential

Dear Sir/Ma'am,

I will try to keep this short and simple regarding my submission regarding the parliament inquiry into the NSW workers compensation scheme. I will attach relevant documentation for your viewing.

REGISTRATION NO:

D.O.B:

RANK: Former Senior Constable

ATTESTED: 22 January 1993

I have two sons that use to permanently reside with me but as result of the treatment I received by the insurance companies and NSW Police Force Management my family has been decimated.

In 1992, I joined the NSW Police until being medically discharged in 2012. I will add that I did not want to be medically discharged from the NSW Police Force as I did everything humanly possible to stay in this organisation until my body and spirit could no longer cope. Prior to joining the NSWPF I had no physical or psychological injuries.

On the 7th December 2001, I was attacked during a home invasion at Jannali by two offenders. During a struggle with the two assailants I was hit in the head and neck numerous times by a metal pole.

On the 22nd May 2002 I assisted in restraining a violent male person who was suffering from some form of mental illness. As a result I aggravated my original injury.

My health began to deteriorate about two months after the original assault. I began taking prescription medication such as vioxx and numerous others, which had no effect upon relieving my head pain.

In July 2003, I was suffering from approximately 24 pain sensations ranging from my skull feeling as if it was imploding a crushing sensation, like tying a piece of thin cotton around the

nerve of your gum and pulling a knot contracting it, this was the pain I was enduring in the back of my head. To make things worse, this pain was continuous and I was taking strong sleeping pills every night which allowed about three hours sleep a night but it was not long before these pills had no effect.

In February 2003, I attended a Neuro Surgeon [redacted] of the Prince of Wales Hospital after examining all the CT, MRI and X-ray's [redacted] agreed with the diagnoses of my chiropractor. He also stated it may take a few years before my neck and head injury heals.

On the 16th April 2004, I attended a spinal specials namely [redacted] at his office situated at the North Shore Medical Center, St Leonards. Here [redacted] gave me a clinical examination then told me he agreed with [redacted]'s diagnosis and stated he believed my cervical nerves were stretched and that is one reason why I have head pain.

As a result of my injuries I was directed by the Botany Bay Commander to obtain a work cover certificate stating I should be placed on permanent restricted duties and placed in the permanent restricted coordination unit. If I did not I would be medically discharged from the NSW Police as there were only 5 restricted duties positions allowed at each Local Area Command (LAC) which were occupied by temporary injured Police officers. This was complied with and I attended the Caringbah Medical Centre where [redacted] completed a WorkCover NSW Medical Certificate stating the above. The restricted coordination unit was a paper unit if a position could not be found I was told I would be forced to be medically discharged.

From 2002, I was placed in the workers compensation, Treasury Managed Fund (TMF) System and was unaware of my rights and how the system worked. I was not well enough to read and interpret volumes of policy, guidelines and legislation enacted by the Workers Compensation Act. I was like a lamb to the slaughter.

I intend to summarize the following and have documentation to prove if required. I was unaware that external Rehab agency hired by NSW Police were allegedly given a commission to have employee's return to work early even if one was not fit to or under the belief they could be discharged. These Rehab officers would insist on being present at my Doctors appointments and were pushy making the scene uncomfortable.

Over the years I have attended many Independent Medical Examiners (IME) paid by the insurance company (TMF). I have noticed the insurance companies have their own selected IME who they refer patients. I have been to the same IME at different stages by different Insurance companies subcontracted by the TMF. I Have also observed the insurance Company Case Mangers appear to be biased towards the workers medical conditions guiding the IME what to say by the questions asked by the Case Manager in a report format provided. I also note in teleconferencing meetings with my treating nominated Doctor the Insurance Case Managers do not want to know what you can't do but what you can do but in order to answer what you can do you must explain what you can't do.

I suffer from psychological condition and submitted a claim to Employer Mutual Limited (TMF). This claim was rejected in 2013 & 2014 on the basis of a falsified report by a **NON** accredited NSW WorkCover Forensic Psychologist [redacted] who also made a

medical diagnosis contravening a medical practitioner, is not a medical Doctor.

The Insurance Companies know how to abuse the workers Compensation assessment system regarding Non – accredited IME's. In 2013 if a particular test or opinion is required by an accredited Doctor (The IME Psychiatrist requires a particular test for example, psychometric testing) then this can be obtained by the person who is not accredited the Forensic Psychologist but must be requested and fed back through the accredited Psychiatrist Doctor who is providing the report to the insurance company. So it is a referral process due to specialized areas where there may not be an accreditation. However in my case the insurance Company paid Forensic Psychologist directly for the consultation plus his 27 page report. EML have relied directly and presented this non WorkCover accredited report by and did not follow due process and or policy regarding this claim. EML have accidentally sent me the cheque intended for Psychologist and they have sent him my payment summary a few years later.

Another issue, EML (TMF) have relied upon two reports from a private investigation firm they hired called G4S. G4S have no statutory authority to investigate internal police matters and have no idea of the terms of reference used by NSW Police Force regarding the management of internal investigations. NSW Police have a complaint Handling guideline book containing 105 pages regarding internal complaints. G4S has not been able to complete their objectives as stated in their reports therefore the information obtained is biased in nature. G4S has not used **due process** in obtaining this information i.e. disciplinary information about me. They have obtained this information illegally and should have applied through Government Information (Public Access) Act 2009 (GIPA) and or subpoena accurate reports from the NSW Police Force.

I have no recollection of giving written permission to EML to obtain internal disciplinary material from my supervisor and the .. I had made a complaint to the NSW Ombudsman regarding involvement in my internal investigation. Concerns were raised by the NSW Ombudsman to the NSW Police Force regarding as investigating officer which was ignored and as a result the Ombudsman recorded this investigation as deficient. See attached Ombudsman report.

I believe G4S may have breached the Privacy Act as they have supplied information to my former supervisor (who I have accused of bullying and harassing me) when obtaining a statement not on one occasion but two separate occasions. I also believe the has seen information about me and supplied my disciplinary personal information not on one occasion but twice showing as an investigator he is biased. I believe he has breached the NSW Police code of conduct and or Privacy Act.

The G4S reports have attached documents about me from the two above mentioned Police officers and are alleged to have been typed written versions of police official records. EML are relying on a typed version of narratives from an Official Police duty book supplied by . Duty books are handwritten and EML via G4S did NOT verify or check the correctness of the typed version with a copy of the original handwritten duty book. **This is of concern to me as there was a strong suggestion**

was going to be demoted as a result of the sustained findings against her for bullying and sexual harassment but decided to resign from the NSW Police Force before the demotion took place.

As I was in the 2005 Police Ribbon Scheme Death and Disability I have placed another claim with METLIFE insurance. This second insurer has requested my folder from EML (TMF) with material illegally obtained. METLIFE insurance has delayed my claim for the last 4 years. They have had me under Physical surveillance on two occasions invading my family's personal privacy. They have admitted to doing a walk through on private property without a walkway through the property which has no throughway. They have found no incriminating evidence on me but yet refuse to pay and are on fishing expeditions. They have hired IME psychiatrists that takes pictures of his patients and took a picture of me in his office stating it is will not be forward to anyone only remain with him in his office.

Finally, other issues that have caused me grief with the Insurance companies subcontracted to TMF are the following: Have been told by the manager that they are private company and are there to make money. They constantly send my personal information TMF letters to three different incorrect addresses and at times I do not receive them. Then I cannot reply to a section 74 in time or know about a medical appointment set up with their IME. I have informed TMF on numerous occasions verbally and in writing of my address but yet still have problems. I do not get my total medical refund back for times travel to medical appointments or they argue and have in the past only paid in part. Some medical treatments I request have been approved but not paid until I have complained to the NSW WorkCover. Some treatments requested are not approved despite having a Doctors Letter requesting the said treatment. I have in the past had Case Mangers ring my health care providers causing them unnecessary paper work and refusing to approve my treatments stating it is in the act. At this stage I have found a treatment that has my physical condition under control but the EML cause me stress wanting to send me to a IME to manage it differently which has been proven not to work in the past it's like a dog chasing its tail. I have endeavoured to find some treatments however the health care providers refuse to have anything to do with WorkCover accreditation as there is too much paper work and not worth doing therefore putting me at a disadvantage.

Please see attached reports

TMF section 74 dated 14/10/13

TMF section 74 dated 7/4/14

Statement

Section 66

Initial complaint about

Ombudsman Report

Review Request by

Response to G4S reports

Complaint Forensic Psychologist

Yours faithfully