

INSURANCE & BANKING ROYAL COMMISSION 2018

Your Honour,

For 15 years I was employed by the NSW Police Force. On 19/7/04 I was injured whilst executing my duties whilst being stationed at [REDACTED]. I sustained injuries to my right hand and both knees. As a result I have had 5 operations in total to date. From this time onwards the staff at [REDACTED] bullied and harassed me due to my work place injuries. When it became apparent that I would not be able to continue working the senior staff at [REDACTED] attempted to bully me into resigning without compensation. I could not afford to resign. The bullying and harassment became intense and relentless. My last day in the workplace was 7/5/07. I saw numerous psychologists. During this time I was also harassed by Allianz, the NSW Police Force's worker's compensation insurer. I suspect that Allianz and the NSW Police Force had placed surveillance on me. I have been under surveillance in my home by unidentified persons in cars. When I approach them they drive off at speed. I have reason to believe that my neighbour had been conscripted to spy on me in my garden, with cameras and by observation.

For 3 years Allianz, First State Super and the NSW Police Force left my life on hold and in limbo. On 1/4/08 I was placed under the care of my treating Psychiatrist. This doctor diagnosed me with psychological conditions as a consequence of the bullying and harassment by my employer.

On 19/10/09 I attended the Worker's Compensation Commission where the NSW Police Force and I reached agreement on a Certificate of Determination – Consent Orders. Order 1 states that the NSW Police Force will pay the statutory maximum statutory rate of weekly compensation benefits for a single worker with no dependants for my physical injuries. Order 2 states that the NSW Police Force will pay for all expenses relating to the treatment of my psychological injuries.

Between January 2010 and today I have been treated for other serious life threatening ailments. I believe the stress that I am constantly under has contributed to the decline in my health both physically and mentally.

Part of my employment with the NSW Police Force was to contribute to the mandatory Blue Ribbon Superannuation Insurance – life insurance. After being assessed by FSS and Metlife orthopaedic surgeon and psychiatrist I received a Total and Permanent Disability payment on 29/7/10. In 2010 my TPD diagnosis was recognised by the Supreme Court of NSW.

Each quarter I have continuously and timely obtained current Certificates of incapacity to work from my psychiatrist since 1/4/08 to date. I have forwarded them to the insurer Treasury Managed Fund TMF in a timely manner by post. TMF and icare ignored these certificates insisting I attempt to find a job and that they do not recognise TPD. For years my weekly Workers Compensation payments were transferred into my bank account on different days occasionally with some weekly payments missing. I was never sure if I would have the funds to pay my bills. This added to my stress and anxiety.

I moved houses in 2010, in part due to my feeling of an invasion of my privacy and feeling of being spied on.

At this time I was being treated and having numerous operations for the first of one of my life threatening illnesses. I believe that the stress placed upon me by Allaniz, NSW Police Force, FSS, TMF and icare have been a major contributing factor to me being diagnosed with these illnesses.

On 7/6/10 my previous general practitioner wrote a final certificate regarding my physical injuries. This certificate placed restrictions on my work hours, duties and driving.

Over the years I have had numerous TMF case managers. These are examples of TMF's Case Manager's harassment of me over the years:

On 16/7/12 Ms Zoe Hewsons wrote an injury management stating that I should be looking for a job and document my search for her. On 7/6/10 my GP wrote in her final physical Workers Compensation Certificate I was able to work with various conditions. This plan ignores the fact that my psychiatrist states that I am unfit for work. My Psychiatrist was not included as a key stakeholder in this decision. She states, "*Ms Maund is to commence job seeking for suitable employment as per her current certificate....*"

This case manager and many others have demanded that I see my GP and reopen my physical Compensation Claim. I refused as I do not require further treatment for my physical injuries at this stage.

All these case managers have told me that TMF/icare do not recognise TPD or apparently doctor's certificates stating that I am unfit for any type of work. This puts me in a difficult position where one insurance company being Metlife/FSS and the Supreme Court has found I fit the criteria for TPD and TMF/icare worker's compensation insurers do not recognise that term.

In September 2014 I was rushed to hospital with a second life threatening condition and was in hospital for about 3 months and having treatment for 6 months. [REDACTED] TMF case manager did not stop the harassing during this time even with a current doctors certificate from my psychiatrist. She stopped my worker's compensation benefits without informing me of this action. I had told Ms Prasad I was unable to attend as I was seriously ill in hospital at the time. This did not stop the harassment from Ms Prasad demanding that I find a job.

On 17/9/14 [REDACTED] wrote an injury management plan requesting that I see a Vocational Counselling provider even though I had a current Doctors Certificate from my Psychiatrist stating that I was not fit for work. An appointment was made for 8/10/14 to see a Vocational Counsellor.

As these Case Managers make comments that I have not said, I wrote insisting that they communicate with me in writing in future. [REDACTED] then commenced to call me up to 10 times a day. Some calls were as late as 7.00pm and as early as 7am. Ms Prasad wrote a letter complaining that she could not reach me by telephone. She was informed that I would communicate in writing prior to her making these harassing telephone calls.

When I got out of hospital I wrote to [REDACTED] on 20/11/14 asking her why my Workers Compensation Benefits had been stopped. I was forced to make a claim at Centrelink for a disability benefit and/or Newstart as I had no money to pay bills [REDACTED] refused to put in writing that she had stopped my weekly Worker's Compensation Benefits, thus Centrelink were unable to process

my disability or Newstart benefits. Further [REDACTED] stated that she would no longer be paying for me to see my Psychiatrist. I showed Centrelink this letter and they said, "they can't do that".

On 28/11/14 [REDACTED] wrote to me stating, "We advise that your payments have not been formally suspended. You have been removed from the Regulars payment cycle as we require completed Fortnightly Activity Log and income statements".

In a letter dated 30/12/16 [REDACTED] wrote, "Your current incapacity is due to a psychological injury which is secondary to your physical injury and I note this is why you provide certificates from Dr Smith, your psychological injury is the cause of your current incapacitation". This comment is blatantly incorrect as detailed in the Worker's Compensation Consent Orders. Both injuries are detailed in separate points one injury is not dependant on the other. I was required to send my correspondence to [REDACTED] by registered mail as she claimed she did not receive my correspondence. This was an extra expense I could not afford. She stated, "Your payments were taken off the Regulars payment cycle as we did not receive your response to our request for information". This ignored the fact that she knew I was in hospital and had a current doctor's certificate from my Psychiatrist. This does not help me pay my bills or allow me to receive any money from Centrelink.

[REDACTED] insisted that I see a Vocational Counsellor at Parramatta on 12 January 2015. I was forced to obtain another doctor's certificate from my treating specialist over and above the current certificate from my psychiatrist in an attempt to ease the harassment from this woman.

I asked on numerous occasions to be assigned another Case Manager. Eventually, after TMF received a written complaint from me about [REDACTED] behaviour I was assigned another Case Manager.

On 30/12/14 [REDACTED] Case Manager asked that I complete a Planning My Recovery Form that I completed and sent back to her. [REDACTED] also claimed not to receive my correspondence. Again, I had to go to the extra expense to send correspondence by registered mail. When the payments eventually recommenced not the entire shortfall was reimbursed to me.

On 17/4/14 [REDACTED] Case Manager stated that my psychological claim was under a different claim number. This claim number was an old number for my physical injuries instigated by GIO when they were the NSW Polices worker's compensation insurer. When Allianz took over the contract and received my Worker's Compensation file they instigated a new claim number for both physical and psychological injuries. [REDACTED] mistakenly claimed that they amalgamated the physical and psychological claim numbers as the psychological injury arose from the physical injuries. This comment is blatantly incorrect. Further their claim numbers are of no concern to me. Both injuries are detailed in the consent orders separately. They are not codependant on each other and never have been. She also insisted that I actively seek paid employment contrary to my current medical certificate from my Psychiatrist.

Case Manager, Scott C refused to tell me his full name when he took over my case. It leaves me at a disadvantage as he has access to all my information. It makes me suspect they know that they are pushing psychologically injured people in an attempt to mentally break already injured people

without any consequences to the wellbeing, welfare or livelihood of the injured workers under their care.

On 16/12/16 Case Manager [REDACTED] received a letter from my treating Psychiatrist Dr Selwyn Smith, St John of God, Burwood. In paragraph 7 he states, *"You should also be advised that Deborah does have a psychological injury relating to the bullying and harassment she underwent during her service with the NSW Police Force. It is my understanding that this was subsumed under the physical injury and hence the claim number that is currently being utilised has historically encompassed both her psychological symptoms related to her physical injury as well as the bullying and harassment she originally experienced. It should be noted that Deborah was discharged from the NSW Police Force hurt on duty as a result of both physical and psychological injuries. She continues to experience indelibly imprinted memories related to her adverse experiences with the NSW Police Force...."*

Over about the past 2-3 years I suspect that my neighbour is filming me in my backyard and strange vehicles are parked outside my house and when I approach them they drive off. My susceptibility to bullying and harassment behaviour is well documented and has been continual by all insurance companies for 11 years. I believe that insurers should be required to inform injured workers that they are being investigated. I believe that natural justice dictates I should know the name of my attackers. This behaviour exacerbates the paranoia a psychologically injured person already feels.

[REDACTED] now sends letterhead from icare TMF. On numerous occasions I informed Mr C that I would only correspond with his organisation in writing. For a number of years the internet connection on my laptop computer has not worked and neither does the scanner. I do not have the money to replace them. I do have access to my email on my ipad and mobile telephone. Mr C has been informed of this fact.

On 23/2/17 Mr C sent me a letter asking me to number a specialist in order of preference. At no point did I ask Mr C to organise to have me reassessed.

On 1/3/17 I sent Mr C a letter stating that I would not be completing or numbering this form. I will attend any appointment he arranges at Icare's expense.

On 24/3/17 my Psychiatrist informed me that icare had stopped paying his invoices for my treatment. On 27/3/17 I wrote to Mr C in paragraph 5 I stated, *"You have a legal responsibility to pay for my doctors treatments as your organisation has already accepted responsibility and has been paying for both my physical and psychological injuries sustained in the workplace regardless of your claim numbers. See Workers Compensation Consent Orders which are on my file...."* Paragraph 6 states, *"You have no legal right to stop my medical treatment. You and your clients (NSW Police Force) are trapped by Estoppel. Your continued attacks upon me on this matter are concerning. You have been told this before."* On 3/4/17 Mr C wrote to inform me that he had paid my Psychiatrist.

On 26/7/18 Mr C wrote asking me to number his specialists form again. Mr C claimed that I would be seeing one of their Orthopaedic Surgeons mentioned on his form without mbehalf.

On 30/7/18 I wrote to Mr C stating I would not be completing or numbering his specialist form and I would attend icare's appointments at their expense. Mr C claimed that I would be seeing one of

their Orthopaedic Surgeons without any current scans and one of their Psychiatrists without the prior approval or knowledge of my treating Psychiatrist.

On 24th September 2018 Mr C wrote asking me to number his specialists form. Again, stating if I do not complete the form the appointments would be arranged on my behalf. In paragraph 3 of his letter he states, "*EML is not currently reinvestigating your physical and psychological workplace injuries.....*" At my last appointment with my Psychiatrist I informed my treating Doctor of the suspicious behaviour of my neighbours and the cars in my street. If they are not reinvestigating my workplace injuries there is no need for any reassessment.

Mr C does not seem to have a thorough knowledge of my Worker's Compensation file or read my correspondence. If he does he chooses to ignore what he reads.

These Case Managers seem to be defying reality and the evidence that is before them. Their correspondence contains creative and false versions of the facts.

I received letters from all the above mentioned Case Managers who have misrepresented the facts so that I am required to relive unpleasant experiences in order to correct the record with these insurers. The anxiety this causes me leads me to lose sleep, have nightmares, increase in my medication, effects my overall health and removes any hope of recovery. This is torture.

I have been ordered to take action which would have the effect of nullifying the Consent Order, my TPD benefit and the professional opinion of my treating doctor. This could/would have the effect of (a) forcing me to seek workers compensation under the more recent scheme which requires injured workers to pay for any medical examinations ordered by the insurer (b) force me to return the TPD payment I received under the Police Blue Ribbon Superannuation Scheme. This would cost me my home (c) deprive me of my sole source of income.

Throughout the last 11 years none of these attacks have been warranted due to any action by me.

The Royal Commission makes note of the surveillance carried out on people with a diagnosed psychological condition. The attacks I have endured seem to have only one purpose, to break my mental health and force me to make a 'mistake' which can be used as a legal reason to terminate the Consent Award and consequent Workers Compensation awarded payments.

This is not a fair fight.

I am alone in this situation. The prospect of another hearing in any Court is the stuff of my nightmares. Should your Honour in his final judgement recommend that this type of behaviour be ruled as illegal in law, may I respectfully suggest that the responsibility for enforcing this legislation, in the first instance, be entrusted to someone other than the Courts? Also, perhaps a fact sheet given to people in my position stating the rights and obligations of all parties not just the injured workers obligations as a mandatory part of the process might be useful.

I have documents to support this submission and can be supplied upon request. Do not hesitate to contact me on [REDACTED].

Regards, [REDACTED]