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**From:**  
**Sent:** Wednesday, 25 July 2012 11:47 AM  
**To:** Committee, EEWorkplaceBullying (REPS)  
**Subject:**

Dear

Below is the email submission sent on the 29 June 2012 that you requested.

Regards

----- Original Message -----

**Sent:** Friday, June 29, 2012 2:35 PM  
**Subject:** Submission Workplace Bullying

## **PRIVATE and CONFIDENTIAL**

### **Senate enquiry into Workplace Bullying**

This is a submission giving an example of Workplace bullying by a victim and her carer.

I am a voluntary carer and power of attorney for my friend who has sustained a catastrophic workplace injury as a result of incidents of Workplace Bullying. suffered psychological injury in 1996 from workplace Bullying and aggravation of that injury by further workplace bullying in 2001. Again In 2011 she suffered workplace bullying that has finally left her unable to return to any workplace. has had three hospital admissions arising out of workplace bullying, the last for 5 months.

#### **Background**

is a old ex refugee from . is a divorced person with a permanent disability resulting from Workplace bullying, she has no family in Australia, and has no other person to look after her.

She has been on and off the Disability support pension since 1997, and is currently on the DSP. [redacted] sustained a severe psychological injury (PTSD and Major Depression) arising from workplace bullying (including sexual harassment) in her employment with an international airline in Sydney during 1989 - 1996.

It is alleged that senior management during that period of [redacted] employment harassed a number of other females at the airline.

**The General Manager No 1** is alleged to have;

- in the privacy of his office after hours he requested sex from [redacted] in exchange for a pay increase and forcefully attempted to place her hand on his genitals, causing [redacted] extreme upset and to rush out of the his office in tears.
- before this event, he provided [redacted] with a glowing reference for entry to university to complete a Bachelor of Business majoring in accountancy.
- after this event he provided a disciplinary letter with false allegations against [redacted] about her performance.
- after a training course overseas he corned [redacted] aggressively in a lift coming extremely close to [redacted] body and demanded he must have dinner with her, he became very angry at [redacted] refusal.
- generally harassed [redacted] in the workplace and often called her “a little [redacted]”.

**The Administration/ Personnel Manager** is alleged to have;

- at the commencement of [redacted] employment, he insisted on kissing on the lips in the workplace many times usually at accounts month end. [redacted] was very uncomfortable and did not want to offend, also her cultural background allowed this to happen as she naively thought that was the way things were done in Australia and did not want to offend.
- He followed her around the workplace obsessively.
- He turned up to [redacted] home late at night unwelcome and uninvited on several occasions.
- He wanted to know every detail about [redacted] personal life constantly questioning her in work hours.
- He regularly called [redacted] into his office to talk about non-work related issues thereby causing her work to build up and causing her to work back late at night without overtime in his presence.
- He pressured [redacted] to finalise her divorce even though she had been separated for over 4 years and further pressured [redacted] to comply with Catholic religion principles associated with her divorce.
- He made several sexual advances toward [redacted] in 1990. [redacted] was not interested, was unable to tolerate any further advances, and threatened referring the matter to the General Manager if he did not cease this conduct.
- His attitude changed towards [redacted] after this refusal. He treated [redacted] with contempt and differently to other staff.
- He maliciously over monitored [redacted] much more than any other staff, he would set an alarm clock and if a minute late for any reason would abuse her.
- He refused [redacted] a reference to gain entry to university to advance her career. The matter was referred to the General Manager who gave [redacted] a good reference.
- He did not have accountancy qualifications and may have felt his future position was threatened with the possibility of [redacted] advancement within the company, given his harassment of her.
- He refused all reasonable requests from [redacted] to rearrange her work hours or take time off work with or without pay to accommodate her university attendance hours, even though the attendance related to an accounting degree for her work.

- He demanded full medical details of any condition in relation to [redacted] sick leave and also demanded to look into [redacted] mouth when she had a tooth removed.
- He is suspected of placing or spilling Mercury in or near [redacted] coffee at work to either intimidate or poison her in an apparent attempt to stop her from completing her university studies of which she was doing very well in her first semester. [redacted] did absorb that mercury when she rubbed in between her fingers to see what it was. At that time, [redacted] did not know what mercury looked like. [redacted] became ill some time after with symptoms now recognized as mercury poisoning. [redacted] was forced to abandon her university studies. [redacted] attended several doctors in an attempt to find the cause of her sudden health decline, which was being treated as a chronic fatigue syndrome like condition. Brain scans and other tests were completed. [redacted] was never tested for Mercury and only became aware that the substance found near her coffee was in fact mercury many years later when she accidentally broke a thermometer. It is alleged he discontinued with poisoning of [redacted] after she displayed the symptoms of mercury poisoning and he achieved his objective with [redacted] unable to continue with her university studies. This would also explain his interest in constantly requiring details of all sick leave and medical details. [redacted] had previously completed tertiary studies successfully.
- He is also alleged to have poisoned another female employee whom he had a severe dislike to and that he was also harassing. She had a stillborn baby, mercury poisoning is a known cause of still born births. After she resigned from the airline she went on to have three normal births. Advice has been taken from a former Detective Inspector of police who advised that there is little chance of an investigation given the circumstances and time period involved.
- He altered the company sick leave records in order to attempt to discredit [redacted] to reflect excessive taking of sick leave.
- He spoke to [redacted] in an arrogant aggressive intimately manner on many occasions.
- He demanded a weeks notice for any sick leave [redacted] required.
- He delighted in persecution of [redacted] through instilling fear and issuing insults reducing [redacted] to tears on many occasions.
- He was successful in influencing two General Managers with unfounded malicious rumors to undermine credibility.
- He constantly criticized and interfering with [redacted] work undervaluing [redacted] efforts and restricted her career and pay increases.
- He attempted to block [redacted] annual leave due to high unreasonable workload forcing [redacted] to be unable to take annual leave to visit her sick mother overseas unless she worked unpaid late at night and on weekends to get her workload up to date.
- He regularly threatened [redacted] with dismissal for no reason knowing [redacted] had a mortgage and valued her position.
- He refused to pay [redacted] overtime when she was forced to work back to complete her overloaded work schedule.
- He displayed an insensitive attitude to [redacted] natural distress about [redacted] Divorce and associated legal matters.
- He would call [redacted] at home several times through the day whilst she was sick off work with bronchitis.
- He accused [redacted] of faking sick leave even though she had two independent medical certificates.
- He attempted to make [redacted] work every night until 9.00pm without pay due to the implementation of a new online electronic accounting system and abused her when she refused.
- He intimidated [redacted] informing her that he had harmed his own son because his son had challenged him.
- He stated on many occasions to [redacted] that his motto is “divide and rule”

• He continued with this bullying, harassment and discrimination until [redacted] became unwell and lodged a formal complaint with the assistance of her Union.

**The General Manager No 2** is alleged to have;

- been committed to promoting his career by his desire to achieve best office in company which he achieved by overworking and bullying employees.
- he often abused [redacted] and referred to [redacted] work as “donkey work” and telling her to “get back in your cage” many times.
- he refused [redacted] legitimate overtime claim stating that the claim is too late as it was not claimed within a month, but allowed the Administration/ Personnel Manager to have his overtime claim after being late for 3 months.
- he downgraded [redacted] job evaluation report completed by human resources at head office that would have provided a salary increase.
- whilst under a psychiatrist care, known to him after returning from one month off work he stated to [redacted] that he intended to “push her until breaking point”
- he directed [redacted] to lodge a formal complaint when she had enough and complained informally to him of harassment from the previous General Manager and the then current Admin/Personnel Manager then bullied with the threat of a law suit or resignation for lodging a legitimate complaint and daring to complain.

Because of the toxic conduct causing [redacted] mental health to severely decline she sought medical assistance in 1996. [redacted] union assisted her in lodging the formal complaint against senior management of the Airline. In response to [redacted] complaint management responded with further bullying advising [redacted] she had three alternatives in the circumstances;

1. Make a public apology in respect of the complaints.
2. Resign her position.
3. If neither of alternatives were accepted the airline would commence proceeds for defamation seeking \$50,000 damages.

[redacted] was very traumatized by this response and sought legal assistance and a small settlement was arranged on condition that she resigns her position. Due to her severe mental state, [redacted] had no other option but to sign a deed of release to settle the sexual harassment/discrimination matter.

[redacted] was diagnosed with work related Major Depression and a workers compensation claim was lodged before resigning her position in 1996. [redacted] withdrew the Workers compensation claim in February 1997 due to medical advice from her Psychiatrist who advised that it would be detrimental to her health to pursue her Workers Compensation Rights.

[redacted] commenced on the Disability Support Pension in 1997. [redacted] was unable to re enter the workforce due to her ongoing Major Depression and associated triggering events until 1999 when [redacted] came under the care of a new Psychiatrist who treated her from 1999 to 2003. Under that Doctors care, [redacted] was able to slowly attempt a return to the workplace.

In 1999 [redacted] had several part time positions at first mainly commission only jobs lasting a few weeks. Those jobs provided no financial return only an aggravation of her condition.

In early 2000, [redacted] gained employment as a sales consultant at a Furniture company that lasted only a few months due to an aggravation of the earlier injury.

In April 2000, [redacted] obtained a position with a Sydney car dealership. [redacted] found this position very stressful and challenging, as she was still quite mentally fragile from her employment at the airline.

[redacted] found the previous employee had the company books and accounts in a mess and substantial work was needed to put them in good order. [redacted] was unaware of most of the companies procedures and received no proper training, this caused [redacted] to regularly work back unpaid in her own time to try to get on top of things.

When [redacted] finally got on top of the accounts, she found many problems that she considered not good bookkeeping practice. [redacted] sought changes and brought her concerns to the attention of the owner [redacted] who was generally supportive of the changes she deemed necessary in order to implement proper accountability.

Around this time, two employees [redacted] resigned their positions. [redacted] thought this odd and suspected there may have been concerns that these employees may have been taking advantage of the previous poor bookkeeping practices.

The owner refused [redacted] request for a \$500 software upgrade when GST was introduced that would have made bookkeeping more efficient and accountable.

Around January 2001, [redacted] had been reemployed as General Manager displacing the previous sales manager [redacted] who had been promoted to General Manager on [redacted] resignation. This caused considerable angst in the workplace. This was upsetting to [redacted]. [redacted] experienced friction in the Workplace that now included a work environment of very foul language and abuse from both [redacted] and [redacted]. [redacted] found this behavior offensive and had reported the matter to several times who counselled both [redacted] and [redacted].

A few months after this things settled down and [redacted] had suggested all the staff at [redacted] goes out to dinner to experience [redacted] cuisine.

Surprisingly, there was only one taker that turned up and that was [redacted]. At that dinner [redacted] had asked "what do you do for sex", [redacted] did not respond and changed the subject as she realized where this subject might lead. [redacted] was disappointed with [redacted] talking about sex, as she knew [redacted] was married and the question was inappropriate and upset her, recalling the airline experience.

A few weeks after this [redacted] noticed [redacted] had started to act differently in some way toward her and had become very short with her on a number of occasions, when previously he had been very nice to her.

[redacted] mental condition started to become aggravated again, with the workplace becoming quite difficult, she started to have more problems with her work. Her mental health started to slowly decline.

There many incidents of inappropriate transactions taking place in the workplace. On one occasion, [redacted] and [redacted] instructed [redacted] to go to the bank and place money in the company account in increments of less than \$10,000 as they had approximately \$30000 in cash hidden in a tube like structure in [redacted] office. [redacted] became very aggressive towards [redacted] when she questioned why she would have to do this. [redacted] thought this may be tax avoidance or money laundering but complied, as she was bullied and fearful. [redacted] said the money was from a customer that purchased a car from them and that she must do what she is told or face dismissal.

Another inappropriate practice was that [redacted] was told by both [redacted] and [redacted] to go to the registry and register vehicles below their true market value, apparently to reduce stamp duty and for her to sign for those transactions. [redacted] was abused and bullied to comply when she questioned this practice.

[redacted] was very fearful of [redacted], as she had overheard him state to another person "that he has connections and that anyone that gives him trouble might disappear". [redacted] regularly used foul language, abused [redacted], and was allegedly counselled by [redacted] on many occasions, but he continued.

Petty cash that [redacted] had to account for was going missing. [redacted] took \$120 on one occasion and did not leave a receipt [redacted] abused [redacted] went she questioned him about it.

[redacted] made up the amounts herself from her own money, as she was frightened of reporting it. [redacted] failed to address [redacted] concerns regarding petty cash going missing, and told her in no uncertain terms to mind her own business.

Other staff would collect money from [redacted] to purchase lunches and never gave her the change back. When [redacted] complained they would laugh at her and refuse to return the change and told to forget about it. This distressed [redacted].

[redacted] told [redacted] that [redacted] the previous employee [redacted] had replaced wanted her job back and that she was very good.

[redacted] demanded [redacted] sign a new employment contract that was incomplete, diminished her conditions some 14 months after commencement, and aggressively refused to give her a copy of that contract.

made unfounded complaints about making phone calls, taking too much time to do the banking and attend the registry, when it was never a problem before. This greatly upset aggressively pressured to sign blank cheques for him and to sign over new blank cheques when the other cheques were allegedly lost and when she refused, abused her and demanded she comply. signed the cheques, as also demanded she comply and do what she is told.

noticed other inappropriate things going on in the workplace including the payment of the Sales Manager personal rent out of the business accounts, thereby reducing his taxable income. When questioned that this was inappropriate told to keep quiet and just do it or her employment will end.

enquired to that staff super contributions were not being properly met. told it had nothing to do with her and mind her own business as the external company accountant would be looking after it. and bullied and told her if things did not improve with her work, they would replace her. said that he would "like to get rid of her and get a much younger beautiful girl" This greatly upset noticed that things were getting nasty around her workplace. called a meeting stating to all the staff that the company was not going well and unless things picked up, he would close the business and wanted staff to take annual leave.

car was parked outside the company premises when a staff member informed her that she had a tyre with low air and that had asked him to collect her keys and bring the vehicle into the company workshop to inflate the tyre. had not noticed any problem with the tyres but agreed. This happened just before was to attend the bank to do the company banking and she always took her car as gave her a fuel allowance. On this occasion, arranged a company vehicle for kept many of her own personal bank records in a blue bag on the back seat. This bag could be seen from outside the vehicle. One of the old bank account statements had an indicated account balance of \$160,229.68. This money was the proceeds from the sale of property and held in the bank until settlement of her new property earlier in the year.

A few weeks after this event around early September 2001, called a meeting and in front of all staff stated that there is \$160,000 missing from the company accounts and there would be an investigation. This greatly upset as she remembered the blank cheques she was forced to sign. At this time, it did not occur to that somebody may have looked at her bank statements when her car was in the workshop.

then called into his office and demanded that she find the alleged missing money wherever it is. told that he wants her to work back late into the night every night and on every weekend without pay until the money is found. This greatly upset who said to that the Accountant that does the company books should investigate any missing funds.

was aware that the external accountant's account had not been paid for over 12 months as had told her that he was incompetent and a drunk and to not pay the account.

became very worried where the money had gone and worked back late for many nights unpaid sometimes until not arriving home until midnight trying to find where the money had gone. was totally consumed with finding the money. She feared she may have been set up or that she had made a mistake or the accountant had made a mistake. started to slip into depression as this matter started to consume her life.

and made several racism remarks directed at and within her hearing distance concerning the missing money stating that "works for the and that she could be wiring the missing money back home" complained about this to and that this matter of the missing money was very protracted and the comments made by staff was upsetting her and things need to be sorted out quickly as her health was seriously declining. told her to mind her own business and that he will find the missing money.

repeatedly called "Conrad" even though had complained to him and and wanted these derogatory comments to stop. made many other derogatory type remarks that were very offensive to

and the external accountant stood over in her workplace and aggressively demanded she find the missing money now. became very traumatized with this action.

became aware that there was an account from a private investigator to be paid. Before making payment on that account asked what is this account in relation to. was abused and very aggressively told to "shut up and just pay it, its none of your dam business" was very upset with this.

was becoming very ill and confused in an environment of intimidation where was very fearful of what was taking place. informed that she has not been well and was becoming ill and that this whole was very upsetting and needs to be fixed. said that was handling this matter. then went on to state in hearing distance of "that if anyone puts in a Workers Compensation claim they will disappear".

Some months earlier an employee named [redacted] had told [redacted] that he had nearly had a punch up with [redacted] when he wanted to put in a Workers Compensation claim for a shoulder injury he had sustained while detailing cars. [redacted] had apparently threatened him with dismissal.

[redacted] continually asked [redacted] if she had taken the alleged missing money. [redacted] said she did not and become very upset. [redacted] health started to quickly deteriorate in October 2001 due to work overload and stress from the false allegations.

[redacted] had been seeing her Psychiatrist regularly who told her that if she had nothing to do with the missing money she had nothing to worry about. That Psychiatrist dismissed [redacted] concerns in relation to her being setup and told her to just work through these problems.

The pressure of the situation cumulated for [redacted] in late 2001 when she returned home from work in a very distressed state. She went to work and on each day returned home in a worst state than that the day before. [redacted] was too traumatized to even recall what had taken place at work those days. [redacted] continue to attend work in a very depressed state.

[redacted] condition worsened until she was incapable of any work. [redacted] attended a Local GP who could see [redacted] was very distressed and suffering from a stress/anxiety condition. That GP prescribed medication as [redacted] was unable to sleep and put her off work and wanted to review her in a few days.

The employer [redacted] was notified in November 2001 that [redacted] was ill and would not be able to attend work. [redacted] had been regularly phoning her friend [redacted] for the previous 6 weeks concerning her workplace problems with the missing money allegations. [redacted] is a Barrister who became concerned for [redacted] as a result of protracted investigations into allegations of missing money that implied [redacted] involvement and that this was affecting her health. [redacted] told [redacted] that things had gone on too long now and he wanted a conference with [redacted] and [redacted] in his chambers.

A conference was arranged with [redacted] and [redacted] at [redacted] chambers in the city (Sydney). At this conference, [redacted] put it on [redacted] "are you accusing [redacted] of taking money" among other things. [redacted] responded that he is not accusing anyone but will investigate until the money is found. After [redacted] left the conference, [redacted] informed [redacted] she did not take the money and that she felt that another employee might be setting her up as the General Manager had ordered and abused her to sign several blank company cheques for him. [redacted] found this conference very distressing and later that day slipped into a new level of depression with some Psychotic features, where she started to lose touch with reality.

During the next few days [redacted] constantly phoned [redacted] always asking her what had happened to the money and where other monies are had been placed and where she was living. A layperson could easily tell that [redacted] was seriously mentally unwell, yet [redacted] keep phoning her and pressuring her about work and where the missing money is and [redacted] kept saying to him that she did not take any money. This conduct pushed [redacted] to an extremely serious psychotic depression. The writer including the moment straight after a call from [redacted] when [redacted] collapsed to the floor and become catatonic and lost complete contact with reality witnessed some of these phones calls.

From that point on [redacted] was under 24 hour care as she was incapable of looking after herself and there were real concerns for her safety.

Her GP was shocked at [redacted] condition and his opinion was that [redacted] had suffered Major depression as a result of derogatory comments and intimidation. That GP said he had seen similar traumatized victims during his work at a hospital during the Balkans war and advised not to go back to that workplace. [redacted] a resigned. As a result of the bullying, [redacted] a became so psychotic she believed that many people she knew all conspiring together against her and that she was being followed around and investigated by someone.

The writer attempted to get [redacted] to sign a workcover compensation claim form that was filled out for her but she refused to sign the claim form as she was extremely psychotic, believing that [redacted] "would get rid of her if she put in a Workers compensation claim" [redacted] was extremely terrified. [redacted] said that she had destroyed all the documents obtained for her relating to workers compensation.

[redacted] condition was so severe it would have been detrimental to her health to pursue workers compensation at that time.

being psychotic and terrified of lodging a workers compensation claim and with a mortgage to pay was now forced to seek new employment even though her health was badly damaged. found part time employment for a few weeks as a telemarketer in August 2002 for 20 hours per week but was too ill to continue with her condition being aggravated, then as a sales consultant in September 2002 until November 2002 for 14 hours per week, also was unable to sustain this employment due to aggravation of her injury. found another part time position as a consultant in November 2002 until Feb 2003 when again she was unable to continue due to further aggravation. She attempted yet another position as a consultant but after a few months, her mental health became very aggravated again and could not continue.

For many years after employment regularly phoned to ask where she was living. was forced to sell her unit and move interstate in order that she could receive continuing care from the writer, as there was no one else to look after her. In addition, she wanted to get away from the people she alleged were investigating her. No investigation ever took place and has never been questioned by anyone other than

continued in a fragile mental state trying to get life back on track until around February 2004 when phoned her again. informed that \$120,000 had allegedly been found, it was with the tax office as unaccounted GST money for car sales, and that the accountant had made a mistake. apologized to and told he was sure she had taken the money.

wanted to meet up with wanting to know where she lived. This call greatly upset as one of the workplace stresses she had endured was the refusal by to purchase new GST accounting software and associated support that deemed necessary for her work with GST and she had requested this many times.

then became extremely psychotic again not believing when he stated the money had been recovered and believed she was still being investigated because he wanted her address to meet up with her, the contents of this call triggered another extremely severe psychotic attack. Shortly after attempted suicide and was admitted to hospital for 6 weeks.

was released from Hospital and just started to improve when phoned again in August 2004 wanting to meet up with her again. became very distressed and told to never call again. During the next week, mental state severely declined again and she attempted suicide again and was hospitalized again for around 8 weeks.

remained seriously unwell after release from hospital, was under case management and attempted to get back to work trying many different voluntary positions over the next few years to try to get back into employment. Arising out of one of those voluntary positions suffered a further severe psychotic episode when she met a man who stated to her that he worked as a Private Investigator. believed that she was being investigated, she become very traumatized and psychotic and in March 2007, further attempted suicide and was hospitalized for 5 months and put under an involuntary treatment order.

Since leaving hospital in 2007 was under case management from the mental health unit and has been able to slightly improve her health by a change in medication, natural therapies and counselling. This has enabled her to seek a return to a workplace that could be monitored in regard to the seriousness of her ongoing disability.

In late 2007, attempted work again on a Disability Employment pathway plan paid for by Centerlink. found casual employment as a finance administration assistant at a small mortgage broking company located on the Gold Coast. was happy about this and hoped to get her life back on track.

She worked there for part time casual (15 hours per week) for 4 years with the assistance of a Disability employment consultant. was mentally very fragile, being just able to tolerate this part time employment for the first 3 years due to the assistance from her disability employment consultant and the support from the owner of the business.

When a new manager was appointed (who later became the owner) started to be constantly harassed in the workplace. reported her concerns to the employer, the perpetrator and her disability support consultant. No

action was taken. This bullying continued for over 12 months cumulating with the software trainer (not an employee) severely abusing at a work related software-training course in late 2011. This resulted in further aggravation of injury and seeking medical assistance. treating doctor put he off work for 3 months.

A workers compensation claim was lodged on behalf alleging workplace harassment, bullying and discrimination as contributing factors to have brought about the aggravation of her previously diagnosed psychological injury (PTSD and Major Depression).

It was alleged that the employer:

- had no Workplace Harassment or grievance policies or training in place or any other policies for that matter when knowing of disabilities.
- Failed to comply, establish or maintain Workplace Health and Safety requirements when knowing of disabilities.



- Failed to cease the continual harassment from the software trainer [redacted] had complained of, when knowing of her disabilities.
- Failed to ensure when knowing of her disabilities that [redacted] was not exposed to abuse.
- Failed to pay [redacted] award wages and correct superannuation entitlements for an extended period and then refusing to pay back-pay.(\$6392 still outstanding) and implying a threat of dismissal or closure of the business when knowing of her disabilities
- regularly implied a threat that her employment would cease as her employment was casual when knowing of her disabilities.
- Failed to provide reasonable workload by reducing [redacted] work hours yet demanding many additional duties when knowing of her disabilities.
- Failed to cease regular abuse of [redacted] from the employer when knowing of [redacted] disabilities.
- Failed to provide proper training for difficult trial software over an extended period when knowing of disabilities and the serious problems with that software and her harassment from the trainer of that software.

Queensland Workcover accepted the claim and [redacted] was paid benefits for 6 months. The employer disputed the claim alleging no knowledge of the harassment or [redacted] disabilities and made many false and misleading statements. The claim was set aside on appeal. However, the review officer's decision included:

- [redacted] sustained an aggravation to a personal injury of a psychological nature
- [redacted] personal injury arose out of or in the course of her employment
- [redacted] employment was a significant contributing factor to the injury
- [redacted] injury arose out of reasonable management action taken in a reasonable way by the employer in connection with her employment.

Unfortunately, as there was insufficient evidence of unreasonable management the allegations made by [redacted] were unable to be substantiated due to the false and misleading information supplied by the employer to protect their position, effectively it was [redacted] word against the 2 perpetrators. It is a very unfair system that places the onus of proof on a person with disabilities with the employer able to simply state "no comment" to defend themselves. A person with [redacted] condition is unable to defend themselves against bullies.

Legal people were not prepared to take on the matter due to the significant hurdles in the legislation, that favour the bullies. Even legal Aid could not assist, as they do not do employment matters. Accordingly, [redacted] is unable to pursue her legal rights to compensation, as she was unable to afford representation.

All of [redacted] medical evidence including an Independent Medical examination states that she cannot go back to any workplace in any capacity for the foreseeable future, as the risks are too high for a dangerous relapse given her history. Accordingly, despite [redacted] best efforts she is now unable to continue any work into the future.

### **Workplace bullying impact on victim and others**

[redacted] has been unable to overcome her work injury for the last 16 years due to her mental condition arising out of the toxic workplaces of her employment and her future does not look good.

The workplace bullying over a long period of time that brought about [redacted] injury has destroyed her life and placed considerable pressure on my own circumstances as her voluntary carer. If I were not able to look after for any reason, I have no doubt that she would perish, such is the nature of her condition.

[redacted] has been unable to properly look after herself, to trust people or form relationships, she has been denied the opportunity to have a family and children, she has been denied a career. She has been denied financial independence. Effectively, [redacted] has been denied a future. [redacted] lives in a workplace bullying hell with memories and flashbacks constantly dominating her life and providing her with ongoing trauma. A psychotic injury such as [redacted] is one of the worst mental injuries one can have and places extreme demands on all associated.

### **Changes needed**

There needs to be significant changes put in place much to provide better assistance to victims both medically and legally.

Medical professionals should be compensated for the additional time needed in attending to the special needs of workplace bullying victims. This would encourage those medical professionals to take on workplace bullying victims rather than refusing to do workers compensation claims because they are too resource intensive. The same applies to the legal profession who should receive additional compensation for the resource intensive time it takes to attend to these matters more than normal compensation claims.

The laws need to be substantially strengthened to protect victims from bullying. A fully independent body or tribunal that provides specific legal assistance with regard to a victim's mental anguish in appearing before the courts should be made available to victims at no cost in order that the offenders or their insurers pay for their actions and not the taxpayers who fund centrelink recipients who are mentally unable to pursue their rights.

When training in the workplace about bullying is carried out it can reduce the amount of overt bullying that is apparent but it can also just inform and educate the bullies of what they can't do but it can increase the amount of covert and more insidious bullying. It would be beneficial if training included how to recognize the traits that are apparent in people who tend to be bullies such as sociopaths and psychopaths. This would help people recognize them in the workplace and help others deal with them.

A Bully registry or database of proven offenders or offenders that have several unproven complaints made against them should be available to all employers prior to employment in order that they are aware of any previous suspect bullies entering their employment. This would be to ensure that those employees could be monitored and not going from workplace to workplace undetected applying their bullying tactics in order to promote their career and reign havoc on their victims before moving on to the next workplace.

There is not enough being done now to protect victims from bullying. It is noted that billions are being allocated to protect the rights of illegal refugees and at the same time there appears very limited resources available to ordinary Australians with mental injuries resulting from bullying who are also at risk of with severe injuries and even face death from suicide and also cost the taxpayer billions of dollars a year. The government setting up a body specially to gain assistance in obtaining compensation from insurers to enable victims to get the treatment to enable them to return to the workplace and not draining the taxpayer through Centrelink payments could save money. Insurers should be paying compensation and not government via disability support benefits some victims will need for the remainder of their life.

#### SUMMARY

I have written this submission in the hope that my experience and nightmare may assist with changes that will reduce the likelihood of other people and their families going through the same trauma as .

I thank you for taking the time to read this outline of situation and do hope that any outcomes from the senate enquiry provides the much needed assistance to victims of Workplace bullying.

I hope this information is helpful but I would like to advise that due to my own health concerns I do not wish to appear before the senate committee if I was required.

I will assist if any more information is required.

Yours Sincerely