

## **Inquiry into Aspects of Workers Compensation.**

Further to my written submissions dated 2nd August 2002:

My working background as an Investigator gave me an **insight** into the workings of the Injury Claims Dispute System. There were activities that may be of interest to this inquiry because when coupled with my experience **since** ceasing work as an Investigator and becoming a victim of an injury, followed by my becoming a victim of the Injury Claims Dispute System, my experience on both sides of the fence has given me an **even greater insight** into the workings of the Injury Claims Dispute System. This experience has further developed from my own injury claim in the system, involving the insurance company, the medical profession, investigations and the Court / legal system, together with my subsequent associations and connections with others in the Injury Claims Dispute System and learning of their adverse treatment. I have consequently become involved in attempts to help other victims and jointly expose what I personally perceive as **gross anomalies** within the system. I have compiled my own case history together with that of others in document form and am continuing to do so. It is a tedious task, given my disability and the complexity of the Injury Claims Dispute System.

I am happy to refer you to my documentation as an evidential tool should this be required.

There are some startling comparisons that **arouse curiosity and suspicion**, involving individuals and parties across the board within the Injury Claims Dispute System. At a best case scenario, the system is **grossly incompetent** and fails miserably to address the real issues of an injured person. At a worst-case scenario, it is **corrupt**. There are indications of attempts and indeed success by medical practitioners for the Injury Claims Dispute System to avoid, ignore and / or cover over certain important / pertinent information relevant to the individual claimant who is being assessed. This is clearly apparent / evident via a **careful and extensive** examination of medical reports, tape recordings of interviews / examinations, court transcripts and other relevant material. A **pattern** of gross incompetence in some areas is evident, as is one of obvious bias on the part of some medical practitioners. But intriguingly, there are indications that some are not only failing to **search** for the truth in their assessment of claimants, but they are **not interested** in the truth. Their medical reports are **grossly misleading / deceptive**. Yet when this is brought to their attention and to that of the insurer and others involved in the Injury Claims Dispute System, one could be forgiven for concluding that there is an **attitude** of some medical practitioners working **in harmony** with the Insurer's as opposed to being independent. This is apparent by those that even claim to be entirely independent and in fact incorporate the claim into their business name. Whilst it is appreciated that medical examinations are an integral part of the insurance industry to combat fraud, I believe that little is achieved by such industry engaging in fraudulent and / or deceptive methods **itself**, whilst claiming to be the victim.

Indeed great cost is added to the system at large, not only from a monetary point of view, but more importantly from a social aspect. I believe that there is in fact greater burden placed upon the individual injured person and their families than perhaps what was initially caused by the injury itself. Therefore, for the system to be cleaned up, if that is the intention of this inquiry, it is **essential** for these medical practitioners, or as the Australian newspaper succinctly put it: 'hired guns' or 'prostitutes', to be weeded out.

I take the opportunity to insert some of the media articles on this issue:

*Judges weigh psychiatric bias (Australian – 17/1/00)*

*“JUDGES identify **bias** as the single most **serious** problem when dealing with expert evidence – and **psychiatrists** as the **worst offenders**. **GOVERNMENT** agencies continue to **deploy notorious** psychiatrists **against** citizens. Some (psychiatrists) regard certain of their peers as **‘hired guns’** who take cash for comment when giving evidence. The **real issue** is the shadow it casts on the psychiatrists who infest our legal system. Judges are deeply troubled by the **relationship** between psychiatrists and the parties who **engage** them. Judges are clearly troubled by the protracted and sophisticated relationships between the insurers, their solicitors and the psychiatrists in question.”*

*“he had admitted to an **astonishing** string of **errors, gross errors and lies**. He had been **selective** in preparing his report, he conceded, **deleting specific passages and deliberately overlooking various other ‘stressors’** that might have worsened... depression. Moreover, he had **gone out of his way to conceal** evidence... reports were **‘almost inevitably slanted in favour of the (insurance company) ..... ‘gross generalisations’** and, ... his **tendency to accept the employer’s version of events, directly questioned his objectivity**. ... here are medical witnesses who are little more than prostitutes, known for their ability to express the **extreme** views for which they are notorious.”*

*Bias casts doubt over experts’ role (Australian – 17/1/00)*

*“the (psychiatric) profession suffers from a reputation for being **subjective**, and **not reliant on hard facts**.”*

*Sacked or psyched out? Tests under fire. (Australian – 18/1/00)*

*“Mr Sheridan was the subject of a psychiatric report despite **not being seen** by the doctor who wrote the document. Basing assessments on employer-written reports was considered inappropriate. The use of verbal information provided by employers without confirmation in writing was considered unsafe.”*

Advertiser 1/10/93

*“Insurers tactics slammed.” “Insurance companies were accused of **ripping off** millions of dollars from Australians by **rejecting genuine claims**.”*

Advertiser 21/5/96

*“Workers **‘misled’** on compo.” “Insurance companies were **deliberately misleading injured workers**.” “The Oppositions Industrial affairs spokesman, Mr Ralph Clarke, urged the Government to investigate the **handling** of claims by the insurers. It’s just **another example** of the insurance companies trying it on.”*

Advertiser 2/12/96

*“Insurers accused of WorkCover scam.” “Two WorkCover insurance companies have been accused of **doctoring client files**.” Mr Ralph Clarke stated: ‘What guarantees do we, as a community have that we will not be ripped off by **unscrupulous** private sector operators who are in the **game** only for profit rather than community good?’ Details of altered **documents included dates and addition of information** “in such a way as to **represent the added material as original**.”*

My own experience and that of others **reinforces** this evidence.

But there appears to be even darker forces at work within the system!

There are indications of attempts and indeed success by investigators and members of the legal profession, right through to the court system, to avoid, ignore and / or cover over certain important / pertinent information relevant to the individual claimant who is being assessed / disputed in his claim. This is clearly apparent / evident via a **careful and extensive** examination of all relevant material, including court transcripts. A **pattern** of gross incompetence in some areas is evident, as is one of obvious misrepresentation / deception on the part of some lawyers and judges. But intriguingly, there are indications that some are not only failing to **search** for the truth in their assessment / representation / judgment of claimants, but they are **not interested** in the truth. This is **entirely contrary** to guidelines for investigations and surveillance.

But even more than this, it is **in itself** fraud (dishonesty) – the use of deceit to obtain an advantage or avoid an obligation.

There are **clear indications** of total lack of integrity, honesty and a high standard of ethics, if any standard at all.

Therefore, for the system to be cleaned up, if that is the intention of this inquiry, it is essential for these elements to be **exposed** to scrutiny.

There is more than a reasonable suspicion of dishonesty within its realms!

Peter Reynolds

21/11/02

A handwritten signature in black ink, appearing to read 'Peter Reynolds', written in a cursive style.