



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SERVICES
Ms Elizabeth Lee MLA (Chair), Ms Bec Cody MLA (Deputy Chair)
Mr Michael Petterson MLA

Submission Cover Sheet

Inquiry into Motor Accident Injuries Bill 2018—Exposure Draft and Guide to the
Motor Accident Injuries Bill 2018 Exposure Draft

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LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Ms Elizabeth Lee MLA (Chair), Ms Bec Cody MLA (Deputy Chair), Mr Michael Pettersson
MLA

Exposure Draft - Motor Accident Injuries Bill 2018 October 2018

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Snedden, Andrew

From: Mehdi Adibi Sede [REDACTED]
Sent: Sunday, 7 October 2018 8:35 PM
To: LA Committee - JCS
Subject: opposition to the proposed changes to CTP

To the Justice and Community Safety Committee,

I write to express my dissatisfaction and opposition to the proposed changes to the existing Compulsory Third Party motor vehicle insurance scheme.

I was injured in an accident in the ACT in 2013 whilst cycling through the fault of another driver. My injuries, including psychological and physical, have been devastating on my day to day life. I live with the pain and the psychological effects of this accident every day.

I am now facing chronic pain. Whilst I am able to work, I am unable to work at the level and diligence I carried out prior to the accident. This has reduced my productivity and potentially affected my career trajectory long-term. My life is now on a different course than it was on prior to the accident.

The actions of the insurer have not assisted. They have stalled, and failed to engage in the existing process, by declining any form of payment to my rehabilitation and treatment.

In light of my experience, I ask:

Why would we place greater power in insurance companies, who have shown time and again that they will not independently and fairly determine if and when compensation to injured people is paid?

Why would we create a scheme that places arbitrary mathematical measures on a person's pain and suffering, when it fails to account for the myriad of ways in which a life can be devastated by an accident?

This committee's stated ambit is Justice and Community Safety. Consideration of what is 'just' and 'safe' would dictate, at a minimum, considering all of the information available before gutting the entitlements of innocent road users. I understand the existing scheme is due to be reviewed in March 2019.

Why would we not wait and consider the outcome of the review?

I thank you for your time and consideration in reviewing my response.

Kind Regards,

Mehdi Adibi PhD, MSc, BSc
NHMRC Early Career Research Fellow
1015 Mathews Building
School of Psychology
University of New South Wales
UNSW Sydney NSW 2052 Australia

International School for Advanced Studies - SISSA
Via Bonomea, 265, 34136 Trieste Italy
[REDACTED]

Office: 324

Snedden, Andrew

From: Donna Alexander [REDACTED]
Sent: Wednesday, 3 October 2018 7:24 PM
To: LA Committee - JCS
Subject: Proposed Changes to CTP in the ACT

Dear Committee Members,

We are writing to express our concern over the proposed changes to the Compulsory Third Party Insurance. I am open to changes that reduce costs for citizens that need a cheaper option but I hope there will be options to obtain higher cover for those who want it too. A one-size fits all approach may not be the right one to ensure ACT road users can make their own choice about the level and cost of insurance that meets their needs.

Regards,
Donna Alexander and Bradley Cooper

Snedden, Andrew

From: Erica Anand <[REDACTED]>
Sent: Wednesday, 3 October 2018 4:56 PM
To: LA Committee - JCS
Subject: Don't let the innocent suffer for your selfish, uncompassionate laws/rules

I have been injured twice within a span of 8 months by two very careless drivers - who did not care about the others on the road. Not realising that everyone had somewhere to go and everyone wanted to get to their destination on time.

Being hit both times in the rear has caused me severe nerve problems, bursitis, jaw un-alignment, broken ribs, severe headaches, severe pain due to compression of nerves down my hands and in my wrists, severe pain down my left leg and my back. This is all the effects of being rear ended twice and severe jarring of both my left and right sides. Now 2+ years down the road, I am still in severe pain being put through most disrespectful doctors from the insurers to avoid payment, but still being put through 4 cortisone injections in my neck, 3 in my shoulders, 2 in my elbows and one in my finger by my GP who says this may become a lifestyle. I have been asked currently to go for another scan and x'ray, which I have absolutely no money to pay for, as my fortnightly income doesn't leave anything after paying my everyday bill, rent and food. I have a single income and it is impossible for me to be assured of a job if the pain continues and I cannot take any treatment.

Well it is those who suffer, know the pain, not those who pass the laws. You are assured of a good pension, so why would you worry if some innocent injured are homeless, starving and finally on the streets due to no income, no medical treatment and no anything.

Please I request you, who pass laws and rules to look around, put yourself in our shoes and save us from becoming a burden on the family, children and the country - and finally encouraging suicide. This will be on your heads if you don't have compassion.

Snedden, Andrew

From: Mladen Barac <[REDACTED]>
Sent: Thursday, 4 October 2018 12:15 PM
To: LA Committee - JCS
Subject: Fair Compensation

To the justice and community committee

Dear committee

I have read some of the proposed changes to the compensation laws in the ACT and am somewhat concerned.

I unfortunately was injured in an incident back in 2010 where I needed major surgery as soon as possible so I could resume my normal life and the expectation was that I would have an 85% recovery and back to work in 3-4 months, unfortunately for myself the insurer was not willing to pay for the surgery and declined my claim for it. Foreword almost 12 months and the intervention of Work Cover and a lawyer the insurer agreed to approve my claim for surgery, I finally had my surgery But now due to the loss of muscle mass and failing health my recovery post surgery was only now estimated at best to be around 25% pre injury .I am now unable to work and have not worked since my injury. This has affected not only my life but the life of my wife and our children.

Dear members I understand that at times things need to adapt but laying the power in the hands of the insurer is unfortunately not the wisest thing to do, Track history clearly proves that profit comes before anything else. [it like from my experience placing the fox in the chuck pen] I would as all love to believe that the insurers will always look at each case on merit ,but unfortunately they wont they will just follow policy and from my experience policy does not always work for the benefit of the victim.

SO PLEASE CONSIDER CAREFULLY ON HOW THE CHANGES WILL IMPACT ALL CONCERNED IF THE INSURER HAS THE FINAL SAY.

Thank you for taking the time to read my concerns and how it may impact on others.

Mladen Barac

Sent from [Mail](#) for Windows 10

Snedden, Andrew

From: David Boddy <[REDACTED]>
Sent: Wednesday, 3 October 2018 10:19 PM
To: COE; Milligan, James; ORR; PETERSSON
Cc: RATTENBURY; LE COUTEUR; LA Committee - JCS
Subject: innocent road accident victims

I strongly oppose any reduction in the compensation payable to innocent road accident victims.

If the Barr Government intends to introduce compensation entitlements for those who are at fault, that should not be done at the expense of innocent victims.

I believe accidents happen and so should fair compensation. A legislated review into the existing scheme occurs every 3 years. It is due in March 2019. Why not wait for the independent Actuary?

Yours sincerely

David Boddy

Snedden, Andrew

From: Domenica Campagna <[REDACTED]>
Sent: Thursday, 18 October 2018 4:37 PM
To: LA Committee - JCS
Subject: CTP Review

Dear Committee

I'm writing to you about the proposed changes to the CTP insurance.

My concern is that we will lose any recourse to compensation if I'm am injured through no fault of mine, and should I be injured and unable to work because of the injury how am I to pay my bills buy food and maintain my dignity and pay for ongoing treatment.

Do I then go to Centrelink and beg for a disability allowance and become a burden on the Australian people.

Why have we not heard anything from the insurance companies they must be rubbing the hands at all the power they have been handed and the money they must be giving their shareholders, while some poor person is having to beg for money to live.

Who then makes the judgment on how grave the injury and what ongoing care is need who says when the treatment given is sufficient.

Why are we having this review with ordinary people who have no experience in this field!!!!!!!!!!!!

We have a system that is working fine why are we changing it.

I 'm not in favor of these changes.

Just to save a few dollars on my CTP.

Yours Sincerely

Domenica Campagna

Snedden, Andrew

From: Hannah Clarke [REDACTED]
Sent: Saturday, 6 October 2018 10:10 AM
To: Snedden, Andrew
Subject: CTP

Dear Andrew,

Thank-you for highlighting these changes. I had noted them in the press and felt concern. I was certainly helped by your team to obtain money critical to me buying a new kitchen that I could actually use, I had been dropping a lot of items as things were at wrong height and I couldn't lift. Also to support purchase of some extras for my car which made driving so much easier and more comfortable. More importantly the costs of medical care I received was covered. I am happy to say that in the most part, though I still receive a fair bit of help with lifting, neck and shoulder physio/gym I am stronger. On the bad side I have developed rheumatism in some of the joints.

The support the team gave me was excellent and I cant imaging not having had it as I was traumatised at the time and I cant imaging just dealing with insurance teams alone who we know can be difficult and obstructive in some cases. The amount I received, I feel was just for the disruption the accident caused to my life at the time. I had to take a complete career change and that took time an without the monies received I would not be in such a good situation now.

Please feel free to cite whatever you need from this email to support the case and ask for more if required.

Kind regards

Hannah Clarke.

Snedden, Andrew

From: C Clifton <[REDACTED]>
Sent: Thursday, 4 October 2018 8:43 AM
To: LA Committee - JCS
Subject: CTP changes in the ACT

To: L.A. Committee Chairperson

Good morning

I live in NSW but travel to the ACT for medical, hospital and shopping.

I am deeply concerned about your intent to change the laws regarding adequate compensation after accidents.

I AM going to stop shopping in the ACT if these changes to ahead and I am forwarding information about these proposals to friends who also regularly go to the ACT.

You ACT against my future...you pay a price.

Ann Clifton

[REDACTED]
[REDACTED]
[REDACTED]

Snedden, Andrew

From: Andrew [REDACTED]
Sent: Sunday, 21 October 2018 8:15 PM
To: CODY; PETTERSSON; LEE; WALL; PARTON; LAWDER; GENTLEMAN; BURCH
Cc: [REDACTED] LA Committee - JCS; [REDACTED]
Subject: New Motor Accident Injuries Scheme - A victim's perspective

Dear All

While we understand we have missed the deadline to provide information to the standing committee which is considering the new "Motor Accident Injuries scheme" (the **scheme**), we would still like to provide our perspective as victims of a recent motor vehicle accident in which our 4-year son was killed. As described below, our recent accident has left us moving a little slower than normal, and therefore less able to meet deadlines as some others might be.

In our case, on 28 July 2018, a Canberra Sand and Gravel truck ran into the back of our car which was stopped at the traffic lights near Hume. Because of this accident our four-year-old son, Blake, was killed, we (Camille and Andrew) received injuries and miraculously our two-year-old son Aidan was not physically injured. The police advised us that there was nothing we could have done other than not be there at that time or be in a tank. We understand that a summons has been served on the driver of the truck and therefore further specifics of the accident we will not discuss. However, we note that some of our mental injuries, particularly in Aidan's case, may remain unknown for some time, Andrew did not think the first dead body he would see would be his four-year-old son with the head wound that he suffered. We certainly found the initial period was one of profound numbness where the assistance of family and friends was invaluable.

As we understand the proposed changes the scheme will mean:

- about 90 per cent of Canberra road users injured through no fault of their own will lose their right to fair compensation;
- the current fair level of compensation provided to innocent road accident victims will be traded away to pay benefits to the driver who caused the accident;
- injured people without the assistance of specialist advice will be expected to settle disputes about their medical treatment and their capacity to work directly with well-resourced insurers;
- insurance companies will have an expanded role in determining when and if compensation to injured people is paid;
- the scheme does not compel insurers to guarantee early treatment and care for injured people; and
- insurance companies will have far greater control over when and how much they pay out to accident victims, and they will be able to make even larger profits.

Our concerns are that:

Broadly, if insurance companies are to have a greater say on many fronts that this may amount to 'putting the fox in charge of the hen house'. Our understanding is that insurance companies do not act within the same ethical framework that lawyers, the courts and doctors do. In fact, as corporations, their duty is to their shareholders and it may be that corporations acting under Commonwealth law may not be able to be ethically restricted by any ACT law.

We have had an incredibly tough time since the accident and our ability to deal directly with insurance companies is understandably hampered. It is certainly not a case of two parties dealing on an equal basis. Hence why lawyers, experts in compensation and ethically bound should be used but especially where a party such as ours has suffered to the degree we have. We also understand that the common law compensation rights will be extinguished, thereby limiting the amount of compensation we might receive. While our physical injuries are relatively minor (when compared to Blake's death), the mental injuries we have suffered may not have fully manifested. There are a variety

of other forms of assistance which have been provided to us for which we understand we can, under current law, seek compensation for. We also are concerned regarding compensation for lost income, lost leave entitlements and lost opportunities such as promotions or special projects which can build an individual's professional capability. If there will be no compensation for these types of losses then the loss suffered by us, the victims, will be significant.

It is our understanding that the Common Law right of compensation for 'suffering' will be significantly diminished. In our circumstances, our 'suffering' is great. We have lost our identity as a family of 4 living people. We go to parks less, we avoid seeing people with 4-year-olds because it hurts too much due to Blake's death and Blake no longer being a part of those activities with us. We also limit the times and distance we have Aidan in the car for fear of a similar event occurring. Camille limits driving due to the anxiety caused at traffic lights, trucks on the road and avoids the Monaro Highway. These are a few examples of how our lifestyle has been altered by the 'suffering' caused as victims of the car accident. While no monetary compensation could ever make up for the death of Blake, we would certainly not wish to be out of pocket financially due to a motor vehicle crash that was in no way our fault.

It also seems that providing money to the driver at fault by taking it away from the victims does not seem fair, especially given universal health care in Australia and other similar benefits would be available to the driver.

While we could understand that lower insurance premiums benefit all those who pay third party people insurance we think that the aspect that should concern most people is that when they need to call on that insurance that the amount determined is appropriate. It is less than useful if premiums are low but those few people who call upon that insurance receive payouts substantially lower than what they should. That would be a false economy.

We have not been in the best of spirits in writing this and hope that you can read our views with that understanding. We would be happy to discuss any detail with any of you and can be contacted through this email address.

Thanks

Andrew Corney and Camille Jago

Snedden, Andrew

From: CORNWALL, Craig [REDACTED]
Sent: Monday, 8 October 2018 5:08 PM
To: LA Committee - JCS
Subject: Submission to CTP Review [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Committee

I understand my rights, and those of all Canberran's, are under serious threat by changes to the Compulsory Third Party (CTP) motor vehicle insurance scheme currently being reviewed by the Barr Government.

The citizens jury process was flawed from the outset. When regard is had to the extra \$250 per week paid to the average ACT worker, CTP premiums are in about the middle of all Australian jurisdictions. The jury was never given a status quo option.

As someone who has experienced what it's like to be injured through somebody else's negligence, I have a valuable perspective on the Barr Government's proposed reforms.

I am proud and incredibly grateful the ACT currently has the fairest and most comprehensive CTP insurance scheme in Australia. It compensates people injured in a road accident through no fault of their own, and to the greatest extent possible, allows them and their families to get on with their lives. It provides that an innocently injured road accident victim can access payments for lost wages as well as medical treatment and care, and compensation for future losses, including loss of enjoyment of life. While compensation can't remove all of the trauma experienced by innocent road accident victims, it does alleviate some of the financial stress that often results.

I was struck by a taxi in the Bunda Street share zone shortly after its opening and before the ACT Government installed adequate signage in place. I suffered considerable physical and psychological injuries, that I am still enduring to this day. As someone who is blind, this represents a significantly compounded burden.

I was incredibly fortunate to receive fair compensation for my injuries following this accident thanks to the existing CTP arrangements. As a result, not only am I able to get on with my life and the ongoing treatment I need, but I also have no need to pursue legal action against the ACT Government who were clearly negligent in their project management of the share zone installation. Specifically, in addition to the failure to put up adequate signage and launch a communication campaign on the correct use of the share zone, the Government representative I spoke to who was in charge of the project himself did not understand the road rules for the new share zone. Reducing the provisions under current CTP arrangements will put the ACT Government at greater risk of being sued and increase the costs for the Government in defending against such action.

I am advised by my solicitors that the proposed reforms are the most significant threat to my rights as an innocent road user that they've seen in over thirty years of practicing in the ACT.

I understand the Barr Government wants to replace our existing scheme with a no-fault, but very limited benefits scheme. This would mean that the compensation available to people like me - injured through no fault of their own - will be drastically reduced. I will no longer receive adequate compensation to cover my financial losses, and arbitrary limits will be placed on the treatment and care benefits I can receive.

As a road user, specifically a motor vehicle passenger and pedestrian, I am deeply concerned about the changes being proposed. The impacts of the following proposals are gravely unfair:

- about 90% of Canberra road users injured through no fault of their own will lose their right to fair compensation;
- the current fair level of compensation provided to innocent road accident victims will be traded away to pay benefits to the driver who caused the accident;
- injured people without the assistance of specialist advice will be expected to settle disputes about their medical treatment and their capacity to work directly with well-resourced insurers;
- insurance companies will determine when and if compensation to injured people is paid;

- the scheme does not compel insurers to pay for early treatment and care; and
- ASX listed insurance companies will have control over when and how much they pay out to accident victims.

I understand the new scheme will rely on insurers to provide a range of information and advice to injured people. As recent experience in NSW and the current Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry has shown, information distributed by insurers is often inaccurate and legally incorrect. Insurers will decide what treatment an injured person receives, when they receive treatment, and when wages will be cut. Nothing in the proposed scheme will compel the cooperation of insurers in facilitating access to treatment.

It is astounding that in this climate the Barr Government is willing to place any trust in insurance companies. As Justice Hayne found the other week, many of these companies are driven by greed. Remember how these very same ASX listed insurance companies were charging dead people for life insurance & selling income protection to people who could never use it. The ACT Government cannot possibly believe these changes are in the best interests of their citizens and will not come at a significant reputational risk to the Government itself.

A legislated review into the existing scheme occurs every 3 years. It is due in March 2019. Why not wait for the independent Actuary?

I strongly oppose any reduction in the compensation payable to innocent road accident victims. If the Barr Government intends to introduce compensation entitlements for those who are at fault, that should not be done at the expense of innocent victims. I believe accidents happen and so should fair compensation.

Kind regards

Craig Cornwall
Registered voter

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Snedden, Andrew

From: Pam Courtier [REDACTED]
Sent: Wednesday, 3 October 2018 3:01 PM
To: LA Committee - JCS
Subject: Unfair Changes to the Compensation Scheme

I have learnt that the ACT Government is proposing changes to the compensation scheme in the ACT. May I strongly oppose this suggestion as being unfair and unjust to those who are injured, through no fault of their own, and under these changes would find it extremely difficult to receive any compensation for injuries caused through no fault of their own.

I have personally suffered an accidental injury caused by the failure of the government to properly mark dangerous situations to the public.

I am quite happy to personally provide any further information you may require to validate my concern and my very strong opposition to any changes to the scheme.

Yours sincerely,
Mrs. Pam Courtier

[REDACTED]
[REDACTED]
[REDACTED]

Snedden, Andrew

From: Robert Crowe <[REDACTED]>
Sent: Wednesday, 10 October 2018 9:41 AM
To: LA Committee - JCS
Subject: Motor Accident Injuries Bill 2018

Dear Committee,

I am writing this as a retired barrister who spent many years working in the area of common law litigation. This including dealing with a large number of motor accident claims for both plaintiffs and defendants. I have scanned the Bill in the time since it was released. It is an extremely complex piece of legislation which will create a new system of motor accident compensation. I note that the time for submissions to your committee closes on 12 October 2018. I am concerned about the time which has been allowed for the analysis of the Bill. Experience in other jurisdictions with such wholesale changes to personal injury compensation schemes demonstrates that careful thought and considered analysis before legislation is passed into law can save much litigation down the track. Is there any scope for extending the response time for submissions particularly to allow a more considered and detailed response from the local legal professional organisations?

Yours Faithfully,
Robert Crowe

Sent from [Mail](#) for Windows 10

Snedden, Andrew

From: Dean Dalla Pozza <[REDACTED]>
Sent: Tuesday, 9 October 2018 10:41 AM
To: LA Committee - JCS
Cc: BARR; CANDICE; LEE; RATTENBURY; STEPHEN-SMITH; CODY;
hanson@parliamanet.act.gov.au; JONES; LE COUTEUR; STEEL; COE; FITZHARRIS;
Milligan, James; ORR; PETERSSON
Subject: Motor Accident Injuries Bill 2018

To the Committee Secretary,
Standing Committee on Justice and Community Safety
Legislative Assembly for the ACT

Dear Sir or Madam,

I am writing to you to object to the proposed changes under the the
Motor Accident Injuries Bill 2018.

I am a registered voter and I feel as though the rights of my family and
I, are being given off to the benefit of the CTP insurers. Why? The ACT
system is fully funded by motorists; and it provides the most complete
levels of compensation of all states or territories in Australia. It costs
the government nothing.

This Bill should be fully and properly revised by your committee, with
experts (legal, medical, auditors etc) properly and independently
contributing to it. I object to the rushed process. I object to the
tampering with the jury process - it was limited and biased and
expensive.

Please respond to my submission.

Yours faithfully,

Maria Dalla Pozza

cc.

barr@act.gov.au

candice@parliament.act.gov.au

Snedden, Andrew

From: Geoffrey Davis [REDACTED]
Sent: Friday, 5 October 2018 6:54 PM
To: LA Committee - JCS
Subject: CTP

To whom it may concern.

I write to you in regard to the proposed changes to CTP.

As I understand the new scheme it relies heavily on the integrity of insurers to self regulate and a medical methodology that takes no account of the special needs of children.

The facts are you will be creating a government endorsed monopoly and passing all power to the insurers. The notion that an external agency might look after the interests innocent injured without intervention of lawyers beggars belief. You fail to understand the dynamic of how power will be used. Currently the new NSW scheme which in this regard is very similar with insurers operating in both jurisdictions is proving exactly as the Banking Royal commission has discovered. Do some real case analysis before you pass legislation that leaves the oversight of insurers to be implemented by administrative procedures. If your serious about integrity you would have in parallel detailed the oversight entity.

The worse is the use of a medical methodology that was designed and applied for adults. No concept of the special needs of children are considered notwithstanding other jurisdictions provide clear acknowledgement of the challenges.

By removing a parents rights to caring payments you will in fact be seriously increasing long term recovery opportunity.

By way of example my grandson suffered horrendous internal injuries when a drugged driver caused a high speed crash in NSW. Amongst other injuries his bowel was exploded causing two stomas to be created. For five months he required bag emptying every three hours unless it exploded through related injuries. It was impossible to find a stoma expert who could manage the treatment and certainly would never have been reimbursed by the insurers. This hourly management was borne by his parents who in effect used recreation leave to allow the critical support required. This is worse when ongoing pain management requires opioid based medication.

In effect your new CTP scheme would have a child self administer opioids and require a very sick child to live with their own faeces draining into their bed. For five months.

If you think this is fake news, you are wrong speak with real people who are living this reality everyday.

Because a child, obeying your laws, is subjected to the horrors of seatbelt syndrome your new scheme is unable to comprehend the second order consequences.

Was this scenario considered in your analysis?

For your serious consideration.

Geoff
[REDACTED]

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Snedden, Andrew

From: Linda Freasier [REDACTED]
Sent: Wednesday, 3 October 2018 11:00 PM
To: LA Committee - JCS
Subject: Proposed changes to CTP compensation

Dear committee members,

As someone who has experienced what it's like to be injured through somebody else's negligence, I have a valuable perspective on the Barr Government's proposed attack on my and others' rights. **It is important that my voice be heard.**

The ACT currently has the fairest and most comprehensive CTP insurance scheme in Australia. It compensates people like me who are injured in a road accident through no fault of our own, and to the greatest extent possible, allows us and our families to get on with our lives. It provides that an innocently injured road accident victim can access payments for lost wages as well as medical treatment and care, and compensation for future losses, including loss of enjoyment of life. While compensation did not remove my pain and suffering which I had as a result of being struck by a car, it did help me to avoid financial stress and receive the timely treatment I needed for my recovery.

The Barr Government's proposal to replace our existing scheme with a no-fault, but very limited benefits scheme means that the compensation available to people like me - injured through no fault of my own - will be drastically reduced. I will no longer receive adequate compensation to cover my financial losses, and arbitrary limits will be placed on the treatment and care benefits I can receive.

I, as well as other road users, including not only motor vehicle drivers and passengers, but also bicycle riders, motor cycle riders and pedestrians, am deeply concerned about the changes being proposed. The impacts include:

- about 90% of Canberra road users injured through no fault of their own will lose their right to fair compensation;
- the current fair level of compensation provided to innocent road accident victims will be traded away to pay benefits to the driver who caused the accident;
- injured people without the assistance of specialist advice will be expected to settle disputes about their medical treatment and their capacity to work directly with well-resourced insurers;
- insurance companies will determine when and if compensation to injured people is paid;
- the scheme does not compel insurers to pay for early treatment and care; and
- ASX listed insurance companies will have control over when and how much they pay out to accident victims.

The new scheme will rely on insurers to provide a range of information and advice to injured people. For my injury, the insurer did not treat me fairly and I needed to obtain specialist advice and assistance to ensure my rights and treatment.

As recent experience in NSW and the current Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry has shown, information distributed by insurers is often inaccurate and legally incorrect. Insurers will decide what treatment an injured person receives, when they

receive treatment, and when wages will be cut. Nothing in the proposed scheme will compel the cooperation of insurers in facilitating access to treatment.

I am outraged that in this climate and given my experience with an Insurance Company the Barr Government is willing to place any trust in Insurance Companies. As Justice Hayne found last week, many of these companies are driven by greed. Remember how these very same ASX listed insurance companies were charging dead people for life insurance & selling income protection to people who could never use it. What planet does Andrew Barr live on?

I strongly oppose any reduction in the compensation payable to innocent road accident victims.

Linda Freasier


Sent from my iPad

Snedden, Andrew

From: Rozana Fuzinato RD HOMES AND RENOVATIONS [REDACTED] >
Sent: Thursday, 4 October 2018 1:44 PM
To: LA Committee - JCS
Subject: Barr Government's proposed changes to the existing CTP motor vehicle insurance scheme

To whom it may concern,

I am writing in relation to the Barr Government's proposal of changes to the existing Compulsory Third Party (CTP) motor vehicle insurance scheme. I believe the Barr Government wants to replace the existing scheme with a no-fault, but very limited benefits scheme. This means that the compensation available to people like me - injured through no fault of my own – will be drastically reduced, and that I will not receive adequate compensation to cover my financial losses.

As someone who has experienced what it is like to be injured through somebody else's negligence, I have a valuable perspective on the Barr Government's proposed attack on my rights and I believe it is crucial for my voice to be heard.

Because of the accident I was involved in back in December 2017, I lost a substantial amount of income and my family is still feeling the hardship of that accident. So why should I, an innocently injured road accident victim who was simply driving home after work, **not** be able to get fair compensation and access payments for loss of my income?

The accident has left me with ongoing anxiety which interferes with all aspects of my life, including loss of enjoyment of life. While compensation would not remove all of the trauma experienced by an innocent road accident victim such as myself, it would definitely alleviate some of the financial stress that often results, such as in my case.

If the Barr Government intends to introduce compensation entitlements for those who are at fault, that should **not** be done at the expense of innocent victims such as myself. Why should there be a reduction in the compensation payable to those of us whose lives have been so negatively affected by the negligence of others?

I wholeheartedly oppose the Barr Government's proposal of changes to the existing Compulsory Third Party (CTP) motor vehicle insurance scheme. I hope you take into account just how much this will affect people who are trying to get their lives back on track after being injured through no fault of their own.

I realise not many people will even be able to write to you and express their views about the proposal, but I could not just stand by and let something like this take place. I need my voice to be heard!

I am a married man with two young children who is desperately trying to move on with his life after the accident, but I am finding it extremely hard to do so because of financial and health reasons. So why on earth should my right to proper compensation be taken away??

Someone else's negligence put me and my family in this tough situation and I believe I should be properly compensated. With the Barr Government's proposal of changes to the existing Compulsory Third Party (CTP) motor vehicle insurance scheme, this will not happen.

DO NOT LET THE COMPENSATION RIGHTS OF INNOCENT VICTIMS SUCH AS MYSELF BE TAKEN AWAY!

Kind Regards,
Djovani Fuzinato

Snedden, Andrew

From: Tony and Julie Hedditch [REDACTED]
Sent: Saturday, 6 October 2018 11:43 AM
To: Snedden, Andrew
Subject: ACT CTP - Objections

Andrew Snedden
Committee Secretary
Justice and Community Safety (JACS) Standing Committee

I am writing to express concerns at the proposed changes to the ACT CTP scheme.

My wife and I had first-hand experience of the existing CTP system a few years ago when we were involved in a motor vehicle accident through no fault of our own.

While my injuries were largely superficial, severe bruising, cuts and abrasions etc, my wife didn't fare as well with right arm broken, left wrist broken, broken ribs and leg injuries. She required 27/7 assistance and support with personal hygiene through to cutting food for eating. She could not sit down or get up unassisted and could not sleep in her bed for more than a few hours without the need to move. In addition all the transport needs to get to and from the range of medical appointments, including physiotherapy as injuries improved.

Ideally we would have brought in paid assistance to help us throughout this period but the cost was largely prohibitive, although these costs were claimable from the CTP insurer under the current finding the money in the short term was problematic. Subsequently, my life went on hold entirely for the first three weeks to provide full time care and support. For the following three weeks caring needs diminished a little, enabling me to start catching up on work which had slipped. In all it took my wife around 10 weeks to get the point where she could largely fend for herself again, and around 16 weeks before she could return to work.

Under the proposed scheme the full and part time support provided by myself and the extended family would not receive any form of compensation which is just wrong. It is not only the injured person that is affected by the negligence of others, it is the people around them who are left to pick up the pieces, and to provide the ongoing mental support throughout the healing process.

Removal of compensation in this scenario is a very short sighted approach to CTP. This will likely move people towards bringing in professional assistance at a substantial cost, (I know the compensation received for my support was only a fraction of the cost that would have been involved had professional assistance been brought in) which will ultimately inflate CTP costs, but more importantly the level of care will diminish. No one will provide the care and support (including mental support) as can be proved by loved ones.

To reduce the support for those injured through no fault of our own while providing a similar benefit to the at fault parties is just a travesty. People who make mistakes whether intended or otherwise must remain accountable for their actions, our justice system for hundreds of years has worked on this premise. To enact legislation that largely absolves the wrong doers from their obligations and even worse to require the innocent party(ies) to forego their basic right to fair assistance, support and remuneration goes against long established principles.

The proposed changes are just not good enough.

Tony and Julie Hedditch
[REDACTED]

Snedden, Andrew

From: Glenn Herbert [REDACTED]
Sent: Thursday, 11 October 2018 1:17 PM
To: LA Committee - JCS
Subject: Proposed Changes to the Compulsory Third Party (CTP)

Committee Chairperson

I am sending you this message to voice my concerns with the proposed changes to the Compulsory Third Party (CTP) in the ACT.

I was involved in a car accident in June 2016 when I was hit from behind while stationary at lights. The accident caused me back and neck damage. With physio treatment my back recovered over a 3 month period but my neck injuries continued to deteriorate necessitating major surgery. I now have permanent incapacity in my arms preventing me from doing the things I loved in life prior to the accident. These include golf, fishing off shore, bike riding and playing with my grandchildren just to name a few.

From my understanding, the proposed changes limit the liability of the insurance companies to fair compensation. It will result in reduced and time limited payments for treatment as well as minimal if any compensation for loss of life enjoyment for not being able to do the things you could do prior to the accident. Control of the scheme will pass to the insurance companies who will determine when and if compensation to injured people is paid and what amount. Anyone who believes the insurance companies will operate with sympathy and compassion for claimants is laughable. They are profit driven and will seek to minimise payments to compensate injured drivers and passengers at every opportunity. Just look at the banking institutions and what's come out of the royal commission!!

I applied to serve on the Citizen's Jury to review and make recommendations on the current CTP scheme but was not selected. I have followed the course of the deliberations which led me to suspect the whole process was government led with briefings by selected moderators. At the conclusion, the recommendations were known from the start.

I'm formally writing to you to request the CTP scheme remain "as is" to ensure people involved in a motor vehicle accident continue to be protected and fairly compensated.

Concerned constituent,

Glenn Herbert
[REDACTED]

Snedden, Andrew

From: ian jannaway [REDACTED]
Sent: Thursday, 4 October 2018 10:35 AM
To: LA Committee - JCS
Subject: unfair changes to ctp

I am writing to voice my protest at the proposed changes to the third part compensation system. The proposed changes are grossly unfair and will impact people like me currently engaged in the system. I had a life changing accident in June 2015 where I nearly died. No fault of mine, the driver got a criminal conviction, and fine, and a 3 month ban. I broke my leg in 3 places, 2 hip fractures, smashed denture, lacerations and a month in hospital. I lost my job. I had to retrain myself at huge financial cost, and can only work part time due to pain levels. I am in pain every day and have to take medication for this. I walk with a limp and have to use a stick. I have suffered trauma and PTSD because of the accident.

Why on earth would you want to change the system and disadvantage me? Why have a panel of people decide my compensation

when they do not understand the system? I know this is true because I have read the newspaper reporting this, and is

what they actually said an 18 year old girl and retired guy "we dont understand the system"

I certainly object to lawyers in the system, it is a damage limitation process, one designed to financially disadvantage me, but it is what it is. I will stick with it.

If it is not broke dont fix it. And certainly dont try to fix anything that disadvantages the already disadvantaged, we barely have a voice as it is,

you are trying to silence us forever in order to appease political masters and insurance companies.

please see the following-

regards,

Ian Jannaway

about 90% of Canberra road users injured through no fault of their own will lose their right to fair compensation;

- the current fair level of compensation provided to innocent road accident victims will be traded away to pay benefits to the driver who caused the accident;
- injured people without the assistance of specialist advice will be expected to settle disputes about their medical treatment and their capacity to work directly with well-resourced insurers;
- insurance companies will determine when and if compensation to injured people is paid;
- the scheme does not compel insurers to pay for early treatment and care; and
- ASX listed insurance companies will have control over when and how much they pay out to accident victims.

Snedden, Andrew

From: Awni awni [REDACTED]
Sent: Tuesday, 9 October 2018 1:29 PM
To: LA Committee - JCS
Subject: Proposed changes to the ACT CTP insurance scheme

Dear Justice and Community Safety Committee

I am writing to you with great concerns regarding the proposed changes to the compulsory third party insurance scheme proposed by the Barr Government. I am deeply concerned with the limited benefits of the new scheme is offering to people who could be injured by a motor vehicle accident at no fault of their own. Increasing the powers of the insurance companies and limiting options for the innocent victims is not the way to go nor it is fair.

I am the victim of motor vehicle accident where the driver did not have a valid driver licence, the vehicle was not registered and had not CTP third party insurance. The offender tried run me over and left the place of accident. The accident has impacted me tremendously physically and physiologically. The accident happened almost 2 years ago and during that time I have been living through hell due to pain, anxiety, stress, loss of life enjoyment. My work has been impacted where I am not able to work full time since the accident. I am the carer for my chronically ill wife and the accident has significantly impacted on my ability to properly care for my wife. All aspects of my life has been impacted by this accident which is in no way was my fault.

I believe that people like myself are entitled to compensations to cover our physical and psychological injuries and loss of life enjoyment. I don't think it is fair to compensate the driver who caused the accident instead of the innocent victim or victims. I don't believe the insurance companies should be given the ability to decide the medical treatments and capacity to work for the injured people without the injured people have access to specialised advice from professionals. I also it is not fail to give the insurance companies a free hand in determining the adequate level of compensation to the victims.

In recent history we have seen how insurance companies behave to fill their pockets and the recent examples of the Royal Commission into Misconduct in the Banking Superannuation and Financial Services Industry has shown, information distributed by insurers is often inaccurate and legally incorrect. Insurers will decide what treatment an injured person receives, when they receive treatment, and when wages will be cut. Nothing in the proposed scheme will compel the cooperation of insurers in facilitating access to treatment. I find very strange that the Barr Government in this climate is willing to place any trust in insurance companies doing the right thing when not long ago it was revealed many ASX listed insurance companies were charging dead people for life insurance & selling income protection to people who could never use it.

The ACT has the fairest and most comprehensive CTP insurance scheme in Australia and I urge you to not change the current laws and keep a fair playing field to protect the innocent victims of motor vehicle accident who are vulnerable and need your protection

Yours Sincerely

Awni Kalha



Snedden, Andrew

From: Frank Kish [REDACTED]
Sent: Sunday, 7 October 2018 3:29 PM
To: LA Committee - JCS
Subject: Re Proposed changes CTP

What a sham the proposed changes too CTP Insurance Scheme are. I have had 4 car accidents, NOT at FAULT in any of the accidents, these accidents have been life changing, First accident in 1981 this accident cost me my job, second and third accidents 1998 and 2002 compounded my previous injuries. 2017 was my last accident when I travelled on a bus as a standing passenger, the bus braked sharply and a lady standing and not hanging on to secure herself became airborne and hit me in the back of my legs. This caused me new injuries and severe aggravation of the old injuries.

In the 37 years since my first accident, I have relied on medical help and holistic treatments.

Surely the sham of the proposed CTP insurance scheme will leave the injured alone and without means of seeking medical help. The new proposal is not in any way adequate to compensate and help the innocent injured person. It is putting them on the same footing as the person who caused the accident. Where is the justice in this approach. Please put yourself in the same position as an injured person and try to understand the plight of that person.

Dorothy Kish

Snedden, Andrew

From: gdl [REDACTED]
Sent: Monday, 22 October 2018 9:32 AM
To: LA Committee - JCS
Subject: Changes to CTP claims

In January 2013 my wife and I were innocent victims in a MVA, we were small business owners traveling home after work, T boned by an out of control vehicle.

Unable to continue operating or selling our inactive business and with no income, mounting debt from these premises and personal home expenses.

In August 2015 we finally received some payment of compensation, not before loosing everything except the house we live in we are still unable to work or live as we did prior to the MVA,

Every case is different, the final outcome being determined by an opposing insurance company which holds the majority of the power to offer what they feel as sufficient compensation, if the current laws are changed to give them total power, innocent victims as ourselves after loosing everything may as well give up and become a burden on society or die.

Gregory Keith Laidlaw

Sent from my Samsung GALAXY S5 on the Telstra Mobile Network

Snedden, Andrew

From: robyn lambert [REDACTED]
Sent: Sunday, 7 October 2018 1:45 PM
To: LA Committee - JCS
Subject: UPCOMING CHANGES TO THE ACT'S COMPULSORY THIRD-PARTY INSURANCE SCHEME

Dear Committee,

As an innocent victim of a road accident, I find it incredibly traumatic to hear of the proposed changes to CTP.

How can you justify a yearly saving of \$130 against the effect a road accident can have on an innocent party?

Help me understand how you equate the two.

In a matter of seconds my life was changed forever! I am no longer the same person I was before. Not the same happy vibrant individual I struggle with diminished cognitive and physical abilities.

Tell me how would you feel if you were unable to return to your high powered job, that you had worked hard at for close to forty years. Imagine what it feels like to be at the top of your game, enjoying life excellent mental and physical health retirement on the horizon, and through no fault of your own its taken away. Your capacity to work earn an income and physically enjoy this time of your life.

Let me tell you when I read that " people at fault in accidents will have access to financial support." My blood boiled The woman that ran into our car that day made not one bad choice but multiple bad choices over a period of time.

At what point does she become responsible for her actions?
 She chose to get into the car, in full knowledge the vehicle was unregistered.
 She chose to go to a funeral, She chose to drink at the funeral.
 She chose to drive in full knowledge you shouldn't drink and drive.
 She reached for her mobile phone in full knowledge that you can't use your mobile phone whilst driving.

Has she ever apologised NO
 Has she ever done anything to ease my pain and suffering NO!
 Has she chosen to drive again in spite of her penalty (and YES it was lenient)YES a repeat offender.
 What stops her from paying her dues?
 Why can't she come and do the things I now have difficulty with and have to pay someone else for.
 Why isn't she working to compensate the person she injured?

.Its all good to want to change things but to penalise the innocent party and look after the perpetrator is beyond all comprehension. The decision makers must also be held accountable. Think long and hard about your moral obligation the change proposed take away the rights of the injured party.

I am against these changes.

Robyn Lambert

Snedden, Andrew

From: Dragan Lancuski [REDACTED]
Sent: Monday, 8 October 2018 1:42 PM
To: LA Committee - JCS
Subject: Dragan's voice about the new CTP scheme in the ACT

Dear Committee,

I was reading the following article on the ABC NEWS' website:

<http://www.abc.net.au/news/2018-09-20/canberra-ctpi-insurance-car-laws-citizens-jury/10284606>

...and I highlighted a couple of important sentences:

● The new no-fault scheme will cover **anyone injured in a motor accident**, regardless of who caused it, for up to five years.

● The policy is a **dramatic change from the current CTP scheme**, which **only covers people who are not at fault in an accident** and charges some of the most expensive premiums in the country.

- Why is it dramatic? Do we need to be worried? Some people in my area have expressed their concerns?

- At the first look, these changes seem fairer than the current solution but do I need to be worried? Please advise, when it suits you. I never experienced a car accident and all I want is the most fairest solution for all the people in the ACT. People first!

Thank you with Kind Regards,
Dragan Lancuski
Canberra

Sent from my iPad

Snedden, Andrew

From: Marko Lehtikoinen [REDACTED]
Sent: Wednesday, 10 October 2018 9:55 PM
To: LA Committee - JCS
Subject: No! - to ACT CTP Insurance changes

To the Legislative Assembly Committee into CTP Insurance,

I am very worried for the future. The proposed changes to CTP insurance in the ACT will cause more problems than they will solve. Instead of motorists saving money on their insurance, taxpayers will end up footing the bill for costs that should be borne by insurance companies. Instead of a fairer system of compensation for accident victims, we will see a system that favours giving money to insurance companies instead of those who desperately need it. Please allow me the time to present my point of view on this matter, from the perspective of a motorist, a taxpayer, an accident victim and a voter.

I will address some of the reasons the government is introducing this new CTP system. According to the "Citizens' Jury Report - 25th March 2018", the main drivers of the new CTP scheme are;

1. Early access
2. Equitable Cover
3. Value for Money
4. Scheme design and fraud

2. Equitable Cover - By giving the "at fault" driver and the "not-at-fault" driver the very same benefits under this cover, yet still claiming common law benefits are able to be made, you are basically treating them as equal under the law. That would be like saying a criminal who broke in and beat up a person in their own home has the same rights to medical treatment, in this case up to 5 years worth. How is a criminal entitled to so much? Further, you then cap the maximum that may be claimed in the new scheme, giving the at fault driver "defined benefits" of \$350,000 when the victim only gets a maximum of \$500,000, for life! If a victim ended up wheelchair bound, or worse, quadriplegic, how long do you think \$500,000 will last when they need to have someone provide them with 24 hour care? What do they do when that money runs out? They will end up in a home or in other ways a burden on society, making everybody pay for their care. Meanwhile, the person who did the wrong gets almost as much. How is that equitable?

3. Value for money. What a joke. Call me a sceptic, but while insurers are already raking in hundreds of millions of dollars every year in profits despite the large compensation claims being awarded [when people eventually win after years of fighting for their rights], they cannot afford to reduce premiums? Why is that I wonder? It isn't because they are losing to compensation lawyers or because motorists are getting great deals already, it is because insurance companies are ripping off the public and the government gets bonuses along the way. Tell me I'm wrong and I will prove you otherwise.

Insurance premiums will not come down, they never have. It has been seen before with the NSW style Green Slip system, the ACT's expansion to include other insurers in the scheme and other attempts to keep motorists happy. Well, it hasn't worked in the past and all we've seen from the attempts so far is bigger profits for the foreign owned insurers.

4. Scheme Design and Fraud - Knowing that if you are not at fault in an accident and you can get up to 5 years in medical costs reimbursed plus wages too, may be an incentive for many people to try out the new CTP scheme. It only takes an invisible "kangaroo" to jump out in front of a driver to make them swerve and then you have the comfort of knowing you won't have to pay for any

medical expenses. For mentally unstable people, those desperate for money and for a new breed of ambulance chasers, it makes a lot of sense. Presently, you'd have to prove it was somebody else's fault but with Plan "D", everyone gets a payout. Nice!

Overall, the only ones getting any benefit from this scheme are the insurance companies. The losers are the motorists and the unfortunate people who get life-long injuries and only five years worth of care before being kicked out on their own. Stop this bill being passed, or motorists will end up in the same boat as injured workers, out on their own without a leg to stand on.

Marko Lehikoinen,
Macgregor A.C.T.

Snedden, Andrew

From: paul madden [REDACTED]
Sent: Thursday, 11 October 2018 5:46 PM
To: LA Committee - JCS
Subject: My Rights

Committee Secretary
Standing Committee on Justice and Community Safety

I am a voter in the ACT. I am registered in the Brindabella electorate.

I am very annoyed that your government proposes to take away my CTP compensation rights in the ACT, with the introduction of the Motor Accident Injuries Bill 2018.

The legislation you propose is going to give almost unlimited power to the insurers over accident victims. It is going to massively reduce the number of people who will be entitled to compensation and will massively reduce levels of compensation.

The insurers are laughing at the completeness of the victory over accident victims. Their huge profit levels will be lifted into the stratosphere after your legislation is enacted.

Do you know what level of income is already paid to the insurance company executives ?? Do you know what their bonus levels are ??

The ACT system is fully funded, it costs the government nothing. We have the most comprehensive rights in Australia. Why are you taking them away ?? Why are you giving all this power to the insurers??

I would like this submission to be taken seriously by the Standing Committee on Justice and Community Safety. I would like this submission to be responded to and to be given the opportunity to speak up.

Yours Faithfully
Paul Madden

Snedden, Andrew

From: sybilla Mahrt [REDACTED]
Sent: Monday, 8 October 2018 12:18 PM
To: LA Committee - JCS
Subject: No to CTP changes

Dear Madam/Sir, I like to tell my story to underline my protest against the proposal to change CTP laws. I was hit off my bicycle by a car and suffer from a right humerus break. This happened on the 13.4. 2017. I was operated on and received a metal platte. A painful road to recovery started. Today I am in pain and there is an inflammation in my right arm as the platte has moved away from the bone. The changes in my life are many and well documented. I have not got Private health insurance and to be seen by an Orthopaedic Doctor ,even when urgent ,takes many month. I don't have the financial resources to pay for treatment and the insurance company Suncorp constantly staling to reimburse any costs that occurring .

On top of that I was made redundant in May 2018 and having to look for work is getting harder since my right arm is my dominant arm and I take pain medication and don't know how my arm and I will cope in a new work environment.

Please consider the changes carefully the Insurance company's have the money and a growing income and are responsible for getting injury victims full support. Please stand on the side of the accident victims not on the side of the insurance company's. Accident victims need support not more stress trying to be compensated. Research shows that 70% of Insurance claimants give up because of the lengthy process. I don't want to be one of them.

Regards
Sybilla Mahrt
[REDACTED]

Sent from my iPad

Snedden, Andrew

From: Eric Mak [REDACTED]
Sent: Thursday, 4 October 2018 1:04 PM
To: LA Committee - JCS
Subject: Right to fair compensation

Dear committee members,

I am disturbed to hear that the ACT government is planning to curb the rights of motor accident injured parties through no fault of their own. I also understand that the ACT government intends to let the insurance companies to decide who, how and how much are to be compensated to the injured parties through no fault of their own during a motor vehicle accident.

I am and still is one of the injured parties during the fatal accident on July 28 this year where I was hit from behind resulting injuries which I am still recovering. This is no fault of my own and I was going about my own daily business. I believe that I am entitled to compensation. Any change in the compensation scheme will restrict my rights and I am not happy with it.

Furthermore your intention to give the insurance companies the power to determine all aspects of compensation is most disturbing. In the recent interim report issued by the Haynes Royal Commission into financial and insurance companies reviewed a disturbing picture of how the insurance companies putting greed before anything else and created a lot of victims because of their greed.

I do not believe the present compensation law should be changed in any way and most importantly the notion that we should let the insurance companies to have a free hand is the most dangerous thing that can happen. I don't see the logic of the ACT government to change the law to let them have a free hand. It's like putting wolves to guard herds of sheep.

As a voter and an injured victim I like your committee to withdraw support to this change of law. Of course these insurance companies must have lobbied hard to your committee so that they can make super profits to satisfy their own greed. **If the current ACT government succumbs to the greed of the insurance company I will vote against the government in the next election because of this.**

Thanks for taking the time to read my email.

Eric Mak

Snedden, Andrew

From: Klaudia Jagielo [REDACTED]
Sent: Friday, 12 October 2018 5:13 AM
To: LA Committee - JCS
Subject: Changes to CTP

Dear Committee,

As a people (me and my son) who took part in car accident in ACT we would like to let you know about our history of accident in regards to changes to Compulsory Third Party.

Me riding rollerbladers and my son riding a bike we took a ride to nearest skatepark. On our way back home moving through crosswalk we were hit by a car who run on red light.

After we got hit I was feeling like I lost my son finding him laying underneath the car on his bike. This was a big trauma for me and I still have nightmares and flashbacks about the accident.

This has happened almost 2 years ago and our life has changed because of this.

God has helped us to go through this accident and that no major problem has occurred with our health except mental issues.

My son is alive and I am glad for this but he still remembers about the accident and from that time he is more scary riding the bike.

Therefore we would be very unhappy to hear that compensation for people injured through no fault of their own in accidents will be reduced and won't be adequate to cover financial losses.

No money will ever reward what we went through the car accident however it helps to go through financial and health losses.

We would like to say that we don't agree with change in the CTP for the worst outcome for the people injured in accidents with no fault of their own.

Best Regards,
Hubert Markowski

Snedden, Andrew

From: Pauline Moore [REDACTED]
Sent: Monday, 8 October 2018 8:51 PM
To: LA Committee - JCS
Subject: Compulsory Third Party Legislation

I am writing to you in relation to the potential changes to the Compulsory Third Party (CTP) legislation in the ACT. I am writing this correspondence not only as a person who has been injured in a motor vehicle accident through someone else's negligence but also as a concerned ACT citizen.

On the afternoon of 28 June 2018, I was driving home along Lachlan Street, Macquarie. I have lived on Lachlan street for the past 28 years. I indicated to turn left into my neighbour's driveway intending to park on the nature strip in front of my house. I braked, with my indicator still on, and started to enter the driveway. As the front wheels of the car rolled onto the driveway, I was hit from behind by a four-wheel drive traveling at speed. The impact violently pushed my car forward causing it to spin out of control. The car lurched forward and spun 180-degrees before careering back across my neighbour's drive way. Out of control, the car traversed over a pile of wooden planks and a retaining wall made up of large rocks. The car finally came to a stop after the front of the car hit a tree in my neighbour's front yard. The impact was such that the rear end of my car was crumpled into the boot with the rear bumper and rear lights completely ripped from the car. The main body of the car buckled and the side panels twisted. Debris from the collision was scattered up to 15 meters down the road. There was no evidence that the four-wheel drive vehicle attempted to brake. In fact, the driver travelled another 60-70 meters down the road before coming to a halt. The damage to my car was so extensive that the tow truck driver was certain it would be a total write-off.

The injuries I sustained from this accident still impact me both physically as well as mentally. In addition to pain alleviating drugs I am still receiving physio therapy to remediate my physical injuries. I am also seeing a clinical psychologist, and when necessary taking Beta blockers, for the stress and anxiety that I now experience when either driving a car or as a passenger. My stress and anxiety have not been limited to being in a vehicle. It is not uncommon for me to experience the same emotion as a pedestrian. Having been a driver for 40 years, I have never experienced such anxiety as I do now and I find it quite debilitating.

This accident was no fault of my own and because the accident occurred out the front of my house, I am reminded of it on a daily basis. I am plagued by thoughts of what could have been. I could have lost a limb, been severely brain damaged or even died. What if it was my daughter, son, husband?

Prior to the accident I very rarely took pain relief medication, at no stage had ever had the need for sleeping tablets and only occasionally visited my GP. Additionally, I had never needed the services of a clinical physiologist. Since the accident my life has changed for the worse, particularly in regard to my enjoyment of life which is now hindered by the constant anxiety I have when travelling in a car.

I strongly disagree with any proposed changes to the current CTP motor vehicle insurance scheme. I am a part-time worker with financial commitments, including supporting two young adult dependents. I know my family would have faced difficulties in meeting the ongoing associated costs incurred as a result of the accident.

Having never been involved in a significant motor vehicle accident previously I now fully appreciate how well the current legislation looks after the victim in their hour of need. The legislation provides a framework by which victims can gain immediate access to appropriate treatment/assistance to ensure speedy recovery of any injuries sustained. By changing the current CTP motor vehicle insurance scheme Canberrans who are unfortunate enough to be injured through somebody else's negligence will be unfairly

disadvantaged. There is also the very real possibility they will be unable to access the right treatment/assistance in a timely manner. This will hinder recovery and indirectly put additional pressure on the public purse to say nothing of the impact to productivity for those affected who are in the workforce.

I have been told by several people that although it was unfortunate that the accident happened I am fortunate in a sense that it happened in the ACT. From what I have observed and read the possible changes to the CTP benefit no-one except the insurance companies bottom line. I am shocked that the MLAs are considering watering down the legislation that looks after Canberrans in their hour of need.

As committee members I strongly urge you to vote against any proposed changes to the CTP.

Thank you for your time.

Pauline Moore

[REDACTED]
[REDACTED]

8 October 2018

Snedden, Andrew

From: David Mower [REDACTED]
Sent: Thursday, 11 October 2018 8:45 PM
To: LA Committee - JCS
Subject: ACT Compulsory Third Party Scheme (CTP)

SUBMISSION TO THE LEGISLATIVE ASSEMBLY'S STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
considering the Motor Accident Injuries Bill 2018, to make changes to the ACT Compulsory Third Party Scheme (CTP)

Dear Standing Committee Members,

The following is my lived experience in relation to a recent motor vehicle accident. I believe it has relevance in relation to the changes you are considering in the ACT.

A LIVED EXPERIENCE

I was recently injured by an at-fault and negligent driver in NSW. I was then horrified to find that my common law rights had been stripped away from me by NSW Government legislation. I am left with a life-time of pain and rehabilitation efforts, and the prospect of these injuries degenerating in old age. Importantly, I am also prevented from ever returning to the same level of physical activity in my life that I had prior to the accident. But, just like probably 90% of all well behaved NSW road users who are injured in accidents - I am not entitled to pain and suffering compensation - when this has been by far the greatest part of my lived experience and horror from the accident. This was my experience. The driver received a fine of a few hundred dollars. Further, because of the 10% WPI cap, in NSW the CTP insurance industry also has a greatly reduced incentive to see that the behaviour of road users actually improves. That is, in NSW we have a system that punishes well behaved road users who are innocently hurt in accidents, and a system that does not care about the prevalence of negligent road users. Our premiums are also not cheaper. This is what you will all be getting in the ACT.

Thank you for receiving my submission.

Yours faithfully,
David Mower
[REDACTED]

Snedden, Andrew

From: Linda Muench [REDACTED]
Sent: Tuesday, 2 October 2018 3:02 PM
To: LA Committee - JCS
Subject: Concern about your new proposal for road user accident claims

I would like to express my concerns about your new proposal for road user accident claims. I would like to know why you want change the current legislation? Is the government getting paid by the insurance companies if they get this new proposal through?

This government has caused so much chaos in this city already, eg the roads are a mess with high volume traffic and road works all over the city, the rates have gone up so that much that most people are finding it very difficult to pay them, apartment buildings all over our city which look disgusting, you have not helped with electricity and gas prices.

We will all have a choice at the next election.

Linda Muench

Snedden, Andrew

From: anuruddha nanayakkara [REDACTED]
Sent: Wednesday, 10 October 2018 8:16 PM
To: LA Committee - JCS
Cc: Hassan Ehsan
Subject: CTP scheme

Dear Sir

As a proud Canberran, we always expect fair go for every Australians. I would like to see that the CTP scheme stay same or improve more for the injured people at no fault like me.

People who effected by the road accident like me, lost the quality of life which negatively affected my daily routine and more importantly far less interaction with my family. That hertz lot therefore, i suggest Canberra Government should take prompt action to protect innocent victims.

I hope my voice heard and wish better future for all Canberans and Australia.

Thank you

Anuruddha Nanayakkara

Snedden, Andrew

From: Main Identity [REDACTED]
Sent: Wednesday, 10 October 2018 10:19 PM
To: Main Identity
Subject: ACT Compulsory Third Party Scheme

Dear Member,

Re Inquiry into Motor Accident Injuries Bill 2018 - Exposure Drafts to the Motor Accident Injuries Bill 2018 and to the Guide to the Bill

I refer to the draft Bill and associated Guides currently under consideration proposing significant changes to CTP legislation in the ACT.

The prime responsibility of any government is the protection and wellbeing of its constituents, yet this Bill effectively strips away many of the protections currently provide for. This is clearly demonstrated by the experience of road accident victims in other States. Whereas the ACT has one of the best schemes in the country, passing of the Bill would give us the worst in the country. The moral of the story is do not do it just because "they are doing it" or because it might be cheaper or because it's supported/promoted by an in-favour lobbyist.

We are not saying that the ACT CTP legislation doesn't need to be reviewed or revised; we are saying that you should vote "NO" to the Bill in it's current form and intent.

Regards,

Garry & Jo Newton
[REDACTED]
[REDACTED]

Snedden, Andrew

From: peter o'brien [REDACTED]
Sent: Wednesday, 3 October 2018 8:44 PM
To: LA Committee - JCS
Subject: Changes to compensation in the ACT

I wish to register my disgust and opposition to Barr government proposals in regards to compensation arrangements for people in the ACT injured, in my case, through negligence of an ACT government entity, ACTION. I am amazed at this penny pinching move that, again, punishes innocent victims and rewards the guilty and insured rich. This is wrong, unjust and unconscionable.

Please note my objection to planned changes to compensation designed to reward the guilty and rich at the expense of innocent victims who are the working poor. I continue to feel outraged and ashamed at this act of a government supporting the rich at the expense of the poor.

Regards, Peter O'Brien
3/10/2018

Sent from my iPhone



23rd October 2018

The Committee Secretary
Standing Committee on Justice and Community Safety,
Legislative Assembly for the ACT,
GPO Box 1020,
CANBERRA ACT 2601.

Dear Member,

On my return from being away, I just became aware of the proposed changes to the Third Party CTP Insurance.

I hereby am totally opposed to the changes.

I have been driving for approx 40 years and never had an accident of my fault and been lucky until recently.

On the 26th of March 2017 I was riding my motorbike home after helping a friend build a timber deck when unexpectedly a driver pulled out from the side of the road and started to make a u turn in front of me.

Following my letter yesterday I would also like to state that I continue to have medical treatment from X-rays, physio, I see a foot and shoulder specialist and these medical issues are likely to continue for the rest of my life.

From being personally involved I strongly oppose the changes as the way ACT has the CTP insurance set up is the best in Australia. I don't believe these changes will be fair for the person to no fault of their own was injured in an accident.

Please feel free to contact me should you wish to discuss this matter further.

Yours sincerely

[Redacted]
Francis Pires

FRANCIS A. PIRES

Justice of the Peace for NSW

JP No: [Redacted]
[Redacted]

Snedden, Andrew

From: Barbara Ploy <[REDACTED]>
Sent: Thursday, 11 October 2018 8:37 PM
To: LA Committee - JCS
Subject: Rights to compensation

To the LA Committee

I wish to oppose the governments proposal to replace the existing compensation scheme with a no-fault, but very limited benefits scheme.

As someone who has experienced what it's like to be injured through somebody else's negligence it is important that my voice be heard. I was injured in a motor bike accident through no fault of my own and I am entitled to be compensated to allow me to get on with my life, that is, payment for loss of wages as well as medical treatment and care, and also to ensure that I receive compensation for future losses and enjoyment of life.

I strongly oppose any reduction in the compensation payable to innocent road accident victims. If the Barr Government intends to introduce compensation entitlements for those who are at fault, that should not be done at the expense of innocent victims.

King regards

Guenther Ploy

Sent from Mail for Windows 10

Snedden, Andrew

From: [REDACTED]
Sent: Friday, 5 October 2018 10:56 AM
To: LA Committee - JCS
Subject: The Justice and Community Safety Committee.

To the committee;

I am deeply concerned about the proposed changes to fair, reasonable and timely compensation payments to victims of accidents in the ACT.

As I understand the likely impacts include:

- About 90% of Canberra road users injured through no fault of their own will lose their right to fair compensation;
- The current fair level of compensation provided to innocent road accident victims will be traded away to pay benefits to the driver who caused the accident;
- Injured people without the assistance of specialist advice will be expected to settle disputes about their medical treatment and their capacity to work directly with well-resourced insurers;
- Insurance companies will determine when and if compensation to injured people is paid;
- The scheme does not compel insurers to pay for early treatment and care; and
- ASX listed insurance companies will have control over when and how much they pay out to accident victims.

In light of the results from the recent inquiry into the Insurance and banking sector, which highlighted the appalling institutionalised illegal behaviour, breach of trust, lying, deliberately misleading and self-serving behaviour of the insurance companies, it is clear that they cannot be trusted, and it is mind boggling that the Barr Government proposes to allow unprecedented power to these companies over the victims of accidents !!

In any democratically elected government, the citizens should be able to expect the government acts in the best interest of those citizens and not the self-serving interests of insurance companies !

Denying citizens independent legal advice and expecting them to make life changing decisions that will affect their health and finances for the rest of their lives, without proper expert advice, is simply pandering to insurance companies, who's only interest is profit and not the welfare of the people whose money they take !!

The measure of any decent society is how we look after our sick and elderly and how we educate our children. I cannot believe any government who has the best interests of its citizens would propose such changes to fair, reasonable and timely compensation, while stripping their citizens of their right to legal representation at the most traumatic times of their lives ! Who will these proposed changes benefit ? **Certainly not people who are injured through no fault of their own !**

I urge you to reject the proposed changes and ensure that the rights of the citizen are protected and not stripped away !!

Regards

George Pudja

Building Consultant
 Peak Consulting – The Building Experts.



Snedden, Andrew

From: Ian Richardson [REDACTED]
Sent: Saturday, 22 September 2018 10:14 AM
To: LA Committee - JCS
Cc: COE; FITZHARRIS; Milligan, James; ORR; PETERSSON
Subject: Proposed changes to CTP Insurance in the ACT

Hi MLPs/committee members,

I was recently hit from the rear whilst sat stationary in my vehicle at a set of traffic lights in the ACT. I did not ask for this to be done but was relieved when I discovered that there was a system in place to help compensate me for my losses associated with this no-fault incident.

I understand that the ACT Government wants to replace the existing system with a no-fault, defined benefits system.

This will mean that the compensation available to people like me - injured through no fault of my own – will be drastically reduced. Most injured people will no longer receive adequate compensation to cover their financial losses, and arbitrary limits will be placed on the treatment and care benefits they can receive. The insurer will wield a lot of the power.

I strongly oppose any reduction in the compensation payable to innocent road accident victims. If the Government intends to introduce compensation entitlements for those who are at fault, that should not be done at the expense of innocent victims.

The rights of innocent victims like myself need protecting.

Many thanks
Ian Richardson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

Snedden, Andrew

From: Kirsten ROSE [REDACTED]
Sent: Friday, 19 October 2018 4:15 PM
To: LA Committee - JCS
Subject: Oppose CTP Scheme Changes
Attachments: Letter To Member of Legislative Assembly.docx

Good afternoon,

Please see the attached letter opposing any changes to the current CTP Scheme.

If required, more than happy to discuss.

Kind regards
Kirsten and Matthew
[REDACTED]

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Letter to Member of Legislative Assembly

A concerned constituent from your electorate has sent you a message about the ACT Government's proposed CTP changes

Good afternoon,

I am very concerned that the ACT Government is considering changing the existing CTP Scheme, which provides protection to people injured in a motor vehicle accident in the ACT. I am not sure if you have been involved in a motor vehicle accident, but I can assure you, it is the worst experience I have ever had to deal with. I have been witness to the aftermath of my partner Matthew's horrific motorbike accident, and felt it necessary to share my story with you to potentially sway you not to make any changes to the current CTP Scheme and that it remains beneficial for the victims of accidents in the ACT.

Matthew was riding his motorbike on 16 September 2017 and was cut-off by a drunk driver (who failed to give way). The accident happened so quickly that Matthew had no option to brake, swerve or do anything to prevent the accident from happening. The result was Matthew hitting the Ute on the passenger side engine bay, his body was thrown from the bike through the windscreen and he ended up landing on the road on the driver's side of the vehicle. All emergency services attended, and he was transported to The Canberra Hospital (TCH).

Matthew was considered "lucky" by the trauma surgeon and their team at TCH as he "only" endured a broken clavicle (left collar bone) in three places, seven broken ribs, broken right hand (dominate hand), punctured lung, mild lacerations, chipped tooth and severe left side hip/ lower back and thigh swelling and was not admitted to ICU. Every day we are so thankful that Matthew survived and there was no serious brain or spinal injury.

After six days in hospital and enduring surgery, Matthew was released from TCH. He came home completely incapacitated this including but not limited to; not being able to independently drink, cut, prepare or eat food, shower or toilet himself. He had restricted movement, was in horrendous pain and suffered immensely for the following eight - twelve weeks of recovery.

I took off eight weeks from work to become his "carer" as no support was offered to us for his recovery at home. His very small family is in Sydney (dad and sister) and they were limited to assist due to his dad having his own health issues to deal with, and his sister has a young child to care for. The care I offered him was not just in my home, but I was also required to transport him weekly/ fortnightly to all the various appointments including two separate days at the hospital (Plastics team one day and Orthopaedics team another day), GP, psychologist and physiotherapy.

Matthew was paid by his workplace for the first three weeks of his incapacity (one week accrued sick leave and two weeks accrued annual leave) then nothing. We engaged a solicitor and found out that the third party insurance company would only cover the cost of his medical treatment and rehabilitation, but not his wages due to

the accident occurring on a weekend and not going to or from work, which confirmed worker's compensation would not be available.

In January 2018 Matthew was informed by the Plastics team at THC that further surgery would be required on his right hand due to the fact that his physiotherapist at TCH was not happy about his recovery and noted the right index finger and hand had not properly healed. Matthew was operated on 2 March 2018, and again he was incapacitated. I took another two weeks leave to care for him. Matthew commenced his recovery, and attended appointments. Matthew's profession is a Butcher so he does require the full use of his right hand in order to return to work at a full time capacity. At this stage, it could be months to determine if a return to work is possible and we hoped for a positive result.

The police officer provided us with updated information about the driver who caused the accident. He continued to drive as his licence was not suspended immediately; he remained at work and not obliged to pay anything to Matthew. Matthew, via his solicitor, had to personally sue the driver for the cost of the equipment and motorbike write-off, as, the insurance company due to the drivers DUI offence would not cover this expense. The outcome of the driver's court case was pathetic (in our opinion), 3 months loss of licence, good behaviour bond, some community service and a menial fine to pay for almost killing Matthew.

The accident has left us both financially ruined, struggling to maintain mortgage payments, pay bills and all the other bare necessities of life. Fortunately, Matthew and I don't have children to consider in this situation as I really question what other families do, especially if they have children and are relying on the injured person's wage every fortnight? Matthew has received a very small portion of income protection, however, the paperwork and information required by the company per month to maintain this arrangement is hardly worth it given the stress it causes us, and extra appointments we attend for specific documentation.

It has now been over a year that Matthew has not had capacity to work. This month he is scheduled to undertake another hand surgery to remove the plate and screws from the 2 March 2018 surgery, as his recovery and rehabilitation is exhausted and again his hand has not made a full recovery.

The light at the end of our tunnel at the moment is that the compensation payout (if/ when it occurs) will hopefully put us back in good stead to get back on our feet again and we can try and return to our previous "normal life/ way of living". Without this, I do not know how anyone could possibly progress forward and maintain any glimmer of hope that things are going to be ok. We have experienced days/ weeks/ months of sadness, down times and questioning why Matthew, why us? The processes we have had to go through are sometimes not easy to take on or understand. So often we wish it would end, but there is no escape until he makes a full recovery, is back to full time work capacity and that he is compensated with what he is deserving of, given the inconvenience, trauma and pain he/ we have gone through.

Matthew's prognosis is still very uncertain, and there is a chance that a return to his full capacity as a Butcher may not happen depending on the outcome of this looming

surgery. This would require him to retrain in another field to cater for any potential partial/ permanent disability.

I am most certain that we are not the only people going through this situation and we won't be the last. We are now aware that in an instant your life can be turned upside down and through no fault of your own. The accident has honestly changed our lives forever, tested the strength of our relationship, taught us patience, and made us aware of so many flaws that do not support the victims of these horrific accidents. We truly believe that any negative changes to the current CTP scheme would be detrimental to the future livelihoods of the victims.

I trust you will take into consideration what has been outlined and what we have experienced.

Kind regards
Matthew and Kirsten



Snedden, Andrew

From: Amber Pape Sargent [REDACTED]
Sent: Wednesday, 3 October 2018 9:27 PM
To: LA Committee - JCS
Subject: Changes to the Compulsory Third Party (CTP) motor vehicle insurance scheme

To whom it may concern,

I wish to share my disagreement to the changes that are being requested by Andrew Barr.

I am a victim of an individual's negligence in a motor vehicle accident. Yes it was an accident however, I was struck from behind when my vehicle was stationary at a red light by a P plater which was suggested to be travelling at approximately 60 to 80 km/h. As a result of this accident, I suffered severe injuries even though it was such a minor incident. My neck suffered whiplash, both of my shoulders were injured with small abrasions in tendons, I also suffered a large amount of mental issues such as driving anxiety where I was unable to drive my car for approximately a week post accident. Eventually I did get behind the wheel and drive again but never feel safe or confident on the road anymore, I have constant fear that someone is going to crash into me. In addition I am suffering from chronic pain and as you could imagine the level of quality of my life would be from obtaining all of these issues, it was not pleasant at all and I severely lacked enjoyment and happiness, I also had a severe increase of depression. My injuries and mental instability prevented me to continue my full time employment, once I returned to work I had movement, lifting/reaching and hours per week restrictions, I continued with these restrictions for 3 months until I was let go due to the fact the workplace no longer had suitable duties to account for my injuries.

2.5 years later I am still suffering from this injury and I have tried all sorts of treatments, physiotherapy, hydrotherapy, cortisone injections and I would not have been able to do or pay any for these when reduced to a very minimal wage with rent consuming 85% of it. After less than 12 months post the accident, the insurance company cut off any money contributions after only contributing to a very small amount of treatment, this being \$1000.00, which paid for some pain relief medication, a few doctor appointments for treatment review and one or two physiotherapy appointments.

I understand that within a '12 month period' realistically my injuries 'should' have been healed and I 'should' be able to continue on with my normal life prior to injury, however this was not the case, and the insurance company assumed and did not think anything further, no medical appointments were requested to follow up on my injury, all of my reports from all treatments suggested I was still suffering, and eventually after again a long period of no compensation from the insurance company, I received a letter in the mail saying that from this date they are ceasing all future benefits and they will not pay for anything further.

I fear dearly if in the future, anyone was a victim because of someone else's negligence is left up to an insurance company. They cannot just cut off and assume people are better and healed. I went months at a time without any income and was chasing them up constantly to let them know of my circumstances, I couldn't pay my rent, I would be evicted, homeless, and left with a bad rental history. I couldn't buy food for myself or my pet, I had to borrow money from my mother who luckily was in a position to help me with small amounts of money from time to time. The response I would get from my claims manager was 'it will be in your account tomorrow' and weeks and weeks went by even when I still followed up again I would still get the same response 'it will be in your account tomorrow'.

Not everyone is lucky like I was at that time, people might not have a back up solution and may be forced into homelessness, poverty and starvation due to the lack of care the insurance companies provide to those with claims.

Thank you for taking the time to read my email, I hope my experience assists with making the right decision and to help make the future a better and more fair place.

Sincerely,

Amber Pape Sargent

Snedden, Andrew

From: Alison and Craig [REDACTED]
Sent: Saturday, 6 October 2018 6:11 PM
To: LA Committee - JCS
Subject: Objection to planned changes to the CTP motor vehicle insurance scheme.

Dear Justice and Community Safety Committee,

I am writing to voice my disbelief and abhorrence over Andrew Barr's current plan to replace the ACT's existing CTP scheme with a no-fault but very limited benefits scheme. My analysis of the situation is that it will lead to reduced payouts to innocent victims to facilitate greater payments to the perpetrators. But perhaps worst of all is that the control of payments to victims will be at the mercy of ASX listed insurance companies, the same companies that have been found to be driven by their own greed through the current Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.

I recently suffered a permanent disability through someone else's negligence and through no fault of my own. I required major surgery which was all the more traumatic due to the continual postponement of my 'emergency' surgery under the completely ill-resourced ACT Health system. I was unable to work in any capacity for over two months. I am still receiving ongoing physio and have suffered some loss of articulation in my right arm. I am currently seeking compensation in the hope of recouping some of my high level of out-of-pocket medical costs, and additional living/rehabilitation costs incurred.

I understand that Mr Barr's actions are completely self-serving: a ploy to increase his Government's revenue probably as a result of his gross negligence in managing its expenditure. In doing so he has left many ACT residents in extremely volatile positions should they be unlucky enough to find themselves in a situation such as mine. Many people will now be suffering great financial stress when many families are already struggling due to the current high cost of living in the ACT. Also his rigging of the citizen's jury process and sense of urgency to pre-empt the March 2019 scheduled review of the existing scheme reeks of his desperation to win at all costs and willingness to throw away all that is fair and right.

If Andrew Barr cares so little for the wellbeing of ACT residents and can so easily strip them of their rights, perhaps he should investigate alternative professions, and might I suggest used car sales.

Yours sincerely,
Alison Skinner

Snedden, Andrew

From: Rebecca Stephens [REDACTED]
Sent: Friday, 5 October 2018 2:03 PM
To: LA Committee - JCS
Subject: ACT'S COMPREHENSIVE COMPULSORY THIRD PARTY (CTP) MOTOR VEHICLE INSURANCE

Hi there,

I am concerned that the ACT will loose it's way if it changes what is considered to be the fairest and most comprehensive CTP insurance scheme in Australia. As a driver and occasional bike commuter, I am highly aware of the dangers on our roads and how many drivers do not follow our laws.

By making these changes, we make our community less fair and more vulnerable. I hope this does not get passed.

Kind regards,

Rebecca Stephens.

Snedden, Andrew

From: Carla Strazdins [REDACTED]
Sent: Friday, 5 October 2018 4:58 PM
To: LA Committee - JCS
Subject: CTP Changes

To whom it may concern,

Although I have not personally been a victim of a motor vehicle accident, I have had both friends and family members suffer life changing injuries as a result of an accident that was caused through no fault of their own. Had they been denied a right to fair compensation, e.g., by setting arbitrary limits of payments for certain injuries and the other CTP changes that are being proposed, they would not have been able to access the services and treatment they needed to recover. I believe that the ACT has the best CTP scheme in Australia as it gives victims of motor vehicle accidents which are not their fault the right to just remuneration and fair compensation - it is an example of our legal system working at its best to keep our citizens safe. I urge you to reconsider changing our current scheme, and closely consider the impact that these changes would have on innocent road users. Why change what we have when it is currently working so well?

Kind regards,

Carla Strazdins

Snedden, Andrew

From: Oliver Tham [REDACTED]
Sent: Sunday, 21 October 2018 1:03 PM
To: LA Committee - JCS
Subject: CTP Insurance Comment

I would rather pay more than to save \$100 for significantly reduced benefits and for insurers to have much greater say over how and what they pay us.

I oppose the changes under Motor Accident Injuries Bill 2018 and I ask that you join me in doing so.

Oliver T

Snedden, Andrew

From: Aniyam Thomas [REDACTED]
Sent: Thursday, 4 October 2018 9:01 PM
To: LA Committee - JCS

Hi

My name is Aniyam Thomas and I am an Australian Citizen and the parent of three children of which my second child is a male child with special needs. I have been in an MVA along with my wife, in 2016, when I was driving my wife to work. It was not due to our fault and both of us have been injured significantly, including several rib fractures and vertebral fracture and sternal fractures. The result was totally devastating. It impacted all our physical activities as well as our psychological equilibrium and even after 2 years the pain is still severe and affects our ability to work.

The significant aftereffect was that of extreme pain which restricted us from carrying out our daily activities that we have been doing earlier. In spite of the pain and other issues, we still have to continue to work as we have no other means by which we can support the family.

This I stress as we have a child with special needs who needs assistance with all of his ADLs. He is 10yrs old now and the older he gets, it is becoming harder for us to look after him especially now with all the pain and restrictions due to the accident.

Also since it was not due to our fault I feel we should be given a chance for full recovery and treatment and also get compensation to cover the future expense for treatment.

I earnestly request these factors to be considered when making a decision regarding the compensation claims.

Kind Regards

Aniyam Thomas

Snedden, Andrew

From: Amanda Thorne [REDACTED]
Sent: Thursday, 4 October 2018 4:16 PM
To: LA Committee - JCS
Subject: Regarding my rights to compensation and the new proposed bill

Dear The Committee Secretary,

I request that you act responsibly as one of my representatives in the Ginninderra electorate, when dealing with my common law and legislative right to compensation.

I am appalled that your party and Mr Barr in particular, seem so determined to give up my rights for the benefit of insurance company profits.

The legislation you propose to introduce through the Motor Accident Injuries Bill will slash my right to compensation for pain, economic losses and even treatment, to name just some of them. My future entitlements, in case of serious injuries, will be slashed (or not compensated at all) and in the event of long term losses, my right will be limited to 5 years.

How can it be possible that your party proposes massive increases to insurance company profits with my life and entitlements being the price? Do you understand yourself how much is being given away to the insurers? Do you understand the legislation? Have you read it?

At the very least, this process of review should be thorough and expert and not rushed through just to satisfy the ego of Andrew Barr.

Kind regards,
Amanda Thorne

Snedden, Andrew

From: steph Turk [REDACTED]
Sent: Thursday, 4 October 2018 6:03 PM
To: LA Committee - JCS
Subject: Proposed CTP changes - submission for consideration

Good afternoon

I have been the innocent victim in 3 motor vehicle accidents in 2016 and 2017, also my Mother in Law in 2017. My family have been at the mercy of a heartless insurance company who ignore or delay requests for assistance and decline whatever they want in a timeframe of whenever they want.

They additionally get so called 'Specialists reviews' to refute recommendations from Qualified top Canberra Specialists, just to delay and also save themselves approving the recommended treatments.

At least currently I and my Mother in Law have a lawyer on our side to fight for our rights.

With changes proposed to the CTP myself and my family will be at the mercy of these profit driven insurance companies who may say they care, may say they respond in an adequate time frame, may say they don't discriminate against people, including the elderly and may say they approve appropriate treatment but in my and my families experience they really don't care.

We cannot possibly trust that they will do the right thing by innocent victims just because they are supposed to, they don't do it now.

We need to be able to continue to have a voice with a good lawyer on our side to fight for us and what should be our rights of fair, timely and recommended support and treatments.

Submitted for your consideration.

Regards

Stephanie Turkich MCN
[REDACTED]
[REDACTED]

Snedden, Andrew

From: new [REDACTED]
Sent: Thursday, 4 October 2018 8:55 PM
To: LA Committee - JCS

Hi

My name is Smitha Varghese and I am an Australian Citizen and the parent of three children of which my second child is a male child with special needs. I have been in an MVA along with my husband, in 2016, when my husband was driving me to work. It was not due to our fault and both of us have been injured significantly, including several rib fractures and vertebral fracture and sternal fractures. The result was totally devastating. It impacted all our physical activities as well as our psychological equilibrium and even after 2 years the pain is still severe and affects our ability to work.

The significant aftereffect was that of extreme pain which restricted us from carrying out our daily activities that we have been doing earlier. In spite of the pain and other issues, we still have to continue to work as we have no other means by which we can support the family.

This I stress as we have a child with special needs who needs assistance with all of his ADLs. He is 10yrs old now and the older he gets, it is becoming harder for us to look after him especially now with all the pain and restrictions due to the accident.

Also since it was not due to our fault I feel we should be given a chance for full recovery and treatment and also get compensation to cover the future expense for treatment.

I earnestly request these factors to be considered when making a decision regarding the compensation claims.

Kind Regards

Smitha Varghese

Snedden, Andrew

From: Sandra Warrener [REDACTED]
Sent: Friday, 5 October 2018 4:34 PM
To: LA Committee - JCS
Subject: CTP

Good afternoon,

I am writing my concern regarding the Barr Government wanting to change the Compulsory Third Party motor vehicle insurance scheme. I feel totally outraged with this unthought of scheme

Why the Government would trust in the insurance company to make decisions and provide decision on treatment and costs a person receives is outrageous. I for one do not trust insurance company to make these valuable decisions. Normally when an accident happens it is through no fault of the innocent victim whose life is changed financially as well as having to deal with injuries.

I for one was recently injured through no fault of my own. I was forced to pay \$22,000 to fix my back and I used all my long service leave as well as some personnel leave. The emotional and financial stress was horrendous. I feel I deserve to be compensated fairly. Once again trusting the insurance companies to make these decisions is extremely unfair. They are out for themselves.

I for one will not be voting for Andrew Barr!

Kind regards,

Sandra Warrener

Snedden, Andrew

From: Sam Webster - Coordinate [REDACTED]
Sent: Tuesday, 23 October 2018 3:26 PM
To: LA Committee - JCS
Cc: BURCH; GENTLEMAN; LAWDER; PARTON; WALL
Subject: ACT CTP

To the Committee Secretary,
Standing Committee on Justice and Community Safety, Legislative Assembly for the ACT

Dear Sir for Madam

I wish to express my outrage of the way in which common law rights, arising from injury sustained in a motor vehicle accident, are about to be slashed.

The "jury process" paid for by the ACT public, was a farce. It was secretive, restricted and biased. Not surprisingly, the outcome sought by the ACT CTP insurers was reached.

My entitlements to compensation, if ever needed, are being given by the ACT Government to a cabal of insurers.

The limited time frame for objections is another form of government abuse. It should be extended.

Deliberations by you committee should be thorough, professional and based on independent expert analysis and advice.

I wish to be heard by your committee on my objections

Regards

Sam

Sam Webster
Retail Account Director

[REDACTED]
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[REDACTED]
PO Box 90, Canberra City ACT 2601

coordinate[®]

Snedden, Andrew

From: TODD WILSON [REDACTED]
Sent: Thursday, 4 October 2018 1:12 PM
To: LA Committee - JCS
Subject: Changes to Compulsory third party motor vehicle insurance in the A.C.T

To Committee

I am writing to express my concerns regarding proposed changes to the third party compulsory insurance act in the A.C.T. I was injured in a motor vehicle accident late last year which has cost me my employment position many lost opportunities, hours of pain ,life stresses, financial stresses as well as many hours of physical and mental pain. At this stage I am fortunate to have had the majority of my doctors ,specialist , treatments and medicines paid for by the insurer of the driver at fault in my accident. However I understand that this would change under the proposed scheme. I have been immensely put out both financially and personally for which I fear I will not be compensated or reimbursed under the proposed changes to the A.C.T CTP motor vehicle insurance scheme. It frightens me to think any member of our community could go through something similar to my self and be deprived of the costs covered to date that I have been entitled to as I am aware there are individuals and families who have lower financial safe guards then my self and I have certainly struggled. I urge that these proposed changes should be rejected as my self and others should be entitled to costs accrued and fair compensation for a life altering accident at the hands of a negligent driver. If you wish to contact me in regards to my concerns and experience my contact number is [REDACTED]

Todd Wilson

Snedden, Andrew

From: Carrie Wright [REDACTED]
Sent: Thursday, 18 October 2018 10:33 AM
To: LA Committee - JCS
Subject: Change to CTP insurance

To the committee

I am not in favour of the proposed changes to the CTP insurance scheme. ACT has a fair method of dealing with those injured in road accidents why change it.

Yours sincerely

Carrie Wright
[REDACTED]
[REDACTED]

Snedden, Andrew

From: mohd yunus [REDACTED]
Sent: Saturday, 22 September 2018 12:28 AM
To: LA Committee - JCS
Cc: [REDACTED]
Subject: RE: OPPOSE TO THE CHANGES TO THE ACCIDENT COMPENSATION.

We will like to vigorously oppose to the arbitrary changes to Accident Compensation.

I am victim to the car accident caused by [REDACTED] at Gungahlin Town on 21/11/2017 at about 1945 hours.

I was driving my car within the speed limit on the main road THE VALLEY AVENUE near No 146.

This [REDACTED] was driving his car coming from Coles Supermarket on the GUNGAHLIN PLACE towards the Valley Avenue.

He did not stop his car at the first GIVE WAY, came to the second GIVE WAY and again did not stop and collided with my car, driver's side back.

He hit my car with such a speed that my car went out of control, flew in the air and hit the lamp post. Luckily the lamp post did not break or else I could have been electrocuted.

My car was total right off and I sustained very severe internal injuries, to my neck, both shoulders, right hand, back, all fingers of both the hands, right leg, under the feet, etc.

I called Police but the Lady Police Officer who answered the phone said there were very busy and we should claim with the insurances.

I saw the number of Doctors, Specialists, Physiotherapist, massages, etc but the pains are getting worst. I cannot concentrate on my professional job, carry out any housework, cannot walk properly, feel like I am garbage and of no use.

The accident severely affected my movements, hobbies, recreation, sexual activities, etc.

The NRMA Insurance is spilling the hairs as if nothing happened and making me run from pillar to post.

They are unnecessarily delaying the payment of compensation, did not pay my medical expenses and behaving like they are the JUDGE and the JURY.

I am also advising my Lawyer to also vigorously oppose the unnecessary changes.

Please, I beg you to sympathize with us innocent accident victims and do not change the CTP and make it more friendly for those affected by the accidents.

If you need further information, please call me at [REDACTED]

Yours Sincerely,

Mohammed Yunus,

Innocent Accident Victim.

Snedden, Andrew

From: qunfang zhang [REDACTED]
Sent: Sunday, 7 October 2018 12:02 PM
To: LA Committee - JCS
Subject: concerns over the proposed CTP changes

Dear Justice and Community Safety Committee members,

I am writing with regards to the propose CTP Scheme changes. As a recent no-fault victim of a car incident, I have some concerns over the proposed changes.

I was a no fault victim involved in a vehicle accident in May 2018. My car injury accident was not a complicated one. It happened when I was filling tank at the petrol station while a car drove over my left foot, at fault driver had no injury. I was diagnosed with severe multiple fractures. After hospital treatment, I remained unwell at home for three weeks with medical certificate. As a result, I suffered both the injury and income losses.

I lodged my CTP claim application to the at fault insurer. However, when I made the follow up call to the at fault insurer about my CTP claim, the insurer only agreed to reimburse the cost of the medical treatment (which was basically minimum as the cost were mostly covered by the Medicare), but rejected my claim for lost income. The insurer said it was not the insurer's responsibility, and told me to work out the salary loss with my employer or agent through work compensation. A very quick case resolution, but I was simply denied the authentic rights that CTP grant.

The proposed CTP scheme will rely on insurers to provide a range of information and advice to injured people. From my experience dealing with at-fault insurer, the insurer will try everything to block or minimise the benefits of the victims. It is a **conflict of interest** to put the victims under the trust of the insurer.

I also suffered stress and anxiety from this accident and the events happened afterwards. As a software engineer, my mental health is vital to my ability to perform my work duties. No matter how big or small the injury is, mental health is something we should not neglect and should also be looked after. This is true for everyone, for me, stress and anxiety will impact on my job competency if not handled properly. As such, the current fair level of compensation provided to innocent road accident victims **SHOULD NOT** be trade away.

I experienced a series of events of physical and psychological sufferings and hardships. However, I was glad that I had received satisfactory treatments and support from, my friends, colleagues, neighbors, police officer, GP, doctors, physiotherapist, anonymous car shop workers, my employer, to just name a few. Most

importantly, I felt very lucky to have lawyers, who accepted my case firmly when they learned I encountered stumbling block about my CTP application with the at fault insurer. I appreciate all the helps I had received during this course.

I hope you can hear my voice and consider my concerns. To summaries, I have two points to make:

- Rely on the trust of the insurer is a conflict of interest and will not provide victims' rights
- The fair level of the compensation of the current CTP scheme should not be trade away

Kind regards,

Qunfang Zhang