

Written Submission on the Injury Prevention, Rehabilitation, and Compensation Amendment Bill

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Submitted To: Transport and Industrial Relations Select Committee

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1. Introduction

- 1.1 Victoria University of Wellington Student's Association (VUWSA) is a student controlled association promoting the interests and participation of its 22 000 members and representing their views.
- 1.2 The role of Women's Rights Officer is to provide support and advocacy for self-identified women on campus. This includes organising a Women's Representative group, maintaining a Women's Only space and running strong campaigns relevant to women. The main campaign run throughout the year is Thursdays in Black – demanding a world without rape and violence. Another important role, and most relevant to this submission, is to be aware of issues in the wider community, how they affect members, and what can be done to prevent negative repercussions.
- 1.3 VUWSA would like to thank the Transport and Industrial Relations Select Committee for the opportunity to present a submission and commends the Committee for consulting with the community.
- 1.4 This submission is based on the following public document:

Injury Prevention, Rehabilitation, and Compensation Amendment Bill,
Government Bill 90-1.

2. Overview

VUWSA firmly believes that many of the changes outlined in this Bill will have a dramatically negative effect on many sectors of society, many of which students are members of. Of major concern are the proposed changes to the Sensitive Claims Scheme. These proposals are unwarranted and target some of the most vulnerable members of society, are not supported by sufficient evidence and weaken the Woodhouse Principles.

3. Reasons for Opposition

3.1 Creation of an assessor/provider split

Before being assigned an ACC therapist, sexual abuse survivors will be required to be assessed by three separate ACC approved therapists to be deemed eligible. This could potentially cause re-victimisation, as the survivor will be required to re-live their abuse to four different people, none of whom they trust at the time.

It is quite common for victims to not feel comfortable enough to discuss their experiences fully, and with the proposed changes survivors are not granted enough time to create a sufficient patient/doctor relationship to allow this to happen. What would happen if one therapist did not believe the situation called for counselling, one was undecided and the other believed it necessary? Would that mean further counselling? Would that lead to further trauma? VUWSA feels that it is unnecessary to inflict this lengthy and traumatic process upon survivors as they have already been through enough.

3.2 Treatment of mental injury

The proposed changes state that survivors will only be eligible for treatment if diagnosed with a mental illness which fits a Diagnostic and Statistical Manual (DSM-IV) diagnosis. The changes also state that survivors would have to declare their mental illness when applying for jobs, benefits or education. VUWSA believes that there should be a distinction between someone suffering from a trauma, and someone suffering from a mental illness. Survivors of sexual abuse should not have to be diagnosed as mentally ill to receive the treatment they require.

Often survivors show more progress once the perpetrator has been apprehended. Even if they began to show signs of improvement, under this proposal survivors would still have to declare to prospective employers, educators, et al that they have been sexually abused, reinforcing the trauma for the survivor. The diagnosis of a mental illness has severe negative impact on a survivor's attempt at regaining normalcy.

3.3 Focus on relative shorter-term therapy

Under the changes to the Sensitive Claims Scheme, ACC will determine how much counselling a survivor needs and will be able to stop this counselling at any time. Survivors will be granted up to 16 hours of counselling, of which seven are allocated for treatment. VUWSA believes that through this, ACC is placing too much emphasis on diagnosis and not enough on rehabilitation for the survivors – a move which breaches the best interests of those involved. Given that the changes have been condemned by the New Zealand Association of Psychotherapists and the New Zealand Association of Counsellors and Rape Crisis, it is unclear why the Minister believes that the proposed changes are acceptable, and VUWSA cannot support the proposal.

4. Closing Remarks

- 4.1 VUWSA does **not** believe that the Sensitive Claims Scheme should change in the manner outlined in the Bill.
- 4.2 VUWSA opposes the proposed changes to the Injury Prevention, Rehabilitation, and Compensation Amendment Bill primarily on the basis that the changes will lead to re-traumatisation and less focus on rehabilitation.
- 4.3 The proposed changes will decrease survivors' chances of regaining a sense of normalcy within the proposed time period. VUWSA feels that this is unacceptable given the circumstances – survivors should not have to suffer further for something which is not their fault.
- 4.4 VUWSA does not accept that ACC is in crisis, as the Government states, considering it amassed a near one billion dollar surplus last year. It remains a world leader in accident compensation and serves well the people it exists to protect – all New Zealanders.

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