

Public DEFENDER

John Rolfe

122

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Please help!

I need some legal advice

Workers right to be safe

MAGGIE asks: What happens to an injured worker who is redeployed in a different work area that is totally inappropriate for the injury that was sustained and, due to their employer's poor judgment, the injured worker required further surgery? Why can the employer hide behind the Workers Compensation Act? The rights of the employee just do not exist. Where is the fairness? IF you are injured at work and later become fit for suitable duties, your employer has an obligation to provide duties in

Have your legal queries answered on our blog with Maurice Blackburn legal expert Rebecca Gilseman at noon today



RTA raiders routed

How one man travelled a hard road to get his money back



Bank account emptied: Phil Cullen went to war over e-tag charges
Picture: Ross Schultz

ON Friday, November 12, electrician Phil Cullen drove through the M2 toll plaza.

His tag made four beeps, something Mr Cullen had never heard before.

He went home and logged on to his My RTA e-tag account and discovered his credit of \$388 had disappeared, his credit card had been debited for more than \$1000 and he had a debt of about \$800.

"To finish it, my tag was invalidated. All without my knowledge," Mr Cullen said.

On Monday, he rang the RTA contact centre. After what he said was two hours on the phone, he was told his e-tag had never been properly validated and he owed \$2148.

Given Mr Cullen always paid his tolls and the error

Panel to hear parking ticket complaints

LAST week I reported on Parramatta Council fining Teri Procter for not displaying a parking ticket correctly. It was on the dashboard, but apparently unreadable.

The article said she had a good chance of getting the fine withdrawn if she went to "the panel". But due to a production error it did not

here was not his, he was understandably aggrieved.

"I feel something has gone very wrong internally with my e-tag account," said Mr Cullen, who has four tags linked to his account.

A RTA spokeswoman said: "The RTA apologises for this initial error. The RTA is investigating the system error to ensure this problem does not occur again."

That reads like "new-speak" from the novel 1984. Something "ungood", as George Orwell would say, happened and the RTA's response was to raid Mr Cullen's bank account.

Imagine if you or I did that — helped ourselves to more than \$1000 without asking?

But the RTA thought nothing of it, even though it was their mistake.

say what the panel was. It's the Adjudication Panel, comprised of a senior council staff member and two residents.

Earlier this year Parramatta undertook a six-month trial of the program, with council officers hearing 453 penalty notice appeals. Thirty-seven per cent of appellants got off.

In May 2009, the RTA's attempt to extract a \$40 security deposit from Mr Cullen's bank account failed.

When he went to have tags replaced on November 8 this year, the RTA realised the May 2009 payment was still "waiting for approval".

That night it again tried to deduct a security deposit — and succeeded.

So it cleaned Mr Cullen

out. Or, in RTA parlance, "completed payment".

It didn't even bother to warn Mr Cullen.

When I said the RTA didn't think anything of it, that's not strictly correct.

One person at the RTA thought something of it, advising Mr Cullen to contact the NSW Ombudsman about the matter. Which he has.

After Mr Cullen contacted me, the RTA offered to put the money back and to work out a payment plan.

That's the least it could do. It made all the mistakes here. It's lucky Mr Cullen is a reasonable bloke.

"I don't mind paying for what I owe," Mr Cullen said.

"I was just upset at having my card debited over \$1000 without my knowledge."



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