

Attached documents and my previous oral submission to the commissioner be taken as a whole when reading this comment about productivity. I hope to make later additions to this submission. This submission is pretty disjointed, but I have been unable to write much and want to get it submitted. Questions and discussion are invited.

Although the focus here is on disabled productivity, I believe that adequately addressing this issue helps the community formulate laws and processes which ensure equality of opportunity across the spectrum.

My comments are necessarily brief because of health constraints.

The nub of the problem in productivity throughout the country seems to be closely tied to the complexity of Australian law, legal systems, regulations and a lack of recognition that we do live in a global society.

As a sixteen year old I could fill in my own tax return. As a forty year old I needed an accountant. Too complex! And the laws are beyond anyone's grasp, you need a team of accountants simply to keep up. In efforts to make tax 'fairer' the ability of the accountant to understand tax law is compromised, and the average Joe has been totally disenfranchised.

I can start a company with an internet presence and base in the USA for a commitment of under \$100 a month, with virtually no up-front costs in most states. Here, I need over \$500 a month to commit, and probably need to undertake some small business education program to have some hope of knowing a little about the complexities of law. Too many regulations! So many minute details are regulated in micro-management style.

My friend needed over a dozen meetings with council employees and hundreds of hours of work to gain simple permission to install an awning outside. Governmental delays on change are a common occurrence. It frequently takes more than two and even three years to organize a major investment like building a shopping centre. That's a huge cost imposition on developers and a major barrier to small growing businesses.

Big business can easily absorb the cost of having an expert team to deal with issues such as GST. For small business, the costs increased exponentially due to the amount of time it takes from the owner themselves. A flat GST on everything avoids this issue. I believe it is one of the only ways to create an even playing field for small business and not give undue advantage to massive corporations.

When this health problem first hit in 1986, it took some years to move back into full time work. I believe that the potential for me to do this again has been seriously diminished by the foolish disability related regulations. Although I am currently negotiating a job, I am only able to find appropriate work which allows for my disability overseas. Here I couldn't do what I did before; work in a bicycle workshop, then move back into part and then full time teaching as I learnt to live with my condition. In theory it's possible. It's just that there are so many hoops to jump through.

It took over three years and fifty hours of government workers time to arrange for me to have two hours unskilled help with cleaning a week for a year. That's fifty hours to arrange for one hundred and four hours work. Given the government people's higher employment cost, it means that seventy-five percent of the cost of assisting me for a year was lost to administration! Even more if we begin to count transport times for meetings. This situation is common. I expect that this cost could easily become under ten percent with some management that works. Money is being seventy-five percent wasted just because of bureaucratic and regulatory complexity!

I have a condition which does not benefit from available medical intervention. And have therefore forced to take full control of my management plan. It is much more successful than current medical management schemes others in similar situations use, and the doctors strongly encourage me to continue with it. And I believe that I have ready access to one of the best medical teams in the world; Dr. K. H. Koh (GP), Dr. D. Burrows (neurologist) and Professor A. Goss (surgeon). They all agree that the attached report and letter I wrote for Prof. Goss is an accurate statement of events, and accurately portrays the quandaries both they and I are presented with. The complexity of my condition and its rarity do explain some of the difficulties I perceive myself as having with the very complex disability support community and departments.

When I couldn't speak or write, I was in fact totally disenfranchised by the Australian community. I had no access to any support. And the support I finally got depended on me teaching myself to read and write again first! Now I am labeled 'disabled' and have many sever disincentives and barriers to employment. Most small employers would be a fool to take the risk of employing me when they can get less skilled people who do a lesser job, but don't have the associated legal risks.

The bottom half of the population is starving, getting sick from lack of good food. The majority of children now live in households without a male. Education is the prerogative of the wealthy. An ever increasing multi-generational poor class has been created within my lifetime. Advances in mental health are negated by archaic laws that never were appropriate. Australia is more wealthy than ever.

The poorest of the poor face loss of income when they work to help themselves. Total tax burdens on the poor half are over half their income. Building costs are greatly escalated by massive taxes. No wonder violent crime is rising! The underworld nourishes itself on poverty. Black markets are now over half the economy. Here in SA recent estimates are that the drug trade alone is worth thirty percent of the GDP. Add in the backyard deals, cash work and other illegal monies and you have a crisis.

I know full well that I cannot access the legal system. Legal aid is unavailable to most. When I was attacked and kicked in the head by two thugs, the police who were across the narrow street watching intervened quickly and probably thus saved me from brain injury or worse. However they did not follow regulations and ensure that I went directly to hospital, allowing me to walk home. Surely the fact that my mouth was seriously

distorted and I could barely gasp out any words keyed them to the need for medical attention? Anyway, at least one officer actually saw the kicks. I don't remember the attack myself. On police advice, I charged the offenders. Available legal advice was followed. The outcome was that the offenders got tiny fines and I received around three thousand as a victim of crime, of which almost a thousand went to legal costs. Police did not follow regulations, meaning that the actual damage to my face was not fully realized until four months later.

Total cost to me was immeasurable, but it was at least three to five hours study a day for almost two years before I could read and write again. Not to mention pain, being unable to eat even one meal a day for months, not feeling thirsty for eighteen months, stuck in bed unable to get up. Getting bed sores and massive lymphatic infections that lasted about a year because I couldn't clean, prepare food nor begin to adequately look after myself. And medical advice was that my attempts to seek assistance were having a massive negative impact on my health!

Had I or the attackers been richer to start with, I do believe that the court would have awarded tens of thousands of dollars in damages. I do know that the cost to me was months of being suicidal and over thirty thousand cash dollars. Perhaps you are getting the idea? The system disenfranchises the poor and disadvantaged.

I do not believe that the rich need to be attacked. I do believe that government waste is massive, that the total tax burden should be half what it is, and that this is a very viable possible future. Improving productivity means creating opportunities for the poor, not treating them as job-slaves. Reducing the massive cost imposed on small business by governmental regulation, complexity and tax is the only way to free up the economy. If I could do a small Internet business at a risk of one hundred dollars a month, I'd probably give it a go. But I can't do it with such high costs and impenetrable legal complexity. Even selling sausages off a barbie outside a shopping centre has become a major enterprise requiring major investment of time and capital. When given the opportunity, Australians excel in taking initiatives and building a future, even when they are old or disabled. Why are so many people excluded from opportunity? It seems like government is out to destroy the poor by starvation.

I was lucky to grow in the days of free tertiary study. Now I can't even contemplate taking a course to get me out of home in a safe supportive environment like the university. The fiscal risks are too high. And it will be hard to convince the world that Australia offers top quality education once word gets around that we accept low quality students who have the cash to buy places and get them in preference to far better qualified individuals who are poor.

I have done huge amounts of volunteer work in my life. But now I have a large number of disincentives to do it, and this would be the case even without health problems.

I have never thought of myself as disabled. But, like many professionals, I would not work in Australia if I had the choice. The conditions and salary and opportunities are

dismal, largely due to the insupportably high taxes. Now I need and want to work here, where my medical and social support is in place, I have to take the risk of going overseas in order to try to find a job that will be possible despite my limitations.

Please do what you can to remove unnecessary complications and reduce tax. I want to have the dream of having an opportunity in my home country. Right now, I am pretty much forced to be ashamed of my country; so many people have little or no hope. And the righteous few become richer by the second. The rich need to be richer, but the system needs to allow the poor to get pulled up along with it and have opportunities to help themselves. Right now the poor and small business have way too many obstacles, and they seem to multiply daily.

Christopher G. Dugdale

Professor Goss
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Wednesday, October 01, 2003

Dear Professor Goss,

During the week 1-6 September I was having a relatively high level of facial cramps, but nothing unusual. I made this appointment because of a very sudden major change that has taken over most of my time since then.

On Sunday 7th September I couldn't talk at all, except to whisper a handful of words quietly. This could not be heard on a telephone. For 3-4 days verbal communication was impossible and I could not write coherently or use body language strategies with any real effect. My right side jaw muscles was almost totally locked during this time and took over ten days to ease up enough to make speech practical. Also I kept falling due to problems with my left leg suddenly failing. This is scary, usually everything is on the opposite side (left face, right leg). The facial spasm was the first enduring and major cramp of my entire right face, which has normal sensation and was therefore excruciatingly painful.

In response, I cut to almost zero activity and lots of time in bed while I tried to remedy the situation. Going on past experience, I took the assumption that it must be "more of the same" since general health, sleep patterns and so on were unaffected. Hence, I did the stretching, massage and exercises I usually do with a focus on the right side and increased hours dramatically. This appears to have eased the situation, but I am still very worried and scared by this massive new development. It would be good to talk to someone who has more idea of how to communicate when one can't speak or write.

The side effects of pain have been a problem. I can no longer recall what a newspaper article says just minutes after I read it and it's only in the last few days that I'm having more success at this. Similarly, handling regular email and business correspondence has been fairly much impossible and database work (in which I am expert) makes no sense at all most of the time. Experience shows that these skills will be fine once I get less pain or learn to live with these high levels again, but it also makes it very difficult to handle phone or business discussions extending over more than a few minutes. It has taken 5 days to write this letter. Socializing has been, and remains, virtually impossible and I am again finding myself curled in the fetal position for many hours on many days.

I guess I know the process and how to continue if this is just "more of the same" so I came to check whether this is the case. If there has been no deterioration you can see, I will continue with the original game plan. If there is a change, your advice is needed since I am at a total loss as to how to continue to look after myself.

Given that the usual management plan has given apparently good results, I'm pretty hopeful that there has not been a sudden negative change. A week ago I had no idea how things were, but my guess now is that I had a hard week with LHS face cramps so the RHS got exhausted and went into a major episode of its own. This is the only "no deterioration" scenario that makes sense at present, and raises a serious question about staying in Adelaide.

I have had more problems in winter, and each seems violently more worse than the last. Cold can be so painful that my general health deteriorates since I can't exercise or cook properly when I have severe pain. Yet I am much more skilful at managing my face problems, so things should be getting easier each year, not harder to manage. I'm bored crazy and want to get stable enough to work, at least part time a few hours a week—voluntary work if necessary—or to begin some further tertiary study, or something. Is it likely that I would be better off permanently moving to a warmer location, or are apparent problems with cold a furphy?

It is possible that I am failing to manage stress well this year. For example, I've been trying to get some (any) help around the house. So far, I've had 14 1/2 hours of cleaning but this has taken over 20 hours of my time to arrange! Maybe I'd be better off continuing my long term focus on helping myself and canceling 'help' that is so costly a drain on my limited free time?

Could you please ensure that my records at the RAH reflect my actual medical situation. Once Dr. Koh sent me there. I was having a lot of trouble walking and talking. They tried to give me anti-drug drugs, but I refused since I'd had no drugs. I guess they discharged me as refusing to accept assistance? In fact they probably needed to observe me—I was bluish and Dr. Koh probably thought there was some risk of me passing out and needing more assistance. Anyway, I am now scared to go to the RAH. I often have severe difficulty communicating and need to avoid this kind of mis-diagnosis since most drugs are likely to have a rather negative effect, which could be dangerous. Dr. Koh suggests the MedicAlert bracelet I'm applying for read "Muscle spasms/Temporary condition/Do not treat me/Phone RAH" but I doubt that RAH records mirror your own or give any indication of my condition or appropriate treatment. Can you please do something about this?

Thanks for your consideration.