

T R A N S C R I P T

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Claims made through the Transport Accident Commission (TAC)

Melbourne – Tuesday 9 June 2026

MEMBERS

Joe McCracken – Chair

Michael Galea – Deputy Chair

Ryan Batchelor

Anasina Gray-Barberio

Renee Heath

Ann-Marie Hermans

Rachel Payne

Lee Tarlamis

WITNESS

Andrew Hutchison.

The CHAIR: Welcome back to the next session of the Legal and Social Issues Committee inquiry into the TAC. I am Joe McCracken, Chair of the inquiry. We will go through and introduce some of our members now.

David LIMBRICK: I am David Limbrick, Member for South-East Metropolitan Region.

The CHAIR: Ann-Marie Hermans will be back in 2 seconds.

Michael GALEA: Michael Galea, Member for South-East Metropolitan Region.

The CHAIR: Online we have got some members as well. I will go to Lee and then Anasina.

Lee TARLAMIS: Lee Tarlamis, Member for South-Eastern Metropolitan Region.

Anasina GRAY-BARBERIO: Good afternoon, Mr Hutchison. Anasina Gray-Barberio, Northern Metro.

The CHAIR: All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during the hearing, but if you go elsewhere and say the same thing, you may not be protected by that same privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing, and once you have had a chance to look through it, that transcript will ultimately be made public because it will be put on the committee's website.

Just for the Hansard record, are you able to say your full name into the microphone.

Andrew HUTCHISON: Yes, my name is Andrew John Hutchison.

The CHAIR: And you are representing yourself?

Andrew HUTCHISON: Yes, self-rep.

The CHAIR: Awesome. Thanks, Andrew. I will hand over to you for 10 minutes or thereabouts for an opening statement. The floor is yours. Welcome and thank you.

Andrew HUTCHISON: Thank you. First, I would like to say g'day to the honourable members of the committee, the Parliament workers and those in the room and watching from afar. I want to take this moment to pay homage to currently serving and past members of the Australian Defence Force and the police service. These are dark times, and I hope they can hold the line until the light prevails.

To put it bluntly, my experience with the TAC began on a beautiful day in October. The sun was out. The birds were chirping. I told myself I did not need my full motorbike gear, that just a helmet would do. I left for work like every working-class person. I was riding along the highway, traffic was backed up like normal. I was lane surfing, but that day I got a bit too confident and decided to be a little extra. Unfortunately, I hit an island whilst riding. I woke up on the highway, in and out of consciousness over the next few hours.

Several days later I met a representative from the TAC who acted like a car salesman and told me everything would be all right. Unfortunately, that was only partly true. Up until 20 November, before that day, there were constant fights between me and the TAC. It got so bad that they stopped talking to me in July, and I was cut off my loss of earnings in June. My mental health was rapidly declining, and their own records show everyone knew it at the time. Because I was impaired mentally, my actions and my own fear of Victoria Police – I got myself into a police chase. It resulted in a car crash involving a highly respected police sergeant who almost died. It has been eight years since that day, and it still weighs very heavily on me. It is easy to say now how sorry I am and how much I wish I could change it, but it happens.

I got out of prison in 2022. The fight with TAC came right back on. The TAC was just ruthless though, declining services all the time. They were just constantly calling me hostile at every opportunity. To be frank on my part, I am a bit of a literal speaker, so my talking points over the phone can be a bit unpleasant for people not used to dealing with people who are neurodiverse or traumatised people in general. That is why they installed a communications order on and off for eight years.

But after all their medical reports were done, it brings us to my ABI – my TBI – my loss of earnings and my VCAT issues, basically. The TAC accepted liability. They paid me out a lump sum under the impairment benefits scheme. They paid me for my bilateral knees in April of 2023. Then weeks later they cancelled it. They said, ‘No, that’s not related to the accident’. That is in VCAT. And then in 2025 in September they sent me a letter saying, ‘Oh, we don’t recognise you having a traumatic brain injury related to the accident’, even though they had paid me for one in 2023. Then they linked an ABI to this, even though I was not claiming for one at the time.

Also, several weeks after that I had the hearing for my loss of earnings and my bilateral knees, and for VCAT in April for the final submission they said I was unreliable, that I could not remember what happened eight years ago and all that sort of stuff, that I was too inconsistent and that my character was very poor. I think it was weeks prior to this hearing in 2025, I was in the Sunshine court, where I represented myself, where I was involved in a police misconduct case where all the charges were thrown out while I self-represented against seven police officers. The court decided that I was right. It is what it was. But the moral of my point is they continuously labelled me as this hostile person, inconsistent, all this stuff. As a neurodiverse person I did not go to school. I left school in 2010, when I was 13. Because of the way I am I cannot afford lawyers, or I cannot communicate best with lawyers that understand the law. So when the motorbike and the car accident happened, it was very confusing, to say the least, with lawyers. And because I did not understand it, it was just very difficult to maintain. Just recently, I think it was on 4 June, I got an email off the TAC about my traumatic brain injury and ABI case. They said to me that they decided to revoke the decision after they found out that I was going to testify here today. So this is what has been my experience. I have sent them an email asking about the other matters.

I agreed to be here today because the TAC needs to just change its position. We need allied health professionals dealing with trauma patients like me and people who are neurodivergent, uneducated or disabled, or those who do not understand the system. Everyone deals with trauma differently. It just makes no sense that a regular claims person who does not have an allied health background or never went to a medical school or anything like that – to decide for someone like me and others what they can and cannot get in help or about rejoining the community and getting back into the workforce. It has been eight years for me and I still cannot go back to work. I am still fighting the TAC. It is just a roller-coaster ride for me.

The CHAIR: Thank you very much. I can see the impact it is having and has had on you, so if you need to grab a drink of water or whatever you need to do, just go ahead and do it, mate – all good. We are just going to start off. I will go, and then we will go through other members as well. If you hear the bell, that is for me, so you do not need to worry too much about that. Earlier on you said that the person from the TAC that you spoke to acted like a used-car salesman. What did you mean by that?

Andrew HUTCHISON: When they came to the Royal Melbourne, they told me that everything was going to be paid for, that it was going to be okay: ‘We’re going to help you get the way it was the best we can before this accident happened’ – that sort of thing. It sounded good, that sort of thing.

The CHAIR: It gave you some hope.

Andrew HUTCHISON: It gave me this false hope that this was not the end, there was going to be a way out, there was going to be a tunnel under the light or something like that.

The CHAIR: But your experience was very different to that.

Andrew HUTCHISON: It was a very dark experience because of the way they handled me and the way I handled the accident. I ended up causing a lot of stress. Obviously I almost killed a police officer in the process, and it is a very hard thing to live with.

The CHAIR: Can I ask you about how they handled you? You said that perhaps they do not have a way of dealing with people that have significant trauma. Trauma, as you quite rightly said, presents in different ways. How did you find your experience?

Andrew HUTCHISON: I found them to be very condescending. The way I talk, I talk very direct. I can be very blunt. But the way they were talking to me, they were trying to talk to me like I was a normal person.

The CHAIR: Are you saying that they did not really consider you fully?

Andrew HUTCHISON: No, they did not. They did not see the disability person or this person that had just had a major accident. From the start, as the year progressed into 2018, they just said that I was the problem, that I was the difficult one, when a lot of the times I was just asking, 'What do I do? I don't know what to do. I don't know what's going on.'

The CHAIR: Did they say that to you directly? Did they say you are a difficult person to deal with, or did they put it in an email? How was that said to you?

Andrew HUTCHISON: In the correspondence I received. On the phone they hung up on me a lot. They just said, 'I don't like your tone. You're very aggressive, Mr Hutchison.'

The CHAIR: Was that a case manager?

Andrew HUTCHISON: That was a case manager I had. I ran through a lot of them in 2018, and I only have the one I have got currently because I am not allowed to talk to them.

The CHAIR: What do you mean you are not allowed to talk to them?

Andrew HUTCHISON: I can only talk to them on an email basis.

The CHAIR: So you are not allowed to call them?

Andrew HUTCHISON: No, I am physically not allowed to call them. They will literally hang up on me and will not entertain it.

The CHAIR: What was the reason that you were given for that arrangement?

Andrew HUTCHISON: They said I was very abusive and hostile when I asked them, 'How come it took you nearly six years to recognise that I was a disability person?'

The CHAIR: You would have thought they would have that on record.

Andrew HUTCHISON: Yes, that was the thing that I thought too. It was not until I went to VCAT that I saw that they did have it on record. They just told me in 2023 – they decided it for me: 'We recognise that you're a disabled person.' It was a very weird experience for me.

The CHAIR: I can understand that would have been confusing at the very least as to why you were treated that way. One of the other things I just want to touch on before my time runs out is that they said they did not recognise the brain injury from the accident, but they did pay you a figure for that.

Andrew HUTCHISON: They did.

The CHAIR: Can you explain that?

Andrew HUTCHISON: This was the extraordinary part for me. The two doctors, [REDACTED] and – I am sorry, I do not know if I am allowed to say their names. Two neuropsychologists recognised that I had a traumatic brain injury, or a brain injury, in 2022. Then in 2023 they sent me a letter with the impairment, and they said, 'We've accepted these are your injuries,' and traumatic brain injury was the first one listed.

The CHAIR: That was in 2023?

Andrew HUTCHISON: Yes. And then in 2025, in August, they just said it is not related to the accident.

The CHAIR: You have got that in writing?

Andrew HUTCHISON: They put that in writing. Yes, they did. They put that in writing, and they used a psychiatrist to say I did not have a brain injury because he did not mention one and ignored the two neurologists and their reports.

The CHAIR: Are you happy to provide that evidence to the committee at some point later – not now, but later on?

Andrew HUTCHISON: Of course. Yes.

The CHAIR: Thank you. My time has expired, sadly, so I am going to hand it over to Mr Limbrick now, okay.

David LIMBRICK: Thank you. Thank you very much for appearing today and telling us your story. It sounds like what you are saying about some of the communication issues that you have had with the TAC is they might have difficulty in understanding or dealing with neurodivergent communication styles. It would seem to me that it would have been helpful for someone to advocate on your behalf. Did you have anyone advocating on your behalf?

Andrew HUTCHISON: That is what TAC wanted. They said they have been trying for years to get someone to advocate on my behalf. The problem for me with that is I just see that as a bit of a thing, because I have been told my whole life, because I am a disabled person, I do not have a voice. I understand I am not an easy person to deal with from time to time, but in terms of advocacy I think I know my person best because it is my lived experience. As far as I am concerned they are a government agency that have a big budget. They could afford to have an allied health professional talk to me if they cannot handle the way I speak.

David LIMBRICK: I understand. And if advocacy had happened – you said that they were wanting you to have an advocate on your behalf – what sort of advocate are we talking about? Did they want you to get a lawyer or a family member or someone else?

Andrew HUTCHISON: They just wanted anyone else.

David LIMBRICK: So you felt they did not want to deal with you.

Andrew HUTCHISON: Basically, yes.

David LIMBRICK: You mentioned before something around a decision related to your appearance here today.

Andrew HUTCHISON: Yes.

David LIMBRICK: Can you clarify that for the committee, please?

Andrew HUTCHISON: Yes. That was the traumatic brain injury and the ABI, the acquired brain injury, decision that they did between August and September last year. They sent me an email at I think 4 o'clock in the afternoon on Thursday 4 June, and they said, 'We revoke our decision relating to that. We recognise that the brain injury did happen from the motorbike accident in 2017.'

David LIMBRICK: Is it your belief that that decision was related to your appearance at this committee?

Andrew HUTCHISON: Yes, because to me it is just too much on the nose how close it was. I did make it known that I was going to appear, and they had consistently so many months to change their mind. They waited specifically until a week or a few days before.

David LIMBRICK: And that decision, just to be clear, was something that you were happy about?

Andrew HUTCHISON: It was a bit of both. I was relieved I do not have to go to VCAT. That was a relief. But in saying that, the way they worded it was too open to interpretation in what they meant. All they said was, 'We recognise you had a brain injury from the accident.' They did not say traumatic brain injury. They did not say it was an ABI. They just said 'brain injury', which you know –

David LIMBRICK: Thank you.

Andrew HUTCHISON: No worries.

The CHAIR: Okay, thanks. I am now going to hand over to Mrs Hermans.

Ann-Marie HERMANS: Hi, and apologies that I was not here for the start of what you had to share, so I may have missed out on a little bit here. Andrew, thank you for coming in. Just to help me understand: you left school around 13, 14. You had this motorbike. The first accident was in 2017, the second in 2018. You had obviously left school, and you have mentioned the challenges that you have had with being neurodiverse, but you obviously were able to get a licence to ride a motorcycle and you have maintained that. Is that correct?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: Cognitive processes – you have got those?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: At the moment, in terms of support, you have NDIS support, is that right?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: So you are on the NDIS. You have been on that, in this process, as well for a period of time?

Andrew HUTCHISON: Since I believe 2021.

Ann-Marie HERMANS: 2021. Because also we will have to look at: when does NDIS kick in, when does TAC? There are a lot of grey areas in all of this, obviously, and there have been over time. I am just trying to understand your background, so thank you for a bit of clarification, because I was not here at the beginning.

For you navigating the process of TAC, obviously this has been stressful for you and has not always brought out the behaviour that you would prefer to have in a professional situation, trying to engage. Has it been because of frustration? What has resulted in this conflict that has taken place? What do you believe was underpinning that that perhaps started that whole mechanism of you not being able to engage in a positive way with the TAC? Is there anything that started that, that triggered that, from memory?

Andrew HUTCHISON: From my memory, it was a bit of miscommunication, because I understand black and white stuff. If it is in writing and I can have it explained it to me, I can probably understand it. But the way they would be is they would go ‘Just go see a doctor’ or ‘Do this’. They would not explain it in a way I can understand.

Ann-Marie HERMANS: Just to clarify, you do not get anything then sent to you as a follow-up email to say, ‘This is what we talked about and this is what your next steps are’?

Andrew HUTCHISON: No.

Ann-Marie HERMANS: And the engagement is over the telephone, not in a Zoom or a Teams meeting?

Andrew HUTCHISON: No, the only engagement these days is by email.

Ann-Marie HERMANS: It is via email now.

Andrew HUTCHISON: Now.

Ann-Marie HERMANS: But before it was –

Andrew HUTCHISON: Before it was by mail and phone.

Ann-Marie HERMANS: By mail and phone? Okay. So you would get some things in writing?

Andrew HUTCHISON: Yes, sometimes.

Ann-Marie HERMANS: Sometimes, but not all the time to follow up to know what to do next?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: Okay. When the breakdown in communication started to happen, what was the most frustrating point in the process for you?

Andrew HUTCHISON: The biggest problem for me was the loss of earnings. When they decided to cut my loss of earnings off in June, it was just out of nowhere. It was a very turbulent time for me, and when they did that, everything just escalated pretty quickly, mentally, for me.

Ann-Marie HERMANS: This was June last year?

Andrew HUTCHISON: June 2018, sorry.

Ann-Marie HERMANS: 2018. So in 2017 you had some additional support for income loss?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: And then in 2018, after the second accident, that was cut off?

Andrew HUTCHISON: No, just before.

Ann-Marie HERMANS: Just before the accident it was cut off. Okay. And that has never kicked in again?

Andrew HUTCHISON: No, still fighting it in court.

Ann-Marie HERMANS: Right. Okay. So you have not been able to pursue any work of any kind?

Andrew HUTCHISON: The only opportunity I have had has been probably this year, but it is short lived at the moment. It was just a food bank, but it was only one day a week, probably 4 hours a day.

Ann-Marie HERMANS: And that was voluntary work?

Andrew HUTCHISON: Voluntary work.

Ann-Marie HERMANS: Okay. That was packing and unpacking?

Andrew HUTCHISON: Yes.

Ann-Marie HERMANS: Is that what you did prior to your accident in 2017 – that is what you were working in?

Andrew HUTCHISON: Yes, pick pack.

Ann-Marie HERMANS: All right. Thank you. I have got no further questions.

The CHAIR: Okay. Thanks so much for that. I will now go to Ms Gray-Barberio, who is online. Anasina, over to you.

Anasina GRAY-BARBERIO: Thank you very much, Chair. And thank you also, Mr Hutchison, for appearing before the committee today. I really appreciate your time. Can I just ask you: the lump sum payment that you spoke about in your presentation – that was in relation to impairment, not necessarily any income loss of income earnings, is that right?

Andrew HUTCHISON: Yes.

Anasina GRAY-BARBERIO: Was that also meant to account for your traumatic brain injury?

Andrew HUTCHISON: Yes.

Anasina GRAY-BARBERIO: Okay. Now can I just ask: your interactions, given your neurodivergence – is it more than just miscommunication, from your experience?

Andrew HUTCHISON: It is a bit of both, because I find that apart from, obviously, the miscommunication part, it would make it more difficult as well – like, for me to jump through hoops, because I do not have a lawyer as well.

Anasina GRAY-BARBERIO: When we talk about neurodivergence, things should be in plain English. They should be broken down into digestible steps in order for you to be able to comprehend what is coming up, what is going on. Were there any attempts by TAC? It sounds to me like the burden has been on you to provide an advocacy support person, but how about on TAC? Did they make any attempts from their end, given all their administrative infrastructure and resources, to try and meet you halfway?

Andrew HUTCHISON: No, I do not believe so.

Anasina GRAY-BARBERIO: Okay. I just want to come back to your recommendation. You said in the beginning there should be more allied health support or services to ensure that all clients that come to TAC with trauma are responded to appropriately. Now, the TAC, from what I found, has a disability action plan. From what I can also see, this disability action plan seems to be out of date. Are you aware that the TAC has a disability action plan?

Andrew HUTCHISON: No.

Anasina GRAY-BARBERIO: So either this disability action plan is out of date, or they have not bothered to update it to ensure that when they are meeting clients like you they can provide a service that is fair and allows for procedural fairness given the power imbalance. Do you feel, Mr Hutchison, that you have been disempowered at different points during your experience with TAC?

Andrew HUTCHISON: Yes. I felt that they made me feel that I was a very small person, that I was not even human, a lot of the time.

Anasina GRAY-BARBERIO: What do you mean by that? We have heard it said it has been a dehumanising experience from a previous witness just this morning.

Andrew HUTCHISON: Yes.

Anasina GRAY-BARBERIO: Can you please, if you can and if you are comfortable to do so, tell us what you mean by you felt like you were not treated like you were human?

Andrew HUTCHISON: Well, I felt that because of the way I am and the way I talk and because I was by myself, they did not see me as a person. They did it because I am just a disabled person. They did not see me like everyone else. They did not treat me like everyone else. I felt very isolated as well. So to me, I did not feel like I was human most of the time – every time I interacted with them.

Anasina GRAY-BARBERIO: Thank you, Mr Hutchison. How many claims managers have you gone through?

Andrew HUTCHISON: That is a good question. I reckon probably half-a-dozen at least.

Anasina GRAY-BARBERIO: And case managers?

Andrew HUTCHISON: Probably similar, yes.

Anasina GRAY-BARBERIO: On top of the recommendation for more allied health supports within the TAC process, is there anything else that you can think of, especially with your experience as a neurodivergent client, that TAC can implement to make their processes fairer and also more empathic?

Andrew HUTCHISON: Well, I think they should focus more on de-escalation and more training to understand. If they know someone does not understand what they are saying and is getting angry, agitated or mentally unwell, they should adapt to the situation. Instead of putting a label of hostility, they should find a

solution, whether that is more psychiatry, more CAT team involvement, more something – just find a solution instead of just kicking them to the kerb.

Anasina GRAY-BARBERIO: Thank you very much, Mr Hutchison. I appreciate your time. Thank you, Chair.

The CHAIR: Thank you, Ms Gray-Barberio. Mr Galea has got a couple of questions, quickly, so I will just hand over to you, Mr Galea.

Michael GALEA: Thank you, Chair. Thank you, Mr Hutchison. I acknowledge you have acknowledged some of the challenges that you have had today. Have you ever physically threatened any staff at the TAC?

Andrew HUTCHISON: No.

Michael GALEA: No? You have not threatened harm to them in any way?

Andrew HUTCHISON: No. I threatened self-harm whenever I talked to the TAC in 2018. I threatened self-harm, but it was always pointed at me. I do not like threatening people. It is just empty words to me. I would rather aim it at me.

Michael GALEA: I appreciate this is a difficult question. Do you believe that might be why they sought to implement different management plans and different communication plans?

Andrew HUTCHISON: It could be. It could be a reason. They probably thought I was bluffing. They could have thought a lot of reasons. But considering that they have been around for a very long time, that it is an accident commission and that this was 2017 or 2018, they should know how to handle a suicidal client.

Michael GALEA: Thank you. But you have not made any threats against their staff in any way?

Andrew HUTCHISON: No.

Michael GALEA: Okay. Thank you. Thank you, Chair.

The CHAIR: Just before we finish up, Andrew, this committee is in place so that we can put recommendations to government about things that, based on the evidence, we think should change. What would you like to see change?

Andrew HUTCHISON: What would I like to see? I guess that the TAC does what it is meant to do: help people get back to the way it was before the accident happened, whether it be that they get all the support they need with allied health professionals or they get all the opportunities to get back in the community so they can fit in, contribute to society, get a job and just try and be as normal as possible so they do not have to deal with the Transport Accident Commission anymore, which I think is part of the problem.

The CHAIR: Thank you. That is a really clear and direct response, so thanks. That brings an end to this session, so thank you very much. I know – I could see it – it was a challenge for you, but you got through it all clear, so thanks very much and we really appreciate it. As I said, you will get a proof version of the transcript once it is available so you can go through that and have a look if you need to and make any minor adjustments. But that brings it to an end, so from us, thank you.

Witness withdrew.