MEDIA RELEASE

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Truck driver pleads guilty to WorkSafe fraud

A truck driver who continued to receive compensation benefits for a workplace injury but took up work elsewhere has been ordered to repay almost $27,000 and perform 100 hours of unpaid community work.

In sentencing at the Sunshine Magistrates' Court yesterday, Magistrate Fitzgerald said the worker's offending was a deliberate and orchestrated dishonesty that boiled down to theft.

Nathan Higgins, of Melton, pleaded guilty to one charge of fraudulently obtaining payments and three charges of providing false or misleading information under the *Accident Compensation Act 1985.*

Mr Higgins was a self employed truck driver when he suffered a workplace injury to his left hand in January 2009.

Despite continuing to receive compensation payments for his injury and stating he was unfit to work or could only work on modified duties, Mr Higgins took up a job as a bus driver from August 2009 to July 2010 and earned almost $30,000.

The court heard the worker's income was in addition to the $26,909 he received in compensation payments during this period.

A WorkSafe investigation into the matter found Mr Higgins failed to tell his doctor of his return to work and continued to submit certificates that stated he was unfit to work or fit for modified duties only.

He later admitted to submitting false declarations and failing to tell his insurance agent of all his earnings, the court was told.

Magistrate Fitzgerald convicted and placed him on a community correction order for 12 months, with a condition to perform 100 hours of unpaid community work.

He was also ordered to pay restitution of $26,909 and costs of $500 to WorkSafe.

Yesterday's matter follows a recent prosecution of a woman who went back to work after suffering a back injury, but kept claiming workers' compensation benefits.

She was ordered to repay $13,597 in benefits to which she was not entitled to, a $1500 fine and costs of $1500 to WorkSafe.

Information on workers' compensation matters and preventing injuries can be found at www.worksafe.vic.gov.au or by calling WorkSafe's advisory service on 1800 136 089.

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