

How to lodge a dispute application with the Personal Injury Commission

The Personal Injury Commission resolves personal injury disputes related to workers compensation and motor accidents in NSW. This fact sheet will help you understand how to lodge a dispute application.

When should I consider lodging a dispute application with the Commission?

You should consider lodging a dispute application with the Commission if you have been unable to resolve your personal injury dispute with your insurance company or your employer.

You must have already submitted a claim with your insurer or employer, and you may also request the insurer or employer to review their decision before you lodge your dispute with us.

How do I lodge my dispute application?

All applications should be lodged through the Commission's digital dispute resolution portal, accessible via our website.

Your lawyer will lodge your dispute on your behalf or, if you are self-represented, you can register for access to the portal before lodging your application.

Once you are logged into the portal, you will need to fill in the online application form which is relevant to your dispute.

What if I need assistance lodging my application?

If you are self-represented and need assistance with lodging an application, or are unable to use the portal, please contact us.

We cannot provide legal advice but will be able to assist with the procedural aspects of your application.

Contact details for the Commission are available on the bottom of the next page.

What information should I include in my dispute application?

When completing your dispute application, make sure you include the following information:

- your full name, contact details, and any representative (if applicable)
- a detailed description of the dispute, including the date, location, and circumstances surrounding the incident
- any supporting documentation that helps explain or substantiate your claim
- the relief or remedy you are seeking from the Commission.

What supporting documentation do I need to provide?

The Commission requires all relevant information that you intend to rely on during the proceedings to be lodged with your application. This includes any documentation that supports your case, such as medical reports, witness statements, insurance policies, or correspondence with other parties concerning the dispute.

It may not be possible to include further information later in the dispute resolution process, so it is best to wait until you have all relevant information available.

All supporting material must be lodged with the Commission as an indexed and paginated bundle. This should be uploaded to the Commission's portal, however, in limited circumstances, we will also accept hard copies.

Please ensure you do not include information that is not relevant to the real issues in dispute, such as unrelated medical records.

What happens after I submit my dispute application to the Commission?

Once your application is received by the Commission, we will assess it and request further information if required.

Your matter will then be registered and allocated to a case owner who will inform your lawyer, or you if you are self-represented, about the next steps. Please see our fact sheet, *Steps in the dispute resolution process* for more information on what to expect.

We will also contact the other party or parties and ask them to provide a reply. This ensures the Commission has all relevant information and is working with all parties as we try to resolve your dispute.

I live in a regional area. Will I have to travel to Sydney to resolve my dispute?

While the Commission's hearing rooms are in Darlinghurst, some dispute resolution events are conducted at regional courts, virtually and as hybrid events. We also have a dedicated space at Service NSW in Dubbo, which can be used to virtually attend events.

If you require a medical assessment you may need to travel to the Commission's medical suites in Darlinghurst, or to another location. The insurer must pay reasonable costs for this A< <00B?, including meals and accommodation.

Can I use a support person?

While you can use a support person in some Commission events, they are generally not able to answer for you unless you are under the age of 18 or have a legal incapacity.

Can I seek legal advice during the dispute resolution process?

Yes, you have the right to seek legal advice and representation at any time throughout the dispute resolution process. If you are self-represented, the Commission will provide additional support to you, however, we cannot provide legal advice.

How long does the dispute resolution process usually take?

The time required to resolve a dispute can vary depending on the complexity of the case and other factors.

The Commission strives to resolve disputes as efficiently as possible, but it's essential to be prepared for a potentially lengthy process.

What if I disagree with the Commission's decision on my dispute?

If you disagree with the Commission's decision on your dispute application, there are appeal and review options available. Please consult with a legal representative to understand your rights and options.

Where can I find more information?

You can visit the Commission's website for comprehensive information and resources, including fact sheets on the Commission's processes and learning guides for using the Commission's online portal.

Contact us

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