




Speech By
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MEMBER FOR THEODORE

Record of Proceedings, 11 May 2021

**WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr BOOTHMAN** (Theodore—LNP) (12.19 pm): I rise to make a contribution to the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020. Firstly I thank my fellow committee members and the committee staff, as well as all those who participated in the committee process and those who made submissions. As highlighted by previous speakers, this bill is identical to a bill tabled in the 56th Parliament. The Education, Employment and Training Committee accepted the 14 submissions received by the former committee and subsequently received two more submissions that were also accepted by the Education, Employment and Training Committee.

Our first responders certainly face a harrowing task in responding to emergency situations. Time after time those individuals face potentially traumatic circumstances. They may have to comfort an individual as their life fades away following a vehicle accident. They may witness what will be one of the most evil events in our state's history, when someone commits an act of pure horror against another. If we look at just a brief history of South-East Queensland, from recent years many of my constituents will never forget the death of Constable Damian Leeding, a great officer from the Coomera Police Station, and his execution-style murder in the line of duty; the 11 individuals who died in the Logan house fire; the death of Hannah Clarke and her children; and more recently the death of Kelly Wilkinson, to name but a few. While it is harrowing for us to see those events on TV and that can be traumatic, we are not the first responders who deal with such events firsthand. No words can ever describe the emotional trauma and stress those first responders feel on seeing lives broken into pieces.

Therefore, we should be forever grateful to the people who work for our Police Service, the Queensland Ambulance Service, the volunteer rural fire brigades and the local fire and emergency services. They all do an absolutely fantastic job in the electorate of Theodore, on the northern Gold Coast and throughout Queensland. Sometimes we make comment and judge them for what happens. For instance, sometimes we may say that the police were not able to respond quickly enough. However, our police do one hell of a job. They do a tough job in serving the community.

As I said, they witness horrors that certainly take an emotional toll on them. In the Beyond Blue report of 2018, *Answering the call*, a national survey found that mental health conditions or psychological distress among first responders was 10 times higher than that of the average Australian worker. The Commonwealth Senate inquiry into first responders' health, *The people behind 000: mental health of our first responders*, recognised the need for early intervention in mental health support and made recommendations across certain areas to deal with the strain on those individuals.

The bill provides for an alternative claims pathway for first responders and eligible employees who have been diagnosed with post-traumatic stress disorder. The presumption would be that the injury was work related and the onus of proof would be on the employer to prove that it was not work related. While the majority of submitters certainly supported the bill, some concerns were raised by the Queensland Law Society which expressed significant reservations about the broad scope of the presumptive legislation, highlighting the reverse onus of proof. The society also raised a concern about

the viability of the WorkCover scheme and the potential for opening the floodgates to claims. The society suggested that going forward it would be better to have a pilot program to test the impact of the legislation.

The committee made seven recommendations and I will highlight recommendation 2. The committee recommended the bill be amended to include the coalmining sector, open-cut mines and explosive risk zones. Certainly it would be harrowing to be a first responder at a mine disaster. The committee recommended that first responders who work outside the Ambulance Service but who recover human bodies also be included.

In recommendation 3 the committee recommended that a planned review of the presumptive legislation be conducted 12 months after commencement, when we have a good understanding of how the legislation is proceeding. The Queensland Law Society referred to the increase in compensation claims when this legislation was introduced in British Columbia, Canada. The society highlighted their concerns that those costs will be passed on through providers. Unfortunately, a lot of small businesses would end up bearing the brunt of that. Certainly that is not good for employment going forward as it will put more pressure on small businesses and providers.

As the member for Kawana highlighted, under the LNP government Queensland had the lowest rates when it comes to WorkCover costs to business at \$1.20, which is something that we can be very proud of. To this day it amazes me that the Labor Party has not started to dip their hands into that pocket to steal a bit of money and recycle it into consolidated revenue, which they are very good at doing when it comes to super schemes. Given time that will be another revenue stream for the Queensland Labor Party and they will certainly find other streams.

I am very supportive of this legislation. I understand that there are situations where traumatic stress builds up over time. Going forward, this needs to be done to best protect our emergency services workers.