

From: Kylie Burns [REDACTED]
Sent: Tuesday, 10 May 2016 8:08 PM
To: Education, Tourism, Innovation and Small Business Committee; Ros Harrington; Rosamund Harrington
Subject: Re: Submission on NISQ Bill 2016

Dear Sue

I have now had the opportunity to read the transcript of the hearing held earlier this week. I noted the following passage in the evidence given by My Murphy of the QLS in relation to research raised in our submission:

that.

Mr Murphy: Rod made the point about no empirical evidence in relation to the dissipation of funds. The Griffith University submission makes two references by way of suggestion of evidence, although it does acknowledge that there is no evidence. One is to data available from Centrelink through the applications for relaxation of the preclusion period. The other is a reference to a South Australian green paper.

The immediate question that arises out of that is that they are not necessarily talking about catastrophic injuries there. The applications for preclusion periods apply to those recipients of damages for less significant injuries as well. The real issue in terms of the relevance of dissipation of damages for this piece of legislation is catastrophic injuries and how often their damages are dissipated. An immediate reference to that Centrelink data is not necessarily relevant. That has to be looked at. Similarly, the green paper from South Australia again suffers from that same question of just what is the source of the information. That was acknowledged in the submission as well.

Our submission does not acknowledge 'there is no evidence' in relation to the existence of dissipation. Rather, it notes there is evidence that there are issues with dissipation by at least some recipients of compensation, although the current evidence to date does not allow an indication of prevalence (ie how many dissipate). In addition to the two sources acknowledged by Mr Murphy, we also note two older Australian studies in f/n 1 of our submission. The second study discussed in our confidential chapter also submitted to the committee (but as requested not made public) does deal with a selection of catastrophic injury cases. The first study reported in our chapter deals with all preclusion appeals including both less serious injuries and catastrophic injuries. As we did not give evidence before the committee, I thought it was important to clarify these matters.

Kind Regards
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