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L A W Y E R S

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Research Director
Finance and Administration Committee
Parliament House
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Dear Committee Members

REVIEW OF THE OPERATION OF THE QUEENSLAND WORKERS' COMPENSATION SCHEME

As a lawyer who has worked in the workers' compensation field in Queensland for over two decades, I felt that I should make some comments regarding our scheme in case it was of any interest to Members of the Committee who are currently considering whether any changes are required.

There is little doubt that Queensland has the best workers' compensation scheme in Australia. Not only does the scheme deliver the best benefits to injured workers (through providing weekly compensation as well as common law damages and without imposing severe limitations) yet it does so within one of the lowest cost structures.

The Queensland workers' compensation scheme is clearly working well. It is profitable, has seen a recent downturn in both the incidence and cost of claims and based on most recent annual reports, is in a sound position.

The key to the success of the Queensland system is that it is short tail and certain. Experiences both interstate and abroad (especially in the basket case of New Zealand) demonstrate other systems which include long term liabilities, arbitrary caps and thresholds to limit common law claims, and specialist forums) do nothing other than add to the administrative cost of the scheme and therefore its viability.

There have already been many changes made to the Queensland scheme which have helped to achieve the stability that it is now enjoying both in terms of claims frequency and cost. I would suggest that Queensland should be proud of its scheme as it must be the envy of every other Australian state and whilst workers from time to time, feel aggrieved by the existing restrictions on what they might be entitled to, I think it is a small price to pay for having a scheme which is generally sound and provides benefits to injured workers beyond what other states have been able to achieve.

The only change to our existing scheme which I think would be worth considering is to review the availability of self-insurer licences.

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My experience in dealing with self-insurers is that because of their obvious self interest, the conflict of interest looms large and workers engaged by companies who self insure are often treated somewhat more harshly than other workers whose claims are managed by WorkCover Queensland.

I would be happy to speak with you about any of these issues if it was of any assistance.

Yours faithfully

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Please reply to our **Sunshine Coast** office.