



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

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PERSONAL INJURIES PROCEEDINGS AMENDMENT BILL

Mr CUMMINS (Kawana—ALP) (3.50 p.m.): I rise to speak to the Personal Injuries Proceedings Amendment Bill 2002. The act to which this bill relates was passed by this parliament on 20 June this year. It was an important piece of legislation; our government's initial response to address the very real difficulties our community is facing as a result of what is happening right across the insurance industry. This bill builds upon the proactive measures taken by the Beattie Labor government through the passage of the Personal Injuries Proceedings Act. The bill should result in a more immediate impact on the number and size of legal claims and therefore on the affordability of public liability and medical indemnity insurance. Some of the key elements of the bill are that, firstly, the provisions of the Personal Injuries Proceedings Act 2002 will apply to all claims for personal injury whether incurred other than where a writ has been lodged or a written offer of settlement made; and, secondly, acts done with intent to cause personal injury and sexual assault or other sexual misconduct will be excluded from the operation of the substantive provisions of the act. The main feature of the bill is that the Personal Injuries Proceedings Act will apply retrospectively regardless of when an injury occurs.

At this point I thank the minister and indeed the Deputy Premier and Premier for listening to concerns raised by me on behalf of Sunshine Coast residents. They have assured me that announcements are imminent in terms of what we have been waiting for and in terms of what our communities have lobbied us on. I will mention two such community activities and events—and they are very positive ones. The first is schoolies week. Schoolies week is run by Community Solutions on the Sunshine Coast. David Curd and his group do a marvellous job. I remember when I was a member of the council in 1997 that it was the first time I had anything to do with them. I was very hesitant. I did not want them camping at Bokarina sports complex, and they no longer do. They have turned what was a negative into a positive. Schoolies week is recognised as providing a major influx of money into the Sunshine Coast. Community Solutions attempts to limit the amount of alcohol and drugs that students from high school need to take so that they can enjoy their life free of alcohol and drugs.

I also mention a big swim around Mudjimba Island, or Old Woman Island, on the Sunshine Coast, which is raising funds for Sunshine Coast charities. One of the main initiators of this event is Ashley Robinson, who now works for Harry Reed in the Reed property group which, again, is a marvellous company that raises substantial funds for community groups and charities. Last year this swim raised over \$20,000 for the Nambour Special School. The event was extremely well done, but they are having a few problems this year trying to get insurance. The event has been postponed. Last year, the event occurred on 4 August. In this regard, a newspaper articles states —

A heart full of indomitable Nambour Special School spirit will help two Sunshine Coast men overcome fatigue, cold and fears of being torn apart by sharks when they attempt an upcoming marathon swim.

In jest, we do have a joke with Ashley and with Bill Hoffman from the *Sunshine Coast Daily*, who is a subeditor. I do wish them all very well. They have raised concerns with me regarding insurance. They will keep to their word and conduct this fundraiser. All community groups right across everyone's electorate have been affected. We have to be proactive. We must work together on it. I do not think party politics should be played in this regard, because our communities want us to do the right thing and fix these issues. One day we might have to consider a state government insurance office if the insurance companies do not come into line. That could be many years down the track, but it is a possibility that we should consider. I commend the minister, his department and the government for being proactive and for realising that where we can make changes for the better we do so. I commend the bill to the House.