



Speech by

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Hansard Wednesday, 1 September 2004

PROFESSIONAL STANDARDS BILL

Mr PURCELL (9.26 p.m.) It gives me pleasure to rise today to speak on the Professional Standards Bill 2004. Mention insurance and we think of chaos or even crisis. There have been a number of crises in the world in the last few years where insurance companies have taken some heavy hits. They certainly have been crises. This is a topic that every Queenslanders is interested in and familiar with. This legislation is the third stage in the government's reforms to address the insurance crisis. This is the next step after the Personal Injuries Proceedings Act 2004 and the Civil Liability Act 2003.

We need to lessen the pressure on insurance premiums and we need to provide protection from the risk of liability. This is essential for many community groups. One of those groups includes people who I know quite well who operate in the building industry. The insurance situation for engineers and architects, and so forth, has been very, very difficult to manage. Liability now comes down to a single person. Even if someone works for a large company, they are told that their work is their work and they must sign it off. They do not get any protection from working for a company. It comes down to their own professional insurance. That makes it very difficult.

It is the same situation for medical practitioners, community organisations and volunteers. If these measures are not brought in, our whole society will suffer—not only the professionals who provide these services but also the clients who use them. Imagine what our society would be like without community organisations and volunteers. The financially and socially disadvantaged would suffer and the domino effect would cause an intrusion into all of our lives. Many sporting bodies have experienced this. Clubs could not obtain insurance to train our young people in sport. They have found it difficult to obtain any public liability insurance at all, or it has been too dear and they cannot afford it. One has only to consider the American suing mentality that is referred to so casually by us and by the media. We are heading down that path in Australia, but we have a chance to change our direction before it is too late.

This legislation will introduce a scheme that will offer professionals access to affordable insurance and will ensure greater certainty and protection for consumers. The quality of professional services will not be compromised. This legislation will limit exposure to damages for property damage or pure economic loss. It will not limit liability where there is a personal injury or where a lawyer is negligent when acting in a personal injury claim.

We have to be very careful, as a government, that we do not overreact or create an imbalance. We talk in percentages sometimes and it does give a false impression. We might say that if someone has only a five or 10 per cent incapacity, they lose the ability to sue. A five or 10 per cent incapacity of the back will affect someone's whole life. Depending on their profession, particularly if they use their hands and back, it could take away their ability to earn a living and provide for their family. It can take away someone's amenity of life for the rest of their life.

In other words, if we limit the personal claims this will not allow the professionals to manipulate the system. We will put in place new risk management strategies and new quality assurance mechanisms. This will in turn result in higher professional standards. All Queenslanders will benefit from this.

We rely very heavily on our training systems and our people within this country. We do have standards. We rely on those standards being upheld by the government. We all benefit from that. Sometimes we say that we pay too much for services or we pay too much for a person to do a job for us, but we are paying for their standard of work.

Another important factor is that this bill will establish a professional standards council. It will be an independent body that has the function of approving and monitoring schemes. The minister will appoint skilled and qualified members to the council. This legislation will provide a better deal for Queensland consumers. It will improve professional standards. It will ensure that all professionals carry a level of insurance which will be able to cover all claims against them. It will provide specific consumer protection measures which in turn will provide a fair outcome for all. Given the calamities of the last few years, that is long overdue. It is important to people from all walks of life. It will ensure a future for our children. It is fair to all. I commend the bill to the House.