



Speech by

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MEMBER FOR DALRYMPLE

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WORKERS' COMPENSATION AND REHABILITATION AND OTHER LEGISLATION AMENDMENT BILL

Mr KNUTH (Dalrymple—LNP) (8.43 pm): The proposed changes in the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill are just another bandaid solution to an overloaded system and ignore the real issue, which is access to common law and the aggressive marketing by law firms to encourage speculative claims. The government has blamed the global financial crisis for every catastrophe arising from this government's poor policy. Successive Labor governments have systematically dismantled the WorkCover scheme and, as a result, the number of common law claims has increased by 100 per cent in the past three years.

This government was informed by key industry groups that the fundamental problem is access to common law and that to reduce the number of claims it needs to reduce the access to common law whole person impairment from zero per cent to 10 per cent or 15 per cent. While the 'quantum and liability' restrictions placed on common law claims put more onus on claimants to prove employers at fault, it is still just another example of this government's whole approach of dealing with the process, not the problem.

The problem is claimant access to common law. This was the finding of the independent report. This was the basis of the recommendation by the WorkCover board. This is the recommendation that consistently appeared in the public response to the discussion paper. This is the advice that the government has repeatedly ignored. Once again, we see a government that is more interested in short-term popularity rather than long-term sustainability. These changes will not address the very real threat of insolvency and will definitely not produce a WorkCover scheme that benefits all Queenslanders.

These changes do nothing to address the aggressive no-win, no-fee marketing of law firms. If this government were serious about reducing the number of claims, which is a determining factor in the solvency of the WorkCover scheme, it would enforce the restrictions introduced by the Labor government in 2002 by the Personal Injuries Proceedings Act. This government is not interested in adhering to its own party policy.

In my constituency, there are many small business owners who are hesitant to employ people because the cover is not employer friendly. The measure of capping the general damages at \$300,000 is not the real issue. The minister really needs to address the aggressive marketing of law firms and reduce the high number of claims of access to common law.