




Speech By
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MEMBER FOR BARRON RIVER

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**WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL; WORKERS' COMPENSATION AND
REHABILITATION (PROTECTING FIREFIGHTERS) AMENDMENT BILL**

 **Mr CRAWFORD** (Barron River—ALP) (10.28 pm): I rise to speak in support of the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2015. I would like to focus on the deemed disease provisions for firefighters. I am pleased that this government has acted swiftly to implement this election commitment to Queensland firefighters. I am very proud to be part of the Finance and Administration Committee which looked into this and provided the feedback we are hearing about tonight.

I am pleased that within its first six months of office this government has introduced the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill, which will provide Queensland firefighters with a greater certainty that they will receive workers compensation if they develop one of the 12 specific cancers. I will not read them out as members have already heard of them this evening.

I spent 21 years as a Victorian volunteer firefighter. From the age of about 14 I grew up on a farm. My father, the captain of the local brigade, said that I was tall enough to get on the truck and he sent me off. I spent the best part of my life, until 2008, between a number of different brigades. I understand what it is to be a volunteer firefighter. I understand the types of jobs volunteer firefighters attend. I was very pleased to be part of this committee that reviewed this issue.

In Victoria in 2011, the former Country Fire Authority chief officer, Mr Brian Potter, claimed that dozens of cases of cancer and other illnesses were linked to water contamination and chemical usage at the Victorian Country Fire Authority training site called Fiskville, near Ballarat. Mr Potter died of cancer in 2011 at age 70, and before he died he called on the government to do something about cancer in firefighters. In 2011 the federal government enacted its Commonwealth presumptive laws. Since then South Australia, Tasmania, Western Australia and the Northern Territory have introduced presumptive legislation. Now it is certainly Queensland's turn.

I spent many months at the Fiskville training site. That training site was probably a bit like parliament is to regional MPs. That training site closed in 2015, never to be reopened. I feel as though I am one of those firefighters who could easily have a ticking bomb inside. A number of my colleagues from Victoria through that time have died of various diseases including cancer. I am very passionate and strong on this issue and want to see us do the right thing. I do not want this issue used as a political weapon, as I have heard over the last few months. This argument about covering firefighters is not about politics: it is about ensuring that our volunteer, career and auxiliary firefighters have what they need in their moment of need in diagnosis. The last thing we want is any firefighter undergoing probably the most stressful moment of their life, which is possibly the end stage of their life, with increased stress from family and having to try and negotiate their way through a legal minefield with a variety of

information and opinions. This legislation will turn the onus back onto the department to prove that that firefighter did not get their cancer from the job or from exposure. I certainly welcome that.

In relation to the figure of 150, when I first read it I did run a highlighter across it and think, 'This will be a problem.' I was very pleased with the way the committee conducted itself during interviews. We spoke to a number of people from the department, from Queensland Fire and Emergency Services, a number of volunteer firefighters as well as people from WorkCover. There was quite a discrepancy in people's understanding of the exact types of incidents and exposure that volunteer firefighters attend. The simple answer is that there is no easy way to describe it. Smoke on the other side of the hill can be coming from anything—a grassfire, car fire, a hazardous materials fire, a house fire or whatever. There is a discrepancy in relation to making statements that rural firefighters only attend grassfires, because the reality is that they do not. They attend a fire in their area from a call that they receive. When they arrive, they do their best inside their limitations.

I understand and recognise that it is difficult to try and gauge what is and is not an exposure. I was pleased to see the Treasurer take up the committee's unanimous recommendation to remove the 150—and I know of a lot of campaigning to various members on that—but I wanted to see something established to create a robust process such that a volunteer firefighter receiving a diagnosis of cancer could undergo a process without being made to feel as though they were somehow automatically guaranteed—that just because you were a volunteer firefighter on the books of a brigade who was diagnosed with cancer you could simply walk up to the table and be written a cheque. I wanted a robust process that allowed the government to look at this on a case-by-case basis and at each particular firefighter's exposure—what they went to and how many times they went, to talk to people who had been there, who saw it and who had records about it—so that a decision could be made as to whether this person actually met that criteria. In relation to recommendation No. 3, this evening I was pleased to hear the Treasurer say that, while it would not be put into legislation, it was being acted upon in relation to the independent review panel. I know that WorkCover representatives who spoke to us at one of the hearings mentioned the same issue. I was very pleased to see that.

My message to the volunteer firefighter movement in Queensland is that that is the way forward for us—that if a volunteer firefighter gets that diagnosis that is the one-stop shop. I would like to see the process be more than just a review panel that decides whether one does or does not meet the criteria. I would like to see the panel assist that person through the process, which would not be a very nice one.

The incidence of cancer has been found to be eight per cent higher in male full-time firefighters than in the rest of the population, and it is more common in those who have worked in the service for more than 20 years. There are a number of firefighters—career, auxiliary and volunteer, such as me—who have put in in excess of 20 years service. All of the statistics and research we looked at clearly pointed to that. It is probably just that there is not good research to base information on, but research in relation to volunteer firefighters shows that across Australia they actually have a lower cancer rate than the population. I would like to see more work on that, and I think different universities across Australia will move on that one.

While firefighters have been entitled to receive compensation for latent onset diseases under the workers compensation legislation, it often takes much longer to process these claims in the current system than it does physical injury claims. It is always easy to process a claim when there is an arm or leg missing but it is very difficult to process and push through claims when it is something that could be proven otherwise. A good example is a firefighter who claims their cancer resulted from exposure at the scene but who was a smoker for 25 years. Hence, the idea of presumptive legislation should make this process a whole lot easier.

A simple statistic I have pulled out of my notes is that the average time taken to approve most injury claims is less than eight days, whilst latent onset injury claims made by firefighters have an average of 214 days to finalise. Anyone who has relatives who have had a cancer diagnosis knows that 214 days is certainly not suitable. For a claim to be successful, the claimant must prove on the balance of probabilities that they were a worker employed by the employer at the time the event caused the injury. They must also prove that they have an injury or disease and that work was a significant contributing factor to causing the injury or disease. However, for latent onset injuries, the event is taken to be the worker's exposure to injury which can occur over a period of time. It is often difficult to prove medically that a particular exposure caused a particular cancer or disease to form, so we are working in an area which is very confusing at times. However, by introducing these provisions for the 12 specific cancers that were mentioned before by the deputy chair as a work related matter, this government is removing the burden from firefighters to prove that their cancer is a result of their work as a firefighter.

The amendments that the Treasurer mentioned before will apply to all active rural fire brigade members, and I have some very active ones in my patch up at Speewah on the Tablelands. I have had a number of conversations with some of the volunteers up there who have taken this one on very passionately. When I explained to them what my vision was in relation to the independent committee, they were quite appreciative of that and the work that the committee was doing for that. This is a good day for volunteer firefighters. It is a good day for career firefighters. I think Queensland is certainly taking the lead on this. When I compare the legislation we are putting through with what else is running in other jurisdictions, I think the Queensland legislation is by far the best. I commend the bill to the House.