




Speech By
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MEMBER FOR FERNY GROVE

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

 **Mr FURNER** (Ferry Grove—ALP) (12.29 am): I rise to support the deemed disease provisions for firefighters in the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2015. Madam Deputy Speaker Farmer, I start by acknowledging you as chair of the committee and all the other committee members, who did an excellent job on the report. We are about to see appropriate legislation come through which will protect firefighters equally across the state of Queensland.

I know that the secretary of the United Firefighters' Union of Queensland, John Oliver, is still up tonight listening to this debate. I spoke to him earlier tonight and he was shocked by the contribution the member for Kawana made in the chamber this evening. I have had a lot of consultation on this matter because I am a member of the Samford Rural Fire Brigade and I—

Mr Rickuss interjected.

Mr FURNER: You might learn something. I went out to the Samford Rural Fire Brigade and had engagement with the members of that brigade that I am a member of. I have not done a lot of work with that brigade at this stage as I only joined them earlier this year—and members could imagine that work commitments and so on have put impediments on me being involved to some extent—but I was rewarded by the stories they told me about the bill that is before us this evening.

I would like to put on the record my thanks to Alan Wells, the brigade's first officer, and all the other rural fire brigades for the submissions they made to the committee. The member for Kawana was incompetent and referred his bill to the incorrect committee—which was my committee and not the Deputy Speaker's committee. As a result, I was contacted by copious amounts of people right throughout the state, so there was plenty of consultation on their bill because the bill was referred to the wrong committee. They got it right eventually and we moved on.

I recall when I was in the Senate the Commonwealth passed legislation on this matter which dealt with deemed disease provisions for firefighters in 2011. The difference between the debate on that bill was there was bipartisanship across-the-board. The Labor Party, the Liberal Party, the National Party, the Greens and all the Independents in the Senate came to the conclusion that that particular bill had to be passed. In the Commonwealth and also in Western Australia, there is no extension for deeming to volunteers. They made it clear, subject to their views and their evidence, that there should not be deeming to that particular bill. We are in a different situation this evening where we will not have the situation where we will be extending the exposure of 150 fires to our volunteers and others as a result of the passage of this bill through the chamber either this evening or tomorrow.

Other jurisdictions like Tasmania, South Australia, Western Australia and the Northern Territory all have introduced deemed disease provisions for firefighters. Victoria and New South Wales are the only two states that have not introduced these provisions. The government's bill provides deemed

disease coverage to Queensland firefighters for the same 12 cancers with the same qualifying periods as these other jurisdictions. Like in these other jurisdictions, coverage is only provided for periods where a firefighter has been engaged in active firefighting duties. However, the government's bill does not include the same restrictions that apply in these other jurisdictions.

The government's bill extends coverage to Queensland's volunteer firefighters also. In Tasmania and the Northern Territory, a volunteer must have attended at least 150 exposure incidents and meet additional time frames that these exposure incidents must have occurred within. In recognition of the unique role and service provided by Queensland's rural and volunteer firefighters compared to these jurisdictions, the government's bill does not include these additional requirements for volunteer firefighters.

South Australia is the only other jurisdiction that does not require volunteer firefighters to meet any additional exposure incident attendance. When they first introduced their legislation, I think by memory they had a limit of 175 exposures and since then they have brought that back to nil. South Australia's legislation has a 10-year post-retirement limit on making a claim. Tasmania and the Northern Territory also place a 10-year limit on claims post retirement. As all of the other specified cancers are latent onset diseases, this limiting requirement will exclude a significant number of firefighters from accessing the deemed diseases provisions.

The government's bill clearly recognises that these cancers develop over time and that it would be unfair to place such a restriction on a firefighter's entitlement. Western Australia's provisions also exclude all retired and former firefighters by requiring the firefighter to be employed at the time of their diagnosis. The government's bill does not contain these types of restrictions in further recognition of the nature of these injuries. The government's bill also includes provisions that clarify that those eligible rural fire brigade members and volunteer firefighters are entitled to seek common law damages under the act—a unique opportunity—unlike those opposite in their proposed bill.

Specific amendments are made to the act to ensure that the contract of insurance covering rural fire brigade members and volunteer firefighters covers the payment of damages where an eligible firefighter has contracted a specified cancer. Once the former government's unfair common law threshold is removed, all Queensland firefighters who have had a claim accepted under the deeming provision will have an unrestricted right to seek damages at common law. No other jurisdiction that provides deemed disease entitlements to firefighters allows for this unrestricted right.

In spite of the LNP's campaign of misinformation and scaremongering about the government's bill, it is clear to anyone who has read the bill that it will give Queensland firefighters the best workers compensation access of all jurisdictions. The bill strengthens the existing entitlements to workers compensation for firefighters and provides volunteer firefighters the entitlement to seek common law damages under the act. It gives me great pleasure to commend the bill to this House.