




Speech By  
**Hon. Shannon Fentiman**

**MEMBER FOR WATERFORD**

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Record of Proceedings, 30 August 2016

**WORKERS' COMPENSATION AND REHABILITATION (NATIONAL INJURY INSURANCE SCHEME) AMENDMENT BILL**

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (8.48 pm): I rise to support the amendments in the Workers' Compensation and Rehabilitation (National Injury Insurance Scheme) Amendment Bill 2016 that implement the National Injury Insurance Scheme for workplace accidents within Queensland's workers compensation scheme. Prior to entering parliament, I worked as a lawyer at a law firm that specialised, among other things, in assisting people to obtain compensation for work related injuries. For many people the fault based legal system that we had, while not without its flaws, worked. However, unfortunately for some, a just system was capable of producing some very unjust results.

Many people who are catastrophically injured at work or in car accidents as a consequence of medical negligence or while innocently going about their everyday lives are left with nowhere to turn. We have a legal system based on fault. If a person can prove that someone was at fault for their injuries, they are generally okay. If they cannot, the person who is at fault gets off on a legal technicality, that person can afford better lawyers than them or even if none of those things get in the way, while an injured person is capable of securing that compensation, that compensation is inadequate. These very vulnerable, injured people are left with skyrocketing medical expenses that place great strain on their loved ones in particular and the community in general. These people wake up like you and me one morning and over the course of their tragic day they have their lives altered forever.

I am proud to be part of a government that, in extending the National Injury Insurance Scheme to people who suffer catastrophic injuries in workplace accidents, has broadened and secured the safety net. This crucial safety net will maximise an injured worker's chance to function independently and continue to engage within their community. The National Injury Insurance Scheme is a parallel and complementary scheme to the National Disability Insurance Scheme which, it is worth pointing out, is one of the most profound social reforms in recent history and of course a product of the Labor Party. Unlike the National Disability Insurance Scheme, the National Injury Insurance Scheme is a state responsibility. Each state is required to administer, finance and implement its own National Injury Insurance Scheme in conformance with a set of agreed minimum benchmarks. Here in Queensland we have smashed those benchmarks.

The amendments in this bill provide lifetime access to necessary and reasonable treatment, care and support for those who sustain particular serious personal injuries from 1 July 2016 and who are more severely affected by catastrophic accidents in the workplace. Furthermore, unlike in other states and territories, we have managed to strike an appropriate balance between preserving existing common law rights and bridging the gap in the common law system. In fact, the Australian Lawyers Alliance, in support of this bill, wrote in their submission that the model for catastrophic work accidents as proposed gets the balance right by ensuring it is both the fairest and most affordable option that will have a minimal

impact on premiums. With an estimated increase to average premiums of just one cent, Queensland has extremely competitive premium rates for employers—testament to sound scheme design and proficient scheme administration.

The National Injury Insurance Scheme is a just, timely and vital reform. By providing lifetime care, assistance and medical treatment to some of Queensland's most vulnerable people, it ensures that we as a society are able to live up to the tradition of a fair go. That is why I wholeheartedly support this bill today.