




Speech By
Brent Mickelberg

MEMBER FOR BUDERIM

Record of Proceedings, 11 May 2021

**WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr MICKELBERG** (Buderim—LNP) (3.30 pm): I rise to speak to the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020. I note that the bill introduces presumptive workers compensation laws for first responders diagnosed with PTSD which seeks to make it easier for first responders to claim workers compensation for PTSD—an objective which I believe is an important step to supporting the first responders who sacrifice for Queenslanders each and every day. As members know, this is an issue that is close to my heart, not only because of my own experience suffering from PTSD and depression, which was a consequence of my military service, but also because my wife, Anna, served as a Queensland police officer.

It is my view that governments at all levels have a moral obligation to support those who have sacrificed their mental and physical health in performing important tasks which, while necessary, often have a significant detrimental effect on those who perform them. I am confident that most Queenslanders appreciate the significant burden that dealing with situations like violent assaults, child abuse deaths, horrific motor vehicle accidents and the like places on frontline responders such as police officers, ambulance officers, QFES officers and volunteers.

Along with the police, our corrective service officers often deal with the worst elements of our society and, consequently, are exposed to trauma which many Queenslanders could not imagine. It is therefore appropriate that they too are captured as first responders within this legislation. On that note, I would like to recognise the experience and contribution of the member for Caloundra who spoke about his experience as a Queensland Corrective Services officer, and the challenges that came with that, during his maiden speech. This bill seeks to better meet government's moral obligation in that regard. While I accept that there will be an additional cost to the workers compensation scheme, it is my view that society as a whole should meet that cost for frontline responders.

While I support moves to reverse the onus of proof to enable frontline responders such as police and fire and ambulance officers to receive workers compensation for PTSD, I do have concerns about the broad definition of 'first responders' referred to in some of the submissions to this bill. Paramedics, police officers, firefighters, ambulance officers and other emergency personnel are trained to provide assistance in time critical, and often life-threatening situations. They are clearly first responders. The definition of 'first responder' should also rightly be defined to include child safety officers and Youth Justice staff members as they respond to frontline issues.

However, there is a real risk that expanding the presumption beyond traditional first responders will open the floodgates for other non-first responder industries to be part of this scheme including private businesses and private employees. Unions have already called for the laws to apply to electricians, not-for-profit community service employees and disability service workers. This would severely impact the Queensland WorkCover scheme due to the potential enormous number of statutory claims. For the employer, such an approach would consume time and resources and would create

added complexity in the event that an employer needed to rebut the claims. These further changes would also impact the ability of employers to meet increased premiums, potentially putting the entire system at risk. It would create a significant burden for employers who wish to rebut an unjustified claim.

In conclusion, I believe that this is a positive initiative and I am pleased to support it, but it should be limited to frontline emergency workers who bear the burden of regularly dealing with traumatic events that have the potential to result in PTSD.