




Speech By
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WORKERS' COMPENSATION AND REHABILITATION AND OTHER LEGISLATION AMENDMENT BILL

 **Ms HOWARD** (Ipswich—ALP) (12.06 pm): I am pleased to support the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020. I commend the Minister for Industrial Relations, who is a fierce advocate for workers in Queensland, who has done excellent work on this bill. I, along with many others in this House, acknowledge those MPs who were first responders in their former careers and who have shared their incredibly moving stories in this House. It is clear evidence to me that their obvious bravery is extended to them being able to tell some of these stories in this House. I know in my community that many of the first responders I talk to take great comfort in knowing that there are legislators in the Queensland parliament who have had careers as first responders and who can speak for them and share some of those stories.

This bill is about looking after our first responders by improving their compensation experience and mental health outcomes. Our police officers, ambos, firies, child safety officers, corrective services officers, emergency health workers all witness traumatic incidents on a daily basis responding to emergencies, death, injuries, catastrophic disasters and sexual assault and abuse. Their jobs are critical to our functioning society. Their bravery and courage in dealing with these daily incidents is to be commended.

My daughter is an advanced trainee anaesthetist at the Gold Coast University Hospital. In her short career as a doctor and intern at various public hospitals across Queensland and the ACT, she has encountered many traumatic situations while she has been at work. She said that if it were not for the nurses that she works with but in particular the security and police officers who are always present in emergency departments, they would not be able to do their job of saving people's lives. As a mother of one of those workers, I am eternally grateful for their presence as well.

Their wellbeing should also be of our utmost concern. Being exposed to traumatic incidents and life-threatening situations on an almost daily basis takes its toll on our first responders' mental health. They are at a higher risk of developing PTSD simply through their work duties which they perform on a daily basis protecting and saving Queenslanders.

Previously accessing workers compensation has been daunting for these workers and frustrating for them as well due to the legislative test for injury that they needed to fulfil. Most first responders are unable to identify one single event that led to their diagnosis of PTSD. Rather, it is usually cumulative exposure to trauma over many years which can lead to PTSD.

Making our first responders prove that their work duties led to their PTSD diagnosis only compounds their distress and leads to lengthy investigations which delays their claims. It can invalidate their experience, delay their recovery and devalue the important work that they do. We must do better to support them.

This bill provides Queensland's first responders with an important safeguard under the workers compensation scheme if they are diagnosed with post-traumatic stress disorder. Under these new laws, first responders diagnosed with PTSD who make a compensation claim are presumed to have a work

related injury. The onus of proof is reversed, meaning that first responders will no longer have to prove that their work is the cause of their PTSD. They will no longer have to go through a lengthy claims determination and investigation process as it will be presumed their PTSD is caused by their work.

This bill recognises the enormous contribution first responders make in our community and it helps them to access support when they need it most. It also acknowledges first responders' higher risk of developing PTSD by virtue of the work they do.

I recall watching the reports of the tragic and horrific Christchurch massacre on TV just over two years ago as it was unfolding—51 people were killed in that massacre and 40 injured. I can still remember—and I will never forget—the looks on the faces of the first responders at that site. The expressions on their faces said it all. The reality is that this is what our first responders are dealing with every day. There have been several reports that supported the need for law reform in regard to workers compensation claims for these heroes.

In 2018 our government engaged Phoenix Australia, Centre for Posttraumatic Mental Health, to independently review and benchmark workers compensation claims practices for first responders claiming for psychological injuries. It suggested improvements to communication, education, health literacy, claims management, and rehabilitation and return to work. Many of these recommendations have now been implemented.

Beyond Blue in 2018 also put out a report titled *Answering the call*, which surveyed police and emergency services workers. They found significantly higher rates of psychological distress and reported that psychological injuries in first responders were 10 times higher than in the general population. Beyond Blue's report also found that police and emergency services personnel who are exposed to the workers compensation system overall find it unhelpful or even detrimental to their recovery. Sixty-one per cent of workers said that the system had a negative impact on their recovery and 69 per cent reported receiving limited to no support during their claims process.

A Commonwealth Senate inquiry into first responders in 2019 also reported the need for improved mental health supports. The Beyond Blue report and the Commonwealth Senate inquiry made the suggestion that presumptive laws, like the bill we are debating today, would improve a first responder's claim experience.

The Minister for Education and Minister for Industrial Relations also established a stakeholder reference group to consider Phoenix Australia's findings, as well as the national reviews, to develop an action plan for improving the workers compensation experience and mental health outcomes of Queensland's first responders. The group recognised that the difficulties in proving the legislative test for injury were a barrier to accessing compensation and that this could be overcome by putting into place presumptive workers compensation laws.

Our government is ahead of the curve on this issue, and it builds on our achievements supporting workers with psychological injuries. In 2019 we passed amendments to Queensland's workers compensation laws that require insurers to take all reasonable steps to provide claimants with psychological injuries reasonable treatment and support services while their claim is being determined.

Presumptive workers compensation laws build on our support for first responders by improving their access to workers compensation, ensuring their long-term mental health, rehabilitation and recovery. Our first responders are the people who put their lives on the line every day to protect Queenslanders. They are the first to arrive on the scene of medical emergencies and natural disasters, and they are the first to arrive on the scene defusing life-threatening situations.

When I was assistant minister for veterans' affairs, I learned quite a lot about PTSD in veterans. It was really quite alarming to see the broad spectrum of people that PTSD affects in our community. I want to give a shout-out to an organisation I had the privilege of working with during that period called 4 Aussie Heroes. They were running retreats for veterans but they quickly realised that their model was really well suited to first responders as well.

As they say on their website, their emphasis is on things such as 'early intervention, professional care, meaningful support, camaraderie, improving self-esteem, affordability, rehabilitation, and quality of life, coupled with short-term accommodation in a relaxed rural environment'. I am pleased to say that our government was able to give them a grant to help them kickstart their equine therapy facility, which is getting great results for PTSD sufferers. I also want to make mention of the Gallipoli Medical Research Foundation based at Greenslopes hospital. They have been carrying out groundbreaking research into PTSD.

In conclusion, this bill recognises the enormous challenges our first responders face every day and will ensure that more of them come forward and, importantly, seek treatment early when they need it. I commend the bill to the House.