




Speech By
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MEMBER FOR MACKAY

Record of Proceedings, 11 May 2021

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

 **Mrs GILBERT** (Mackay—ALP) (5.40 pm): I would like to contribute to the debate on the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020. We all respect the work of our first responders. We do not always, though, pay attention to the immensely difficult and at times traumatic situations they find themselves in. By just doing their jobs, they face a lot of trauma from time to time.

When young children are asked if they would like to be a firefighter, a police officer or a paramedic, these positions are usually romanticised. It is all about the adventure involved in performing their duties. When we stop and reflect on the possible situations encountered by the brave men and women who take up these types of positions, we realise that our first responders are truly our community heroes.

We must also pay tribute to the work of our volunteers who train and perform life-saving duties in times of distress—our rural fire brigades and our SES volunteers. They are the people we see directing road traffic at accidents or putting out grass fires and bushfires. They get calls for help during adverse weather events, when the rest of us are all tucked up safely at home. They also need protection and they need avenues for support when they are required.

First responders play a critical role in protecting and serving our Queensland communities. We have all seen our first responders face some of Australia's biggest challenges in recent times—from catastrophic bushfires to floods, horrific and tragic domestic violence incidents and our ongoing battle against the COVID-19 pandemic.

At the end of 2019 at Brisbane Airport I spoke to firefighters returning home after performing duties at the fire front in New South Wales. One of the firefighters fought back tears, telling me of the tragedies they had witnessed with the horrific death of animals and hearing the animals' screams as they were trapped in the fires. This experience will travel with these firefighters throughout their life.

Each and every day our first responders are exposed to traumatic incidents that most of us could never imagine. Attending to these types of incidents, whether it be a one-off catastrophic event or a gradual build-up over many years, takes a toll on our first responders' mental health.

Who is covered in this bill? The bill states that a person can only be considered as a first responder if their duties require them to respond to time critical, often life-threatening traumatic incidents. A similar bounded definition is provided for eligible employees to ensure the scope of the presumption is limited to those most at risk of cumulative exposure to trauma. The inclusion of any new occupations or employees in the regulation must first meet the criteria in the act. The scope of the regulation-making power balances the need to provide necessary legislative clarity for insurers to determine those within the scope of the bill while providing flexibility to ensure that the legislation keeps pace with the changing nature of work, new or amended job roles and titles or machinery-of-government changes, and accommodates like-for-like roles when there is supporting empirical evidence.

Safeguards in our government and our parliamentary processes also ensure any changes to regulation will have proper oversight. These include the need for regulatory impact statements overseen by the Office of Best Practice Regulation; full and comprehensive consultation, both within government and externally; cabinet and ministerial approval processes; and final oversight by the executive council before any approvals can proceed. This approach safeguards the intent of the regulations into the future.

The presumption applies to workers or volunteers who are employed as a first responder—police officers, firefighters, ambos, coalmine safety officers, and the list goes on—as well as eligible employees of a first responder department whose employment requires them to: experience repeated or extreme exposure to graphic details of traumatic incidents as they attend the scene of traumatic incidents, for example, a person whose employment involves recovering human remains; experience traumatic incidents as they happen, for example, fire communications officers responding to and providing information in response to emergencies or corrective services officers observing disturbing footage via CCTV; or investigate, review or assess traumatic incidents that have happened to other persons, for example, those people who are exposed to graphic details as part of investigating crimes of child sexual abuse.

I have witnessed firsthand some of the trauma that our first responders have to deal with. My husband and I were the first on the scene at a head-on collision. Accidents in the movies seem neat and tidy, but in real life people do not die in a neat and tidy way. It is not very nice to see. When fires start, you cannot just put them out. There is a lot of panic. For the first responders who attended to that accident, in which five people were tragically killed, that was not the first accident they had attended that week. I take my hat off to them. For a long time I used to think, 'How can they keep on doing this?' I am so pleased that we are bringing in this bill so they can get care when they most need it.

When I visit the first responders in my electorate I always take time to ask them how they are and make sure they are seeking help if they need it. We must always make sure we check in on our first responders in our electorates, because they are the people who will look after us when we need care.

This bill will make it easier and more timely for employees to access work related post-traumatic stress disorder compensation. For those stress disorders that are not covered in this bill, the current avenues to make a compensation claim remain. This bill takes the pressure off people who are already traumatised by the accidents and events they have attended to get the care they need straightaway. Without this pathway and this legislation, the process can be quite lengthy and quite gruelling for our first responders.

I would like to finish by thanking all of our special Queenslanders who are our first responders. They choose to go into this line of work, sometimes because as kids they thought it would be a great thing to do. They certainly are very special people and they love the work they do, so we need to make sure we look after them. I support this bill. I also support the minister's foreshadowed amendments.