




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

 **Dr ROWAN** (Moggill—LNP) (5.25 pm): I rise to make a contribution to the debate on the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2019. Now more than ever we must ensure that all businesses in Queensland are able to thrive. Broadly speaking, no business can thrive, let alone survive, unless its workers are nurtured and look after, particularly during times of accident or injury. That is why in Queensland it is vitally important that we assess the operation of the Queensland workers compensation scheme and ensure that it is fit for purpose—not only serving its intended purpose but also that it meets the expectations and requirements of businesses, workers and other relevant stakeholders.

In May last year, Professor David Peetz reported on the operation of the Queensland scheme, making it the second five-year statutory review of the Workers' Compensation and Rehabilitation Act 2003. I would like to thank Professor Peetz for his comprehensive examination and subsequent report. This legislation seeks to, among other changes, implement 12 legislative recommendations made by Professor Peetz. In my contribution today, I would like to briefly reflect on just a few of those recommendations.

I note that this bill seeks to amend the act to extend entitlement to latent onset terminal entitlements, including terminal conditions relating to silicosis and black lung disease by removing the reference to 'two years' and replacing that with an assessment that the insurer is satisfied that the worker has a latent onset condition that is terminal. In Queensland's recent history, we have seen some truly horrific examples and statistics, particularly when it comes to the diagnosis of the deadly disease that is silicosis, which is caused by the exposure to silica dust through the cutting and workmanship of stone benchtops. Tragically, silicosis is an incurable condition. Just less than five months ago, Queensland learned of the 22-year-old Gold Coast man who became our state's youngest Queenslanders to be diagnosed, having spent only three years working with the material. In February this year, an audit revealed that some 98 workers had contracted this disease, of whom 15 were terminally ill. Silicosis is truly a terrible disease and I am glad to see that such amendments have been made to ensure that such terminal conditions are better captured under the legislation.

As part of the review by Professor Peetz, and the committee's examination of this bill, I was pleased to see attention given to the issues of mental health and psychological injury. As the Queensland parliament's Education, Employment and Small Business Committee reported via the Peetz review—

... in the absence of adequate workplace support, physical injuries can lead to subsequent complications through additional psychological problems, and the way in which good workplace health can be promoted through good management practice.

As reported by the committee, employers can be hesitant to apologise to workers following a workplace injury, fearing that it may be interpreted as an admission of liability. As further evidenced by the Peetz review—

... there appeared to be significant evidence presented that employer responses to injuries could be very influential in determining whether a common law action was pursued against the employer. If a worker felt that the employer did not care about them, they were more likely to feel aggrieved and sue. This in turn tells us that worker distress is heightened if the employer appears disinterested or unhelpful after an incident. Such distress is likely to compound psychological injury, or even create a psychological complication to an initially purely physical injury.

This bill therefore seeks changes to allow an individual to express regret or make an apology without it being an admission of liability. This is very consistent with what happens with sentinel events and open disclosure and root cause analysis processes that occur within Health. As a former deputy chief medical officer and director of medical services having been involved in those processes of ensuring that people get an adequate apology, that there is an adequate process of investigation and in some cases appropriate compensation for things that have happened to them, the changes within this legislation are consistent with other industry standards, including those that are now well established within our health sector industry.

The importance of one's mental health simply cannot be overstated. It is as important as one's own physical health and it is encouraging that this importance and the effect a worker's loss or injury can have on their mental health has been recognised by Professor Peetz in the review he has undertaken and which was adopted within this legislation.

It is no secret that Labor often views business with scepticism, often bordering on disdain, and often likes to trumpet that they are the true friend of the worker. However, if we look at today's latest job figures released by the Australian Bureau of Statistics it shows that Labor is certainly no friend of the worker, particularly here in Queensland, with 178,000 Queenslanders out of work—the highest unemployment rate in the country. Queensland now can be described as the unemployment capital of Australia.

As my colleague, the shadow minister for industrial relations and the member for Kawana eloquently articulated earlier this afternoon, the devastating state of our local Queensland economy spells bad news for our businesses and their workers. This will undoubtedly have an impact on the strength of the workers compensation scheme here in Queensland. That is the last thing that we would need when we are trying to have a robust scheme here in Queensland that will certainly support and look after those workers who may be unfortunately injured whilst at work.

In closing, the Liberal National Party supports a strong and sustainable workers compensation system that ensures injured workers are rehabilitated and can return to work as quickly and as safely as possible whilst maintaining low premiums for business. As such, the Liberal National Party will not be opposing this bill and will continue to monitor the impact of the five-year statutory review to ensure Queensland provides the best workers compensation scheme in Australia.

Finally, I know the Minister for Industrial Relations and Minister for Education, the member for McConnel, along with the shadow minister and member for Kawana, will join with me in congratulating the 2019 captains and vice captains of Kenmore State High School on their successful year. It was terrific to welcome Ben Nguyen, Kyu-Yeon Son, Aisha Schreiber and Jonathan Makinson, along with deputy principal Karla Pope, to the Queensland parliament for a celebratory dinner last night. I commend the legislation to the House.