



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter dated 7 May 2014 regarding Petition No. 2181-13, presented to the Queensland Legislative Assembly, petitioning for the retrospective repeal of the threshold to access common law damages under the *Workers' Compensation and Rehabilitation Act 2003* (the Act).

The Act was a result of the Government's response to the Queensland Parliament Finance and Administration Committee's (the Committee) *Report No. 28, Inquiry into the Operation of Queensland's Workers' Compensation Scheme* (the Report).

The Queensland Government is committed to growing a four pillar economy based on tourism, agriculture, resources and construction and to getting the State's finances back on track. The Government carefully analysed both the recommendations contained in the Committee's Report and the 246 submissions made to the Committee.

Since 2010, the number of lower-end common law claims has remained constant or increased, which was of significant concern to the Government. Claims for injuries that resulted in an assessed permanent impairment of up to 5% accounted for around half the common law payouts in 2011-12. Left unchecked, this would increase financial pressure on the Queensland Workers' Compensation Scheme and threaten its viability in the long term.

The Government believes that these claims are more appropriately dealt with through the statutory 'no fault' system instead of through the courts. Having these claims dealt with through the statutory 'no fault' system will ensure that the focus of injured workers and their employers is on rehabilitation and getting injured workers back to work as soon as it is safe for them to do so.

In 2009-10, the former WorkCover Board Chairman, Mr Ian Brusasco, recommended that the Government introduce a 10-15% common law threshold. Following our amendments, Queensland will have the lowest threshold in the nation and is the only State to offer compensation for journey to and from work injuries for every worker in the State. We believe we have got the balance right.

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Every injured worker who has a claim for compensation accepted by a Scheme insurer will continue to be covered under the statutory 'no fault' system. The statutory compensation entitlements include access to weekly compensation for lost time, earnings until a worker's injury is stable and stationary, payment of approved medical treatment, access to rehabilitation, return to work services and a lump sum compensation for a permanent impairment.

I trust this information is of assistance and thank you for bringing the concerns of the petitioners to my attention.

Yours sincerely



JARROD BLEIJIE MP
Attorney-General and Minister for Justice