



Insurance Council
of Australia

19 December 2022

Via Email: law@parliament.nsw.gov.au

Questions on Notice 2022 Review of the Compulsory Third Party Insurance Scheme

- 1. When did the Personal Injury Commission meet with the Insurance Council to assure the Insurance Council that they are working through the backlog and that the backlog is coming down?**

We note that the Insurance Council meets with the Personal Injury Commission from time to time throughout the usual course of engagement with stakeholders in the CTP Scheme.

The Insurance Council and member (insurer) representatives attended a specific briefing on Thursday, 27 October 2022 on Medical Assessments in the Personal Injury Commission following a written invitation from the President of the Personal Injury Commission, Judge Phillips. We understand that other important stakeholders were invited to a briefing of the same kind.

- 2. Can the Insurance Council provide the Committee with guidelines on the management of the backlog? Were guidelines provided to the Insurance Council?**

We note that we did not refer to guidelines in our evidence and we are not aware of any guidelines being provided by the Personal Injury Commission.

- 3. Were notes taken of this meeting and if so, can they be provided to the Committee?**

The Insurance Council did not take or circulate formal notes or minutes with respect to this meeting, nor did it receive formal notes or minutes from the Personal Injury Commission.

We do however note that the President of the Personal Injury Commission provided the Insurance Council with a written invitation to the briefing, dated 29 September 2022. This invitation contained an overview of the steps that the Personal Injury Commission are taking to address the backlog, as follows:

“I am pleased to invite you and members of your relevant committees to the Personal Injury Commission for a briefing on Medical Assessments.

As you would be aware, a challenge facing the Commission since commencing its operations on 1 March 2021 is the delay in Medical Assessments due to the backlog of matters resulting from suspended appointments during the COVID-19 pandemic, a decision made for the protection of the Commission’s users, stakeholders and staff. In the first six months of 2022, the impact of the pandemic continued. Although the Commission scheduled 3,600 appointments, 50% could not proceed for one reason or another, including a third suspension during the Omicron wave and the general prevalence of illness and/or COVID-19 contraction amongst the community. During this time, filings continued and did not subside.

As the world emerges from the COVID-19 pandemic in the second half of 2022, the Commission is making clear strides in addressing this issue and would like to invite its important stakeholders for a briefing on the numbers we are seeing, and the steps we are taking.”

4. Which insurers were in attendance at the meeting with the Personal Injury Commission?

AAMI and GIO (AAI Limited), Allianz (Allianz Australia Insurance Limited), NRMA Insurance (Insurance Australia Limited), QBE (QBE Insurance Australia) and Youi (Youi Pty Ltd), and a representative of the Insurance Council.

5. What is the approximate month of the meeting between insurers and Judge Phillips, President of the Personal Injury Commission?

Please see our response to question 1.

6. On 10 November this year, a piece of correspondence under the name of the President of the Personal Injury Commission was circulated. It's quite a lengthy piece of correspondence. It was seeking to address some matters that had been raised by a submitter to the inquiry, addressing and seeking to explain or respond to some of the items that had been raised. On notice, can you check to see whether the Insurance Council received a copy of that correspondence – perhaps the CEO – and provide detail of the date upon which that was responded to, and also whether or not there was any response given by the Insurance Council to the President of the Commission?

The Insurance Council did not receive this correspondence.