
Minutes no. 51

Thursday 8 September 2022

Standing Committee on Law and Justice

Macquarie Room, Parliament House, Sydney at 9.20 am

1. Members present

Mr Chris Rath, Chair

Mr Greg Donnelly, Deputy Chair (until 1.27 pm)

Mr Anthony D'Adam

Mr Wes Fang (until 3.55 pm)(from 4.04 pm)

Mr Scott Farlow (substituting for Mr Martin for the duration of the 2022 review of the workers compensation scheme)(until 3.30 pm)(from 3.55 pm)

Ms Sue Higginson (substituting for Ms Boyd for the duration of the 2022 review of the workers compensation scheme)(until 3.30 pm)(from 3.57 pm)

Mr Rod Roberts

2. Apologies

Mr Lou Amato

3. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft minutes no. 50 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received

- 20 June 2022 – Email from Ms Boyd MLC to secretariat, Ms Higginson MLC to substitute for duration of inquiry
- 24 June 2022 – Email from Mr Farlow MLC, Mr Farlow MLC to substitute for Mr Martin for duration of inquiry
- 29 June 2022 – Email from Principal Registrar's Office, Personal Injury Commission to Chair, declining invitation to make a submission
- 26 July 2022 - Letter from Dr Michael Bonning, President, Australian Medical Association (NSW) to secretariat, expressing their welcome of the review of the workers compensation scheme
- 2 August 2022 – Email from Ms Sarah McKenzie, Senior Policy Officer, Insurance Council of Australia to secretariat, declining invitation to make a submission
- 14 August 2022 - Email from Ms Kathie Melocco, WOW Chaplaincy to committee, requesting that support be in place for injured workers during the hearings
- 30 August 2022 – Email from Ms Grisel Carreira, private citizen to secretariat, highlighting two reports for attention of the committee
- 2 September 2022 – Email from Mr Peter Ellis, private citizen to secretariat, providing background information for committee.

Resolved, on the motion of Mr Fang: That the committee authorise the publication of correspondence from Dr Michael Bonning, President, Australian Medical Association (NSW), regarding their welcome of the review of the workers compensation scheme, dated 26 July 2022.

5. 2022 Review of the workers compensation scheme

5.1 Public submissions

The committee noted the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos 9-13, 15-18, 21, 23-33, 35-39.

5.2 Partially confidential submissions

Resolved, on the motion of Mr D'Adam: That the committee keep the following information confidential, as per the request of the author: names and/or identifying and sensitive information in submissions nos. 1-6, 34.

Resolved, on the motion of Mr Farlow: That the committee authorise the publication of submission no. 22, with the exception of identifying and/or sensitive information and potential adverse mention which are to remain confidential, as per the recommendation of the secretariat.

5.3 Confidential submissions

Resolved, on the motion of Mr D'Adam: That the committee keep submission nos. 7, 8, 14, 19-20 confidential, as per the request of the author.

5.4 Pro forma submissions

Resolved, on the motion of Mr Donnelly: That the committee authorise the publication of pro forma submissions as one document, with the exception of identifying and/or sensitive information which are to remain confidential, as per the recommendation of the secretariat.

5.5 Request to take photos

The committee discussed the request of the Police Association of NSW to take photos during the hearing.

Resolved, on the motion of Mr Fang, that the Police Association of NSW be granted permission to take photos during the hearing.

5.6 Recording on WebEx of roundtable discussion

Resolved, on the motion of Mr Farlow, that the committee record on WebEx the roundtable discussion solely for use by the secretariat.

5.7 Private roundtable discussion

The committee met privately with injured workers.

5.8 Public hearing

The committee proceeded to take evidence in public.

Witnesses were admitted to the hearing room and via video link.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Angus Skinner, Research Manager, Police Association of NSW
- Ms Nicole Jess, President, Public Service Association of NSW
- Ms Natasha Flores, Industrial Officer for Work Health and Safety and Workers Compensation, Unions NSW

-
- Ms Sherri Hayward, Legal/Industrial Officer, Construction Forestry Maritime Mining and Energy Union (NSW Branch)
 - Mr David Atkin, The Construction Industry Drug and Alcohol Foundation
 - Mr Alan Mansfield, Workers Compensation Health and Safety Officer NSW and ACT, Australian Manufacturing Workers Union (via videoconference)

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Nathan Clarke, National Chief Executive Officer, Australian Rehabilitation Providers Association
- Ms Karen Castledine, NSW President, Australian Rehabilitation Providers Association
- Mr Steve Stephens, Operations Risk and Strategy Coordinator, Rehab Options Injury Management
- Mr Bill Pardy, Risk and Strategy Consultation, Rehab Options Injury Management
- Mr Peter Remfrey, Chief Executive Officer, Workers Health Centre
- Mr Matthew Buxton, Operations Manager, Workers Health Centre

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Professor John Buchanan, Mental Wealth Initiative, University of Sydney
- Professor Samuel Harvey, Executive Director and Chief Scientist, Black Dog Institute
- Mr Brad Parker, Chief Executive Officer, MATES in Construction NSW
- Mr Nigel Carpenter, National Partnership Manager, MATES in Construction NSW

Mr Barker tendered the following document:

- Article by C M Doran et al, 'The impact of a suicide prevention strategy on reducing the economic cost of suicide in the New South Wales construction industry', *Crisis*, 2015.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr David Harding, Executive Director, Policy and Advocacy, Business NSW
- Ms Elizabeth Greenwood, Policy Manager, Workers Compensation, WHS and Regulation, Business NSW
- Ms Tracey Browne, Manager, National Safety and Workers Compensation Policy and Membership Services, Australian Industry Group

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Simon Cohen, Independent Review Officer, Independent Review Office

The evidence concluded and the witness withdrew.

The hearing concluded at 4.22 pm.

Tendered documents

Resolved, on the motion of Mr D'Adam: That the committee accept and publish the following document(s) tendered during the public hearing:

- Article by C M Doran et al, 'The impact of a suicide prevention strategy on reducing the economic cost of suicide in the New South Wales construction industry', *Crisis*, 2015.

: -

5.9 Any other business

Resolved, on the motion of Mr D'Adam, that the Public Service Commission be invited to make a submission and/or attend the hearing on 10 October, depending on their preference.

6. Adjournment

The committee adjourned at 4.27 pm until Monday 10 October 2022, Macquarie Room, Parliament House (second hearing).

Talina Drabsch
Committee Clerk