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Mr David Jones

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Resolved to publish Yes / No

Carroll & O'Dea Lawyers welcomes the opportunity to give evidence before this Standing Committee regarding proposed changes to liability and entitlements for psychological injury in New South Wales.

Carroll & O'Dea Lawyers is a Sydney based law firm with offices in NSW at Parramatta, Wollongong, Newcastle and Port Stephens.

We assist a number of injured persons in navigating the New South Wales workers compensation scheme.

Our firm is a panel solicitor for a number of NSW unions including the Police Association of New South Wales, United Services Union, Health Services Union, Rail, Tram and Bus Union, Australian Meat Industry Employees Union - NSW Branch, Australian Meat Industry Employees Union - Newcastle, Northern.

At the outset, we acknowledge that psychological injuries have increased across all parts of the scheme irrespective of the type of insurer.

We acknowledge that the scheme is experiencing financial distress due to the increase in psychological injury claims; however, we respectfully submit that the changes which are proposed under the Exposure Draft Bill is not the answer to easing the financial distress that the scheme is experiencing.

The Exposure Draft Bill if enacted in its current form significantly reduces entitlements of injured workers and does not target the root cause of

increase in psychological injury claims, namely what is happening in workplaces in the State of New South Wales.

It is concerning that return-to-work outcomes for workers who experience psychological injuries is considerably reduced when compared with workers who suffer physical injuries.

We respectfully suggest greater time should be taken to consider the challenges to the scheme, and after extensive consultation with all stakeholders a better outcome can be achieved than what is currently proposed. Despite it being suggested the Exposure Draft Bill deals with psychological injury claims, the bill will have impacts for all claims.

Whilst we have not provided a written submission to the Committee, we have considered the Exposure Draft Bill and can explain from a practical viewpoint what will be the impact on injured workers if the Exposure Draft Bill passes into law.

We welcome the opportunity to give evidence before your committee today and we welcome the opportunity to answer questions from you.