

Law and Justice Committee hearing - MAA and LTCSA

Thank you for the opportunity to appear before the Committee, and thank for the opportunity to take questions on notice.

The Hon. PETER PRIMROSE: *In your submission you expressed support for universal cover and a no-fault motor accidents compensation scheme. Which policy direction do you advocate to pay for it, compulsory third party green slip premiums increasing or benefits being cut?*

PDCN supports for universal cover and a no-fault motor accidents compensation scheme. As identified, the principles of such a scheme would include the principles of: community responsibility; complete rehabilitation; real compensation; and administrative efficiency¹ PDCN see the advantages of no-fault insurance to include:

- Potential for improved recovery outcomes. There would be no litigation strategy/imperative to delay recovery support strategies (re rehab) until legal proceedings had concluded. This may increase the opportunity for successful community integration, participation and employment.
- Avoiding costly lawsuits. Claims that 12% of total costs are associated with legal fees and investigations².

PDCN does not support a policy direction where benefits are cut. The section of the Productivity Commission's report on the National Disability Insurance Scheme recommended that *State and territory governments should create insurance schemes that would provide fully-funded care and support for all catastrophic injuries on a no-fault basis, and that would collectively constitute a National Injury Insurance Scheme (NIIS)*.³ Under Recommendation 18.2 of the same report the following was

¹ Mr Justice Woodhouse, *Woodhouse Report* 1967

² Actuaries Institute 2013- Injuries Schemes Seminar paper delivered by Andrew a Nicholls from the MAA and Don Ferguson from the LTCSA, titled "NSW CTP and Lifetime Care"

³*Disability Care and Support* - Report of the Productivity Commission 2012, Recommendation 18.1

recommended: *State and territory governments should fund catastrophic injury schemes from a variety of sources including:*

- *compulsory third party premiums for motor vehicle accidents*
- *a small surcharge on passenger tickets of all rail transport regulated under the new rail safety national laws*
- *a modest levy on domestically registered passenger carrying vessels regulated under the Australian Maritime Safety Authority (as the proposed new safety regulator for all commercial shipping in Australian waters by 2013). A small levy on existing state-based registration for privately owned 'pleasure' vessels*
- *a small increase in municipal rates for catastrophic injuries arising for victims of crime and from other general accidents (excluding catastrophic medical accidents)*

Mr DAVID SHOEBRIDGE: *In terms of people who you or your members have engaged with who have had a dispute with the Lifetime Care and Support Authority, how has it been resolved, if it has been resolved?*

PDCN regularly conducts community consultations with people with physical disability to determine stakeholder needs in a variety of rural and urban locations. Additionally feedback is sought from organisational members through a Forum of Organisations, with representation of a number of different organisations, and is held twice each year.

The feedback PDCN has received about disputes and the LTCA focus on particular areas:

- The first of this relates to long waits (from a participants' perspective) for approval for services. These have not been resolved.
- The second relates to participants opportunity to resolve disputes thorough communication. It appears from PDCN consultations that there has been improvement in this area with more information available to participants about how to address concerns with the LTCA, including resources that enable easy access to independent information and advocacy.

Ruth Robinson
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16 March 2014