



2018 review of the Compulsory Third Party insurance scheme

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Submission by:

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2018 review of the Compulsory Third Party insurance scheme

Unions NSW welcomes this opportunity to make a submission to the 2018 review of the Compulsory third Party insurance scheme. Unions NSW supports the submissions of its affiliated unions.

Unions NSW is the peak body for NSW Unions. Unions NSW represents approximately 60 affiliated unions comprising over 600 000 members. These unions represent a diverse range of workers from both blue and white-collar industries.

Unions NSW does not have expertise in the area of compulsory third party insurance and therefore our submission does not set out to provide a detailed overview of the scheme.

We have significant concerns around the merging of workers compensation with compulsory third party insurance. Based on our experience with the workers compensation dispute resolution process, the current process is cumbersome, ineffective in quickly resolving disputes or complaints, and often creates secondary psychological harm to claimants. Unions NSW does not believe the merging of two complex systems will assist in simplifying either system.

We continue to object to the Regulator, State Insurance Regulation Authority (SIRA), playing any role in the dispute resolution process, given the inherent conflict of interest. SIRA should not have any role in the dispute resolution process, not with workers compensation or compulsory third party insurance. As the regulator it must be free to effectively regulate without any conflict of interest.

Specialist decisions in both jurisdictions must remain in the appropriate specialist tribunals. Motor accident disputes should remain in the District Court and workers compensation disputes the Workers Compensation Commission. It would be possible for the two jurisdictions to operate as separate streams within one body.

Unions NSW does not support the merging of the workers compensation (dust diseases) scheme with workers compensation or the motor accidents scheme.

Unions NSW made a submission to the Department of Finance, Services and Innovation in February this year. The submission: Improving workers compensation dispute resolution in NSW outlined our position. In this submission we provided our view on the feasibility of a consolidated personal injury tribunal for Compulsory Third Party and workers compensation dispute resolution.

We continue to support the position put forward in our February submission and we hold significant concerns about the merging of workers compensation and compulsory third party compensation.

Please see submission attached.