
From: Greg Smart [gregs@kmsplatt.com]
Sent: 23 December 2003 2:22 PM
To: wcohs@pc.gov.au
Subject: Productivity Commission: Submission # IR 197

Kerry Splatt would like to make the following additions to his submissions to the Productivity Commission, number IR 197.

1. Queensland rejects any submission that the Common Law be used as a tool of vengeance. We note that the civil jurisdiction of the Common Law provides compensation only for damage suffered by an injured person, it leaves punishment and vengeance to the criminal justice system. Vengeance has never been a part of the Common Law System in Queensland.
2. Australia effectively has a no-fault system which provides assistance to all people who are injured. This support network is embedded in the social welfare schemes and operates on a means-tested basis. While any civilised society provides assistance for those injured, the Common Law provides an active system of compensation to those who have been wrongly injured by the negligence of others. Compensation goes beyond mere assistance, placing the injured person as far as possible in the position they would be in if they had not been injured at all.
3. I refer to the WorkCover Queensland Annual report for the 2003 financial year. In particular I would bring to your attention that workers and employers have satisfaction rates of 73.5% and 71.8% respectively and that WorkCover Queensland maintains the lowest premiums of all state based systems, while continue as a fullyfunded insurer meeting all liquidity standards. This confirms it as a model for any WorkCover system and it provides the basis for why should not be interfered with.

I appreciate your assistance in adding these points to our submissions. Yours

Faithfully,
Kerry Splatt