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23 March 2018 TM;af

The Hon. John Mansfield AM QC
GPO Box 464
ADELAIDE SA 5001

via email: RTWreview@sa.gov.au

Dear Sir

Independent Review of the Administration and Operation of the *Return to Work Act 2014*

I refer to the Society's submission of 22 February 2018 ("the Submission") in relation to the Independent Review of the Administration and Operation of the *Return to Work Act 2014*.

The Society has been contacted by the Honourable Justice Hughes, President of the South Australian Civil and Administrative Tribunal (SACAT) with respect to aspects of our submission which relate to the operation of the SACAT.

Therefore, the Society wishes to correct and clarify its statements in paragraph 12 of its Submission.

In relation to the following sentence within paragraph 12

> *The Society remains concerned at the appointment, for fixed terms, of solicitors within the Crown Solicitors Office whom will be expected to return to the Crown Solicitor's Office and, during the period of appointment to SACAT, are involved with administrative reviews where government departments are a party to the proceedings.*

Justice Hughes has informed the Society that the assertion within this sentence is incorrect: no member of the SACAT has any right of return or any expectation of returning to employment in the Crown Solicitor's Office.

The Society's comments were in reference to two senior members of SACAT who had previously been employed in the Crown Solicitor's Office. Justice Hughes has noted that one of those members resigned from the Crown Solicitor's Office in July 2014 and was subsequently appointed as a member of SACAT in December 2014, commencing in January 2015. The other member resigned from the Crown Solicitor's office on her appointment to the SACAT.

Furthermore, neither has any ongoing right to employment with the Crown Solicitor's office or anywhere in Executive Government. The Society is informed that each of them is careful not to hear any matter in respect of which they may have had any knowledge derived from their previous employment in the Crown Solicitor's Office.

The Society notes, as put forward by Justice Hughes, that all SACAT members are statutory appointees, appointed pursuant to section 19 of the *South Australian Civil and Administrative Tribunal Act 2013* ("the Act"). They are appointed by the Governor on the recommendation of the Attorney-General for a term of office of between three and five years. All SACAT members are required to adopt the best principles of public administration which is one of the main objectives of the Tribunal, as set out in section 8 of the Act, and that includes independence in decision-making. Members are not appointed under a contract of employment and are expressly excluded from the South Australian Public Service. No SACAT member has any current or ongoing employment relationship with the Crown Solicitor's Office.

The Society's Submission, at Paragraph 12 also includes

> *The Society notes that in the SAET, all members of the Tribunal who hear contested matters involving government departments are either Magistrates or Judges.*

This comment was intended to convey the Society's long held concern that term appointments for judicial and tribunal officers have the potential to erode their perceived independence in decision making. The Society supports tenured appointments in all jurisdictions. We recognise however, as Justice Hughes has pointed out to us, that the model adopted for SACAT is used in several other jurisdictions in Australia. This does not eliminate the Society's general view that it is in the interests of independence under the Rule of Law that persons appointed to any Tribunals (who hear significant matters particularly those where the Government has an interest) should be tenured, for a unlimited term.

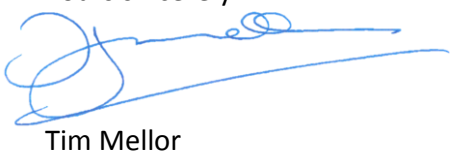
The Society would be pleased if you would accept the above in amendment and addition to its Submission.

This correction does not alter the underlying submission, that the Society considers that the SAET and SACAT should remain separate.

I am separately responding to Justice Hughes in respect of other aspects of the Society's comments in its Submission, as to the operation of the SACAT and will provide her with a copy of this letter. We will also circulate this further response to our Members and include it with the Society's other submissions on our website.

Please do not hesitate to contact me should you wish to receive any further information with respect to these matters.

Yours sincerely



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cc The Hon Justice Hughes

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22 February 2018

The Hon. John Mansfield AM QC
GPO Box 464
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BY EMAIL: RTWreview@sa.gov.au

Dear Sir

Independent Review of the Administration and Operation of the Return to Work Act 2014

The Society thanks you for the opportunity to provide a written submission.

Noting the broad scope of item 10 of the Terms of Reference, the Society has taken the approach of providing a submission without identification, in each instance, of the particular item of the Terms of Reference.

The Society raises the following matters for your consideration:

1. In the area of workers compensation, the governing provision in understanding any system of compensation is that which governs the test of compensability[1].

   The test of compensability, in s7(2)(b)(i) of the RTW Act inappropriately discriminates against psycahitric injury[2].

   The Society notes that, historically, in the area of workers compensation in Australia from 1936 until quite recently, there was no distinction drawn, with respect to compensability, between physical and psycahitric injuries.

   The concerns identified by the Full Court of the Supreme Court of South Australia in *Workers Rehabilitation and Compensation Corporation v Rubbert*[3] as to whether workers compensation should be provided in circumstances of reasonable administrative action taken in a reasonable manner by an employer in connection with a worker's employment is addressed elsewhere in s7(b)(ii) and s7(4) of the RTW Act. The Society recommends that, whether the injury be physical or psychiatric, the relevant contribution from

[1] *Fraher v Wundalich Ltd* [1963] HCA 53; (1963) 110 CLR 466 per Dixon CJ at [2]
[2] The Society refers to the resolution adopted by the Human Rights Council of the United Nations on 1 July 2016 with respect to mental health and human rights. Other relevant instruments include articles 1 and 2 of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Declaration of the rights of mentally retarded person and the principles for the protection of persons with mental illness and for the improvement of mental health care.
[3] [1991] SASC 2862

employment, to satisfy the test of compensability, be on the basis that employment was a significant contributing cause of the injury.

The Final Report Into The Referral For An Enquiry Into The ReturnToWork Act and Scheme being the 30th report of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation, tabled in the House of Assembly and ordered to be published on 14 November 2017 noted, in recommendation 2, that the acceptance rates for psycahitric injuries in 2016/17 was the lowest it had been in 5 years. It too recommended the change in definition of compensability as urged by the Society.

2. The discrimination against psychiatric injury claims is not confined to compensability. The RTW Act does not provide for the payment of a lump sum for either non-economic loss pursuant to s58 or economic loss pursuant to s56 in cases of psychiatric injury giving rise to a permanent impairment of at least 5% of the whole person. Such discrimination should not continue and the Society notes that it does not operate under the *Safety Rehabilitation and Compensation Act 1986* (Cth).

3. The Society has noted considerable uncertainty and disputation in relation to the construction and application of s33(21) of the RTW Act. In many cases, there is a practical difficulty associated with an injured worker identifying, within 12 months of the end of an entitlement to weekly payments, the nature and likelihood of future surgery. Noting advances in medical science, it may in fact be impossible to identify the particular form of surgery which may be recommended in the future. Moreover, the term "surgery" is not defined and, in itself, has led to considerable controversy.

   The Society sees no good reason as to why surgery needs to be predicted in the future for it to be compensable. If an injured worker is able to establish, at any time absent a redemption of liability of future medical expenses, that surgery is required to treat a compensable injury then the cost of such surgery and associated medical care, should be provided. The Society sees no good reason for the distinction drawn between surgery and a therapeutic appliance as currently exists between s33(21)(b)(i) and s33(21)(b)(ii).

   Further, the Society notes recommendation 5 of the final report into the referral for an enquiry into the RTW Act and Scheme and particularly the aspect of medication, reasonably prescribed on an ongoing basis and which can maintain work capacity. The Society supports an amendment to s33 of the RTW Act which would allow an application to be made for the approval of the cost of medication beyond the period stipulated in s33(20) for non-seriously injured workers where the evidence establishes that the medication is required, on an ongoing basis, to both treat the compensable injury and also to maintain work capacity.

4. The Society notes an anomaly in relation to the application of the supplementary income support for incapacity resulting from surgery in s40 of the RTW Act. Section 40(1) currently provides that such entitlement only exists if the incapacity post-surgery occurs after the end of the second designated period under s39(1)(b).

   If a worker ceases to have an entitlement to weekly payments before the end of the first designated period of weekly payments then the entitlement to claim medical expenses

will end before the end of the second designated period. An injured worker, in such circumstances, who seeks to have surgery promptly and before the end of the second designated period would not be entitled to supplementary income support but if the surgery were delayed then the worker could claim such income support. The Society considers that to be contrary to the objects of the Act for treatment to be effected as soon as practicable when required and to achieve a return to work as soon as practicable.

5. The Society has noted a number of practical and complex legal issues associated with the assessment of whole person impairment. Such assessments are an important element of the scheme noting that an assessment of 30% or more gives rise to a status of a seriously injured worker and any assessment between 5% and 29% gives rise to a lump sum payment for non-economic loss and an additional lump sum payment for economic loss.

   Not infrequently, substantial delays are being experienced in the assessment of injured workers because of the requirement that the injured worker select the assessing doctor, that the requestor be the compensation authority but that, at the same time, the worker be afforded an opportunity to make a submission in relation to the contents of the commissioning letter. In this process, disagreements may exist between the worker and the compensating authority in relation to the parts of the body to be assessed, whether parts of the body are to be combined or not in the assessment process and whether there is any pre-existing impairment that needs to be taken into account.

   Issues have arisen as to whether an assessment should proceed where matters remain unresolved between the worker and the compensating authority.

   The Society considers that, as a result, there have been too many instances of unnecessary delay and expense.

   The Impairment Assessment Guidelines provide a compensating authority with the opportunity to have a whole person impairment assessment medical report peer reviewed and that it is the compensating authority which ultimately determines an entitlement or which would decline a determination if it does not consider that there is a medical report in accordance with s22 of the RTW Act.

   In the circumstances, the Society recommends that the injured worker be afforded the opportunity, if so advised, to not only nominate but to proceed to obtain a whole person impairment report from an accredited medical practitioner.

   The Society further submits that, in such circumstances, if the compensating authority contends that the resultant report is not compliant and the injured worker maintains that it is, that the compensating authority have the right to obtain a single further assessment of whole person impairment from an accredited medical expert of its own choosing.

6. There has been a substantial amount of disputation over the circumstances in which percentages of whole person impairment may be combined. There have been a number of decisions already of the South Australian Employment Tribunal (SAET) which have resulted in differing and conflicting approaches. This is indicative of the unnecessary complexity associated with the relevant provisions. As a matter of principle, the Society

considers that an injured worker should be entitled to have combined, in an assessment of whole person impairment, injuries arising from employment with the same employer regardless of whether the injuries arise from the same trauma. That is particularly for the purpose of determining whether a worker should be treated as seriously injured for the purpose of future weekly payments and medical expenses. Previous impairments would still be appropriately deducted.

7. The Society does not support the current restriction of claims for damages at common law by injured workers, against a negligent employer, to cases of a seriously injured worker[4]. Indeed, the greatest hardship, in relation to economic loss and future medical treatment, in particular, will be in cases of non-seriously injured workers where the maximum period of entitlement to weekly payments is two years and the maximum period of entitlement to medical expenses is up to three years. The Society recommends that any injured worker who is assessed as having been left with at least a 10% whole person impairment be entitled to pursue a claim for damages at common law.

8. Section 33(17) of the RTW Act correctly reflects a desirability of an injured worker being informed of whether there is an entitlement to claim a medical expense before the liability is incurred. However, that only operates effectively in cases of an acceptance of compensability by the compensating authority. There are a number of cases where compensating authorities have taken the position that there is no obligation under the RTW Act to determine compensability unless it is associated with a claim for compensation. It has been argued that at first instance, some liability has to be incurred. Particular difficulty can arise in cases where neither weekly payments nor medical expenses are claimed but the worker asserts a compensable injury and an entitlement to a lump sum for permanent impairment. Sometimes there may not be an outstanding claim for weekly payments or medical expenses because they are being paid for injury to one part of the body, yet it is important to know if there is an issue of compensability to another part of the body. Under the Safety, Rehabilitation and Compensation Act, 1988 (Cth), s14 has been construed as giving rise to a determination with respect to compensability even if there is no claim for a species of compensation at the time. The Society notes that the *South Australian Employment Tribunal Act* 2014 has recently been amended, with the insertion of s26A, which now empowers the Tribunal to grant declaratory relief. The Society recommends that the RTW Act be amended to make clear that a worker has an entitlement to a determination of compensability and, absent such a determination, the right to make an application to the SAET for a declaration of compensability.

9. The implementation of the ReturnToWork Scheme abolished the coding of injuries as a secondary injury where the relevant injury was an aggravation, exacerbation or acceleration of a pre-existing injury or condition. The significance of a secondary injury coding, was that the payments made to or on behalf of the injured worker were not taken into account in determining the premiums to be paid by the employer. The absence of secondary codings under the ReturnToWork Scheme is causing a significant disincentive

[4] Section 72 of the RTW Act.

for the employment of injured workers and that is particularly in the context of the substantial impact on premiums, under the RTW Act, with respect to weekly payments made to injured workers. This is inconsistent with the title of the Act and the primary object to return injured workers to the workforce as soon as possible.

10. Interim payments made to an injured worker where the claim is ultimately rejected are still taken into account in the calculation of the premiums for the registered employer, unless and until those payments are recovered from the worker by the Corporation. Sometimes there is a reluctance to pursue such claims. The Society considers that to be inappropriate and recommends that it be made clear that rejected claims for compensation will not impact upon the premiums of a registered employer.

    The Society considers the relatively brief time limit of 3 months in s64(17)(b) to be unreasonable. That is particularly where the relevant liability is the responsibility of the ReturnToWork Corporation of South Australia (apart from potentially the first two weeks of incapacity). Further, the Society does not support the possibility of an extension of time being at the absolute discretion of the Corporation. The Society recommends that the time be changed to 12 months or such longer period as may be approved by the Corporation.

11. The Society notes that one of the topics to be addressed in the review is whether the SAET should be effectively dissolved and absorbed within the South Australian Civil and Administrative Tribunal (SACAT). The Society strongly supports the retention of SAET as an independent Tribunal to that of the SACAT. The Society notes that the difficulties experienced by the SACAT in absorbing even the current jurisdictions is well-known. By contrast, the SAET has, in recent years, successfully absorbed new jurisdictions including liquor licensing matters, dust diseases claims and claims under the State *Equal Opportunity Act*.

12. Members of the Society continue to report some difficulties and concerns in relation to the operation of the SACAT. The Society remains concerned at the appointment, for fixed terms, of solicitors within the Crown Solicitors Office whom will be expected to return to the Crown Solicitor's Office and, during the period of appointment to SACAT, are involved with administrative reviews where government departments are a party to the proceedings. The Society notes that in the SAET, all members of the Tribunal who hear contested matters involving government departments are either Magistrates or Judges.

13. The Society notes the breadth of the issues identified by the Hon. David Bleby QC in his report titled "2017 Statutory Review – South Australian Civil and Administrative Tribunal [SACAT]".

14. The SAET provides an efficient, effective and independent administration of justice. That should not be jeopardised by its jurisdiction being absorbed into another Tribunal which is not currently performing as well. Indeed, the Society considers that there is scope to further expand the jurisdiction of the SAET to include claims for damages at common law relating to personal injury. Such cases, which relate primarily to the areas of motor vehicle accident claims, medical negligence, and occupiers liability now very infrequently proceed

to trial and judgement in our civil courts. The main body of judicial expertise in hearing medical expert opinion, on a daily basis, is with the Judges of the SAET. The Society enjoys a constructive relationship with the South Australian branch of the Australian Medical Association and understands that its members are more used to and more comfortable in appearing before the SAET than the more traditional civil courts. In the circumstances, a better approach would be to consider expanding the jurisdiction of the SAET rather than absorbing it within the SACAT.

15. The requirement that an employer provide suitable employment, pursuant to s18 of the RTW Act and the ability to obtain orders of the SAET for the provision of such employment, has been understood to be a compromise in circumstances of the limitation of entitlement to weekly payments to a maximum of 2 years for non-seriously injured workers. We are now approaching 3 years from the commencement of the ReturnToWork Scheme and there has been only one significant decision of the SAET with respect to s18.[5] The cost provision fixed by regulation, for a worker, provides a severe impediment for a worker in relation to proceedings pursuant to s18. The Society notes that the limit with respect to representation costs does not apply to the employer. This anomaly should be addressed. The entitlement to representation costs for proceedings pursuant to s18 by a worker, should be in accordance with the entitlement to recover representation costs pursuant to s106.

16. The factual circumstances of *Diane Oldman v Department Education and Children's Services* which proceeded to hearing and is currently the subject of a reserved judgement by the President raises a point that should be clarified by legislation. In that case, it is being argued by the Department that the obligation to provide suitable employment, in relation to any public sector employee, is circumscribed by the requirement in section 46 of the *Public Sector Act 2009* (SA) that positions be secured following a merit based process. The Society recommends that section 46 of the *Public Sector Act 2009* be amended so as to make it clear, either pursuant to a subsection or an amendment to the Regulations, that section 46 does not apply in circumstances of either a rehabilitation or return to work plan or an application by an injured worker under section 18 of the RTW Act.

17. For the first time in workers compensation history in South Australia, the RTW Act links long term entitlement to weekly payments to an impairment of function of the body rather than an incapacity for work. Whilst the Society understands an objective of certainty and an automatic cut off of entitlement to weekly payments for those injured workers who have a work capacity, it is more difficult to understand why a worker who is injured and rendered totally and permanently incapacitated for work is not entitled to claim weekly payments to retirement age and medical expenses indefinitely and regardless of the percentage of whole person impairment. Section 51(iv)(b) of the *Workers Compensation Act* 1971 recognised such workers in a particular category of long term entitlement. Similarly, the Society recommends that the RTW Act be amended so as to treat those workers who are rendered totally and permanently incapacitated for work

[5] *Walmsley v Crown Equipment Pty Ltd* [2016] SAET 4

for which they were suited prior to the injury, as seriously injured workers for the purposes of the Act, and regardless of the assessment of whole person impairment.

18. The involvement of the SAET is restricted to circumstances where there is the generation of a dispute and an application to the Tribunal to either expedite a decision or to review a decision. Currently, there is no mechanism by which parties can, upon the submission of a claim for compensation, apply to the Tribunal for orders and without the generation of a dispute. There are a number of cases where, upon submitting a claim for compensation, the parties reach agreement as to how to resolve the claim. If the agreement requires orders of the Tribunal the parties may artificially create a dispute in order to enliven the jurisdiction. This was available under the *Workers Compensation Act* 1971. The Society recommends that the RTW Act be amended so as to allow parties to apply, by consent, for orders of the Tribunal without necessarily a decision which is the subject of an Application for Review.

19. There is currently, uncertainty as to the extent to which the Tribunal is empowered to make orders with respect to lump sum payments pursuant to ss56 and 58 by reference to a compromise between the parties and where there is no percentage of whole person impairment, in a medical report, corresponding to the percentage of whole person impairment the parties agree to. Practice Direction 28 of the Tribunal reflects the issue.

    Disputes about compensability of injuries claimed or whether assessments of whole person impairment for injuries should be combined properly give rise to a range of possible outcomes upon a contested hearing before the Tribunal. Having regard to the object of the Act it is important that all provisions operate in a manner that support an appropriate compromised outcome. If necessary, the RTW Act should be amended to make plain that the Tribunal is empowered to make orders for the payment of lump sums where the parties seek a compromised outcome and even if there is not a percentage of whole person impairment, expressed by an accredited medical expert, which corresponds exactly with the percentage agreed to on a compromised basis by the parties.

20. An issue arises as to whether s97 of the RTW Act is narrower in its scope of reviewable decision than its counterpart under the *Workers Rehabilitation and Compensation Act* 1986. The Society recommends an express link between the RTW Act and s26A of the *South Australian Employment Tribunal Act* 2014 which empowers the Tribunal to grant declaratory relief. The Society considers it desirable to expressly provide the SAET with broad jurisdiction to deal with any issue that arises under the RTW Act. Noting that there is, with permission, the ability to seek an appeal to the Full Court of the Supreme Court of South Australia from a decision of the Full Bench of the SAET, with respect to workers compensation claims, it is preferable that any and all issues arising under the RTW Act be dealt with through the dispute resolution mechanism of the Tribunal and, if necessary, ultimately by the Supreme Court via an appeal mechanism rather than by means of a party seeking judicial review. In this regard the Society recommends an amendment to the definition of a "permanent impairment matter" to make plain that any decision in the process of a worker seeking an assessment pursuant to s22 of the RTW Act is a reviewable decision.

21. The Society recommends some changes to the practices and procedures of the SAET, with the aim of greater efficiency, as follows:

    21.1. The ability to amend an application to review a decision so as to enable subsequent decisions to also be the subject of that review. Principles of procedural fairness would need to be followed and other parties should be able to be heard in relation to such an application.

    21.2. Currently, there is greater formality, and a requirement to attend in person, with respect to applications to review matters before a Commissioner than matters before Presidential Member of the Tribunal. Commissioners should be encouraged to utilise the South Australian Employment Tribunal Rules 2017 and not require formal written applications and affidavits for adjournments and, particularly, where the application is not opposed.

    21.3. Parties should be permitted to participate in the conciliation process before Commissioners by telephone.

    21.4. A practice direction by the Tribunal, currently with respect to appeals, requires an appellant to file, promptly upon the filling of a notice of appeal, a brief outline of argument which is expressed to be for the purpose of "triage" of appeals. The Society considers this involves an unnecessary expense and delay.

22. The Society has had the benefit of the submission of the ReturnToWork Corporation of South Australia titled "Key messages from ReturnToWorkSA – Review of the ReturnToWork Act (2014) dated 11 January 2018". The Society is concerned that the submission does not correctly reflect the number of disputed matters in the SAET relating to the RTW Act or the timing of disputes. Inexplicably, the Corporation has excluded transitional claims and that severely distorts the picture. The Society considers that, in the circumstances, the statistical information provided is unhelpful and the conclusions drawn by the Corporation inappropriate.

23. The Society also understands that the figures provided within the Corporation's report are restricted to matters in which the Corporation is involved and there are a large number of disputes that do not involve the Corporation but, rather, self-insured employers.

24. In the circumstances, the Society agrees with the statement in the report of the Corporation that it is the SAET which should be the primary source of information with respect to disputed number and duration.

25. In the 2016-17 annual report for the SAET it was noted that, in fact, the Tribunal received 5,924 applications, representing an increase of 20.8% compared to the 2015-16 year.

26. The Corporation suggests that the disputes with respect to injuries post 1 July 2015 are more concentrated with respect to the core question of compensability. That is not a surprise given the relatively brief period since the commencement of the scheme.

27. Once claims for compensation are accepted, a dispute is more likely to arise years later. Potential disputes with respect to future treatment, future weekly payments and

entitlements to lump sum payments for permanent impairment are unlikely to arise for some years noting the entitlement to claim weekly payments for up to 2 years and medical expenses for up to 3 years. Further injury within the period may extend the timeline. With respect to lump sum payments that is particularly in circumstances of s22 restricting an injured worker to only one assessment, for all injuries arising from the same trauma and only following a clear statement of all injuries having reached maximum medical improvement.

28. The statistical data of the Tribunal and the anecdotal evidence from the profession is that the RTW Act, in terms of the implementation of the new scheme, has generated a number of disputes. That is as a result of a combination of:

    28.1. The introduction of new provisions which have not been judicially interpreted previously and which are both individually and in the context of the Act as a whole poorly worded and difficult to construe.

    28.2. The reluctance of the Corporation to negotiate a settlement of claims involving the construction of a provision of the RTW Act until that provision has been finally construed by the Full Court of the Supreme Court of South Australia.

    28.3. The refusal of the ReturnToWork Corporation, generally, to enter into negotiations to resolve disputes by way of a lump sum settlement including a redemption of future liabilities with respect to weekly payments and medical expenses.

29. In its submission the Corporation has referred to the costs of the appeal process. The Society notes that the Corporation has failed to disclose who has initiated the appeals and the outcome of the appeals to date. It is not surprising that the Corporation has sought to clarify aspects of the RTW Act which are, by reference to the terms, difficult to understand and apply. The Society notes that it is the Corporation itself that has initiated a number of the appeals and has been, to date, unsuccessful on a number of occasions.

30. As noted above, the Corporation, in relation to what it considers to be important questions of law, has required that matters proceed through the appellate processes.

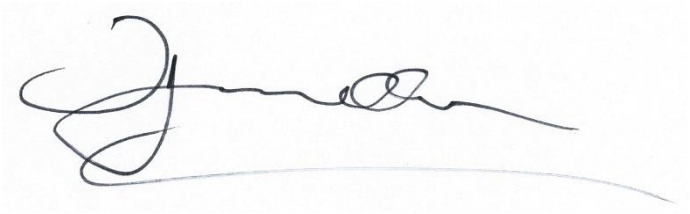
31. The Society notes that the approach of the Corporation is materially different to that of self-insured employers under the scheme. Self-insured employers are, generally, more prepared to conciliate on matters which may involve a question of principle but where the cost of disputed proceedings is substantial in comparison to the cost involved in relation to the claim in dispute. The Society submits that compensating authorities are in a position to significantly influence the costs of appeals.

32. The Society notes the submission of the Corporation, at page 8, concerning whole person impairment and the potential impact of the decisions in this area cited in footnote 3. In the past, the Corporation has not disclosed, to the Society, the actuarial reports from which it extract figures to support its submissions. The Society submits that the Corporation's submission with respect to whole person impairment should not be accepted by the Review unless it provides the full actuarial report to the Review and, if required, source documents which were relied upon by the actuary.

33. The Society acknowledges the importance of the point made by the Corporation of a reasonably competitive average premium rate throughout Australia. The Society submits that a good workers compensation scheme strikes an appropriate balance between achieving rehabilitation and return to work, providing an appropriate level of compensation and a comparative average premium rate.

The Society would be pleased to meet with you to discuss the submission.

Yours sincerely



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