

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Agency - Comcare

DEEWR Question No. EW1219_12

Senator Marshall asked on 15 February 2012 , Hansard page 73

Question

Comcare - Unresolved Cases

CHAIR: I am just wondering whether there are any thoughts being given to, again, a task force or something, for want of a better description, that might involve you and the other authorities involved to actually grab these dozen or so—I would actually like you to take it on notice and give me a figure if you can—cases and actually get rid of them. They keep coming up and when you look at them, they are tragic cases and they have caused enormous disadvantage to people over a long period of time. It really would be good to get rid of them or resolve them.

Answer

Comcare has provided the following response.

Between 1988 and 2012, Comcare has determined 261,361 claims. Comcare estimates a small number – less than twenty – of these claims in respect of injured workers who have long-standing or ongoing concerns that relate to:

1. continued dissatisfaction with entitlements under federal law after exhausting all appeal rights (for example, injuries before 1988 and the SRC Act, permanent impairment provisions, redemption provisions, lack of access to common law, incapacity provisions);
2. continued dissatisfaction with rehabilitation and return to work outcomes and the support provide by their employer as the rehabilitation authority;
3. continued dissatisfaction with the support services provide by Comcare including errors in claim determinations, delay and poor communication even where specific issues have been redressed; and
4. dissatisfaction is based on the application by Comcare of policies and procedures in interpreting federal law.

Comcare is developing options for consideration by Government to reduce, where possible, the above issues.