



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES
SOCIAL SECURITY AMENDMENT
(2007 MEASURES NO. 2) BILL 2007

Consideration in Detail

SPEECH

Wednesday, 19 September 2007

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

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Questioner	Responder
Speaker Gillard, Julia, MP	Question No.

Ms GILLARD (Lalor) (1.02 pm)—I move:

Schedule 1, items 37-46, page 8 (line 30) to page 9 (line 21), omit the items.

I rise to move the in detail amendment which I foreshadowed during my speech on the second reading. It deals with an issue that the Minister for Workforce Participation, who is at the table, clearly does not understand. We have just seen another very clear example of hubris under the Howard government. Apparently the sun only shines because of the Howard government. People only smile because of the Howard government. Children only enjoy their childhood because of the Howard government. But, when you strip away all of the arrogance that this government now drips as it cheerfully misuses taxpayers' money for its party political propaganda, what you find is a contribution from the minister that was all about the past and all about Labor's policies with not one word about the future. The minister managed to tie all of that to a misunderstanding of the meaning and intent of the bill that she has brought to the House. One wonders, when one has arrogance tied with incompetence, where we really are.

For the purpose of explaining this to the minister, because she clearly does not understand it: this bill removes the phrase 'medical officer' from the relevant sections of the Social Security Act relating to the assessment of work capacity for disability support pension applicants, replacing it with the word 'assessor'.

Dr Stone—Medical assessor.

Ms GILLARD—Replacing it with the word 'assessor'. The minister at the table just said 'medical assessor'. It replaces it with the word 'assessor'. The assessments that are being referred to are known as 'job capacity assessments'. One element of those is the assessment against the impairment tables. We know that an applicant must get a minimum of 20 points to be assessed as eligible for the disability support pension; however, an applicant can get more than 20 points and still not be granted the pension because the job capacity assessment finds they are still theoretically capable of at least 15 hours of work.

The effect of what the bill before the House does is to roll together the impairment table process into the general job capacity assessment process, to have them all conducted by the job capacity assessor. The problem with this—and clearly the minister does not understand this—is that making a decision about disability against impairment tables is a task that requires the exercise of medical knowledge and medical judgement. We do note that there can still be input or advice from a medical officer, such as treating doctors, but of course the bill, by deleting the phrase 'medical officer', moves that determination to a determination made by an assessor—that is, it has taken the impairment table determination, rolled it in with the rest of the job capacity assessment and made that the province of the job capacity assessor. If there is any further confusion about this by the minister, she might like to reflect on the words of the National Welfare Rights Network, which points out:

The impairment tables are replete with complex and detailed references to multifarious medical conditions. Points under the impairment tables are given according to the actual impairment caused by an identified medical condition. They are not given according to their likely impact in the workplace. It therefore makes sense that a person's rating be assessed by a medical officer.

Those are not my words but the words of the National Welfare Rights Network. It is a simple point, and it ought to be conceded, that making a judgement against the impairment tables requires the exercise of a degree of medical knowledge and skill. It consequently should be done by a medical officer. Of course, that is only going to form one element of the assessment. The rest of the assessment needs to be done by an assessor. That is understood. But the minister, in proceeding with the bill in its current form, is deleting the role of the medical officer by deleting the use of the words 'medical officer' and replacing them with the word 'assessor'. So it would do everybody a favour, particularly the Australian people, if the minister conceded the point and accepted the amendment. (*Time expired*)