



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

Second Reading Debate

13 November 2018

**WORKERS COMPENSATION LEGISLATION AMENDMENT
(FIREFIGHTERS) BILL 2018**

Ms SONIA HORNERY (Wallsend) (20:20):

I speak in debate on the Workers Compensation Legislation Amendment (Firefighters) Bill 2018. It has been proven that firefighters suffer cancer at higher rates than most. They work in environments filled with toxic smoke, which damages their lungs and leads to both immediate and long-term health conditions. Those precious workers face the most dangerous situations imaginable in an effort to save life and property. Should the worst happen, they deserve our support. A report from the Cancer Council NSW states:

Studies suggest firefighters are at an increased risk of developing certain types of cancer, owing to exposure to carcinogenic particles associated with fire-fighting.

It also states that firefighters face the probable risk of multiple myeloma, Non-Hodgkin's lymphoma and prostate cancer, as well as testicular cancer, skin cancer, malignant melanoma, brain cancer, cancer of the rectum, stomach and colon, and leukaemia. Any way one looks at it, that is a worrying list. However, as Fire Brigade Employees Union [FBEU] State Secretary Leighton Drury said:

Firefighters look after our community in our time of need. I've been a serving firefighter for 20 years, and I joined to help people. Our work is sometimes dangerous and one of those dangers is cancer ... cancer is an occupational disease.

Those hardworking, courageous people not only deserve our respect and thanks but also need stronger support to help with the risks faced in their vital profession. Under current legislation firefighters must prove that they contracted cancer as a result of on-the-job activity in order to get workers compensation. As the FBEU said:

The last thing a person needs when given diagnosis of a potentially fatal disease, when they and their families are struggling with treatments, doctors and an uncertain outcome, is to have

to worry about costs of these treatments or in fact if they will have a job once their employer is aware of the seriousness of their illness.

I agree with that. In support of this, the Cancer Council has noted:

... proving causation can be difficult, because exposure to these [cancer-causing] particles can vary, and there may be multiple exposures from more than one event.

The bill will establish presumptive rights to workers compensation for firefighters suffering from certain kinds of cancer—the member for Cessnock has foreshadowed that the Labor Opposition will be moving amendments about that—and those presumptive rights need to be in line with international and interstate standards. South Australia, Tasmania and Western Australia all have presumptive legislation for firefighters, as do most provinces of Canada and 24 States in the United States. What is covered by this legislation varies from jurisdiction to jurisdiction, but the types of cancer covered by the bill's operation broadly align with the cancers identified by the Cancer Council as being more likely to occur in firefighters. In September the Newcastle Herald reported:

Firefighters have been warned not to use vital breathing equipment for more than 10 minutes while battling blazes inside burning structures.

A Fire and Rescue NSW spokesperson told the Newcastle Herald:

There is nothing more important than our peoples' safety and that of the public.

A high ranking Hunter-based firefighter told that paper:

It will put limitations not only on what we can do, but also put the people operating them under pressure.

After the last embers of the blaze have gone out, the pressures and worries continue. As Mr Drury said:

Our employer needs to do more to protect us from the risks of firefighting, but we also deserve support if we do contract cancer.

I could not agree more. I know how hard firefighters work. I have been fortunate to meet with many career and volunteer firefighters in the Wallsend electorate—the firefighters at Minmi fire station, Tarro fire station and Wallsend fire station, as well as those who serve at the Fire and Rescue area command at Lambton. They are on the front line of emergency service provision to our community and deserve our support. All the firefighters I have met during my time as the member for Wallsend deserve the most important and protective conditions offered by the Government. Should their work lead to a life-threatening health problem, they and their families deserve a great deal of peace of mind and 100 per cent support from the Government. I supported the bill promoted by the Opposition four weeks ago and I thank the Government for following the lead of the FBEU. I look forward to the Government supporting our sensible amendments to the bill.