



Director Justice Policy
Department of Attorney General & Justice
GPO Box 6
Sydney NSW 2001

By Email: lpclrd@agd.nsw.gov.au

Re: Dust Diseases Tribunal Regulation 2013

Unions NSW welcomes the review into the Dust Diseases Tribunal Regulation 2013.

Unions NSW has long been an advocate for timely and fair compensation for workers afflicted with dust diseases.

Apart from the debilitating outcomes on worker's health of dust diseases, a difficult legal process adds insult to the suffering.

Unions NSW acknowledge that defendants are owed a level of procedural fairness under the law, and there is also need to manage the legal costs per claim. However, it is often reported to Unions NSW from affiliates that there are processes undertaken by some defendants, particularly in malignant cases, that seek to delay resolution and also significantly increase the cost to of legal representation. The pursuit of these processes generally negatively affects the plaintiff (injured worker) and removal of the opportunity for these processes to be used to delay, should be the key to any changes by this Regulation.

There needs to be a more directive process available for these malignant cases where the time between diagnosis and death of the plaintiff can be a matter of days. Therefore there needs to be a distinction between processes for benign and malignant diseases particularly in relation to the Claims Resolution Process.

We have reviewed the submission of the Asbestos Diseases Foundation of Australia and submit that we are in agreement with this submission.

Yours Faithfully

A handwritten signature in black ink, appearing to read "Shay Deguara", with a stylized flourish at the end.

Shay Deguara
Industrial Officer