

About the Commission

The Workers Compensation Commission is an independent statutory tribunal within the justice system of New South Wales, which began operating on 1 January 2002.

The Commission aims to provide a just, timely and cost effective forum for the resolution of workers compensation disputes.

Statistics at a glance

- § We registered 1852 dispute applications
- § We finalised 2666 disputes
- § 683 Medical Assessment Certificates were issued by Approved Medical Specialists
- § We registered 54 appeals against decisions of Arbitrators and finalised 125
- § We registered 141 appeals against decisions of Approved Medical Specialists and finalised 213
- § 141 Arbitral Appeals are in progress
- § 174 Medical Appeals are in progress
- § 13% of Arbitrator determinations were overturned on appeal
- § 15% of Medical Assessment Certificates were revised on appeal
- § We registered 126 Interim Payment Directions
- § We finalised 129 Interim Payment Applications
- § We registered 15 Workplace Injury Management disputes
- § We finalised 19 Workplace Injury Management disputes
- § We registered 81 applications for costs assessment
- § We registered 94 applications for mediation
- § We finalised 94 applications for mediation
- § We registered 735 section 66A agreements for permanent impairment/pain and suffering compensation. Note that data is for October 2006 only, due to implementation of legislation changes on November 1 2006. Reporting for s66a agreements has ceased as of October 2006.

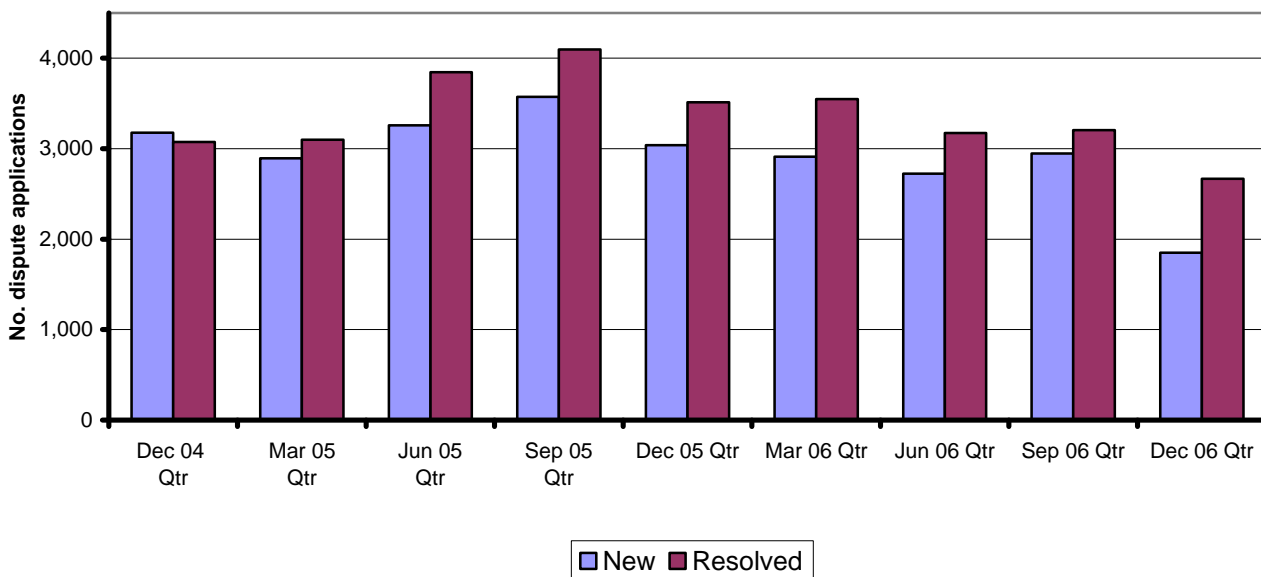
Dispute applications

We received 1852 applications to resolve disputes in the quarter, a 37.2% decrease over the 2,947 disputes received in the September 2006 quarter.

We finalised 2666 disputes in the December 2006 quarter, a 16.6% decrease over the 3,206 disputes finalised in the September 2006 quarter.

The graph below shows the number of dispute applications received and finalised over the last 2 years.

**Graph 1 - new & resolved Form 2 applications
by quarter**



Form 2 Applications Received

Reporting on Applications has been changed to provide more detailed information on Applications lodged since November 1 2006.

Of the Form 2 applications lodged since 1 November 2006, only 67% were registered.

Of those applications registered:

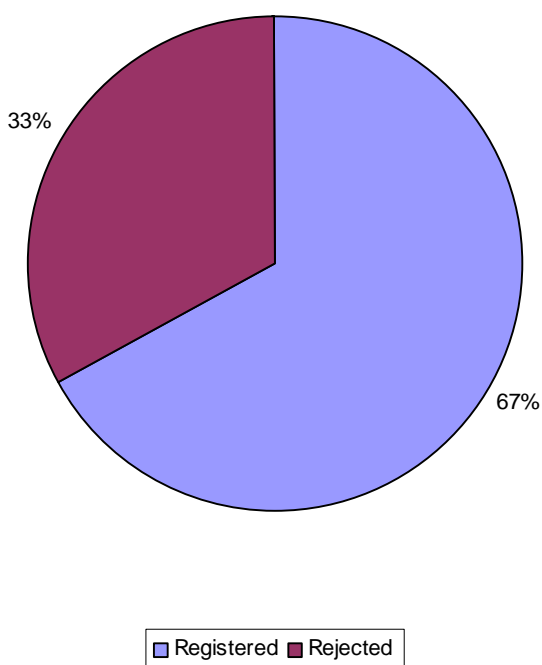
- 62% were referred to Arbitrators
- 38% were referred for medical assessment of the degree of permanent impairment

Of those applications rejected:

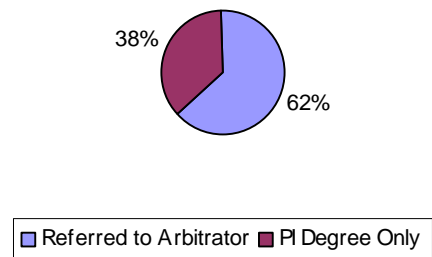
- 9% were rejected for failure to include a CAS referral request (where the insurer had failed to determine the claim)
- 91% were rejected for other reasons

The graph below shows the breakdown of Form 2 Applications received.

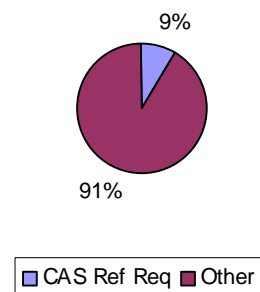
**Form 2 Applications Received by Quarter
December 2006**



**Form 2 Applications Registered by Quarter
December 2006**



**Form 2 Applications Rejected by Quarter
December 2006**



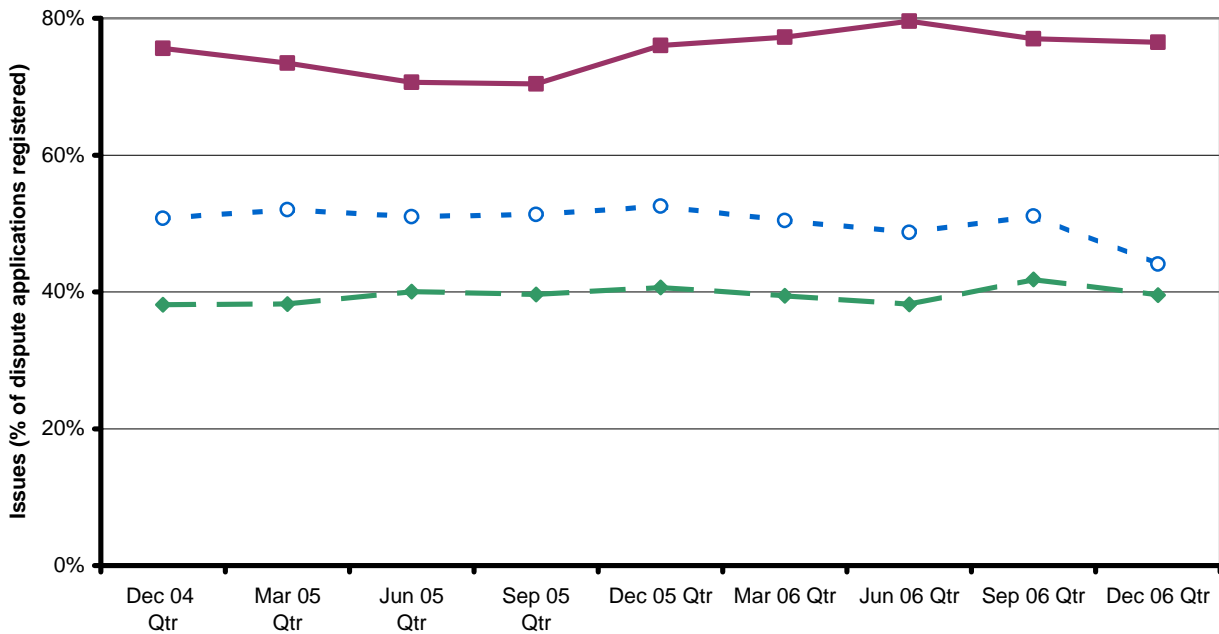
Issues in dispute

When lodging an Application for Resolution of a Dispute the applicant generally identifies more than one issue in dispute. The type and percentages of issues in each category of dispute has remained relatively stable since June 2003. The percentage of dispute applications that identify a dispute about statutory compensation for permanent impairment is still 77%. 44% of applications identified medical expenses in dispute and 40% of applications involved weekly benefits.

The graph below** shows the top three issues identified by the applicant as being in dispute

** Note % is greater than 100% due to most applications identifying multiple issues in dispute

Graph 2 - Top 3 issues in dispute - Form 2 applications by quarter



■ Permanent Impairment
 ◆ Weekly Benefits
 -○- Medical Expenses

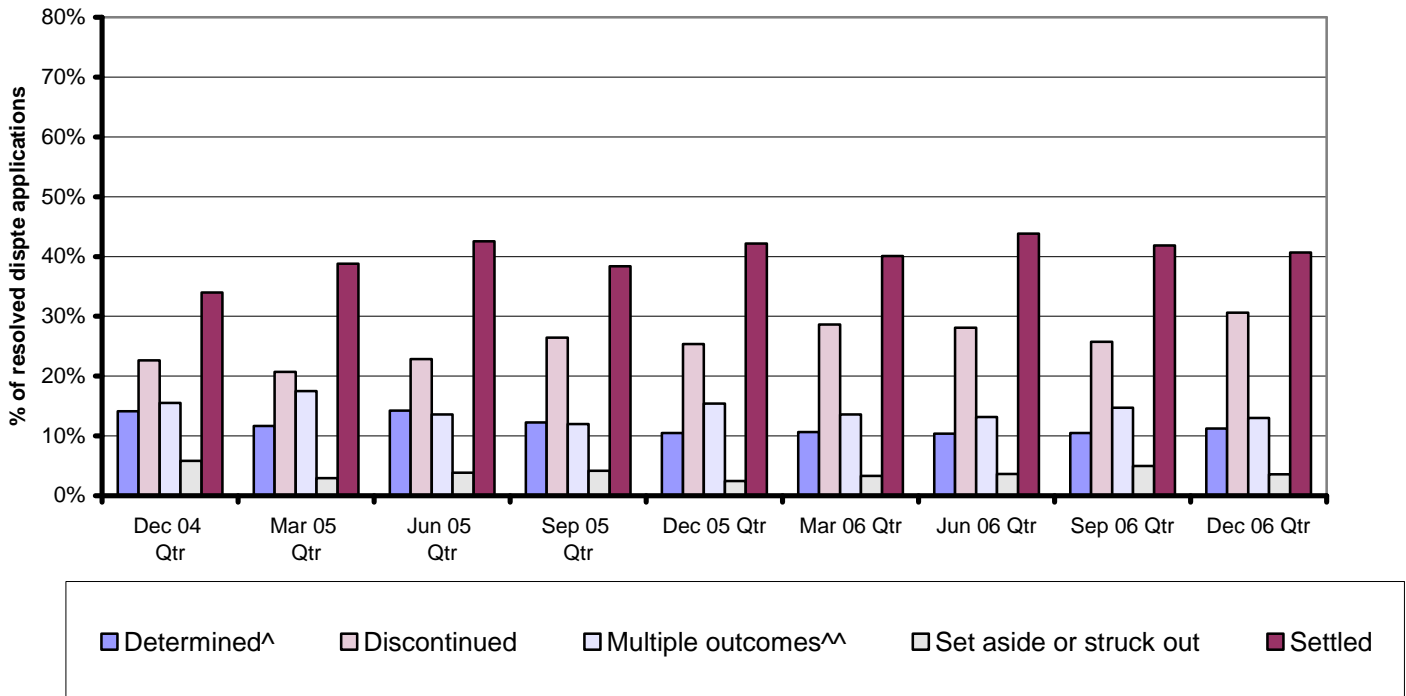
Outcomes of dispute applications

In the December 2006 quarter;

- 41% of disputes settled by agreement between the parties
- 11% were determined by an arbitrator
- 31% were discontinued by the applicant or parties to the dispute.

The graph below shows the outcomes of disputes, by quarter, over the last 2 years.

**Graph 3 - selected outcomes of Form 2 applications
by quarter**



Time taken to resolve disputes

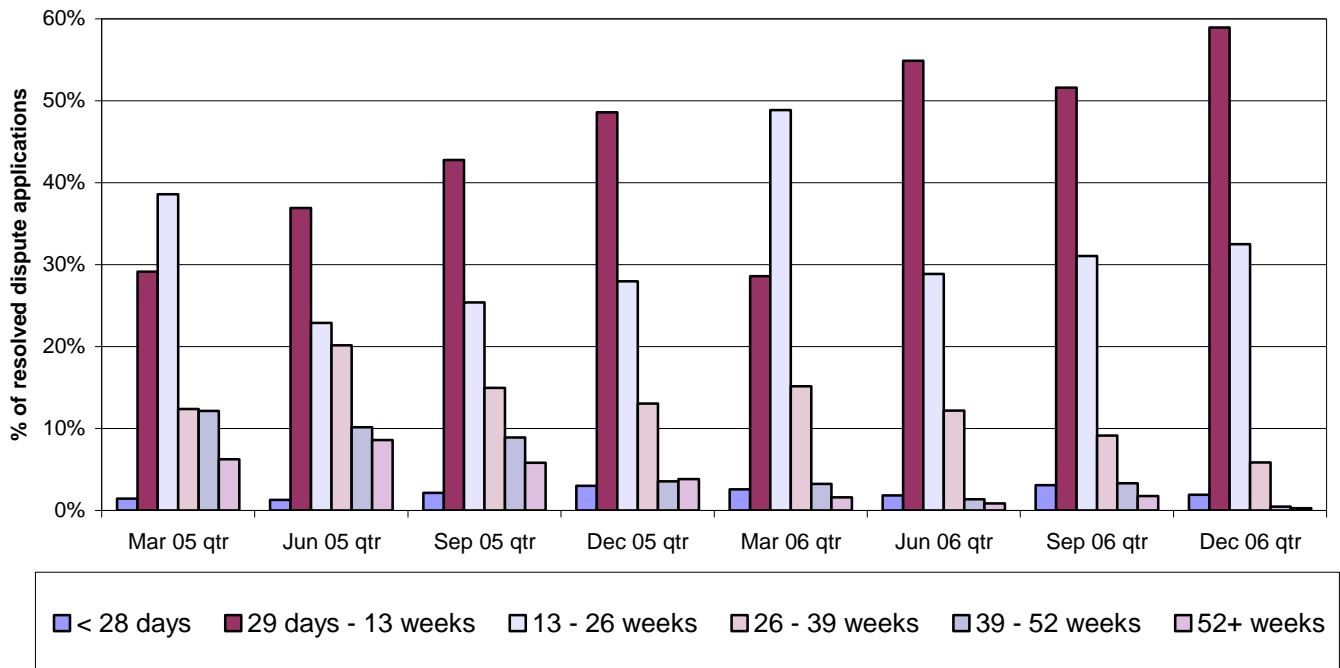
The average time taken to resolve disputes without appeals was 99 days from the date of registration. Lodgment of appeals has a significant impact on the time it takes to resolve disputes.

For matters without appeals, we finalised:

- 61% within 13 weeks
- 93% within 26 weeks
- 99% within 39 weeks.
- 100% within 52 weeks

Graph 4a below shows the time taken to resolve disputes without appeals

**4 - time taken to resolve dispute applications
(excluding matters with appeals)**



Expedited Assessment

In this quarter we received 126 applications for Interim Payment Direction (IPDs) and we finalised 129 IPDs. We issued 94 IPDs and refused 23. Of the remainder, a number were referred to an arbitrator for resolution.

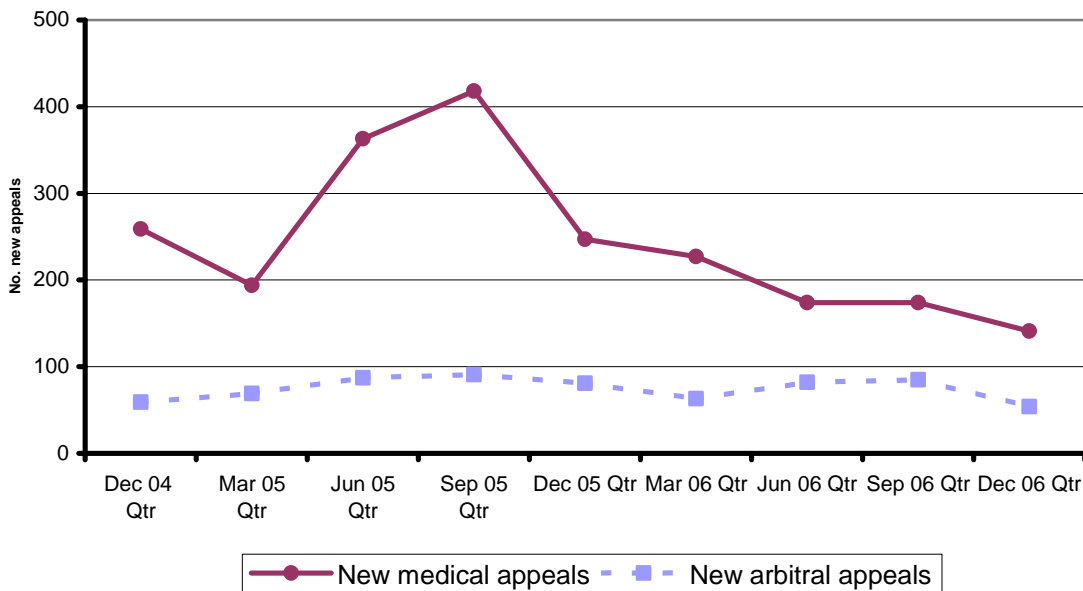
A total of 15 Workplace Injury Management (WIM) disputes were registered in the quarter and 19 WIM disputes finalized.

Appeals¹

In this quarter we received 54 new appeals against a decision of an arbitrator (an appeal rate of 11%). 125 arbitral appeals were finalised. Only 13% (62) of total determinations by arbitrators (487) were revoked or the matter remitted back to an arbitrator.

A total of 141 appeals against medical assessments were received this quarter (an appeal rate of 21%) and 213 were finalised. 15% (100) of total Medical Assessment Certificates (683) were revoked by the Appeal Panel.

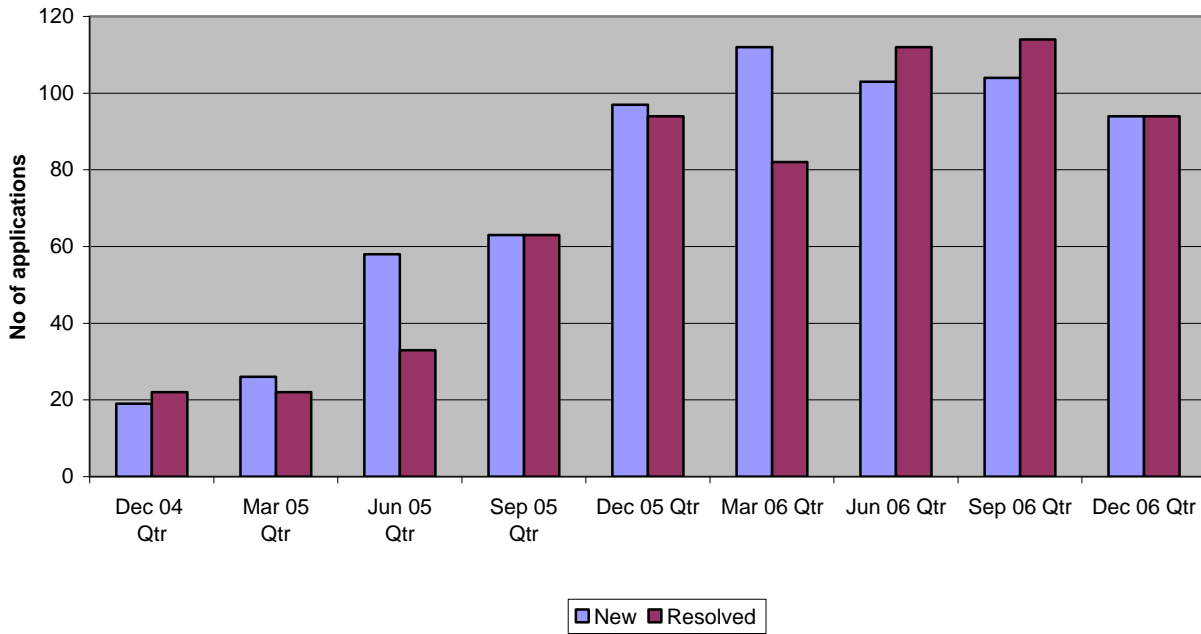
**Graph 5 - new appeals against decisions of arbitrators and AMS
by quarter**



Mediation

In this quarter we received 94 new applications. 94 applications for mediation were finalised in the December 2006 quarter.

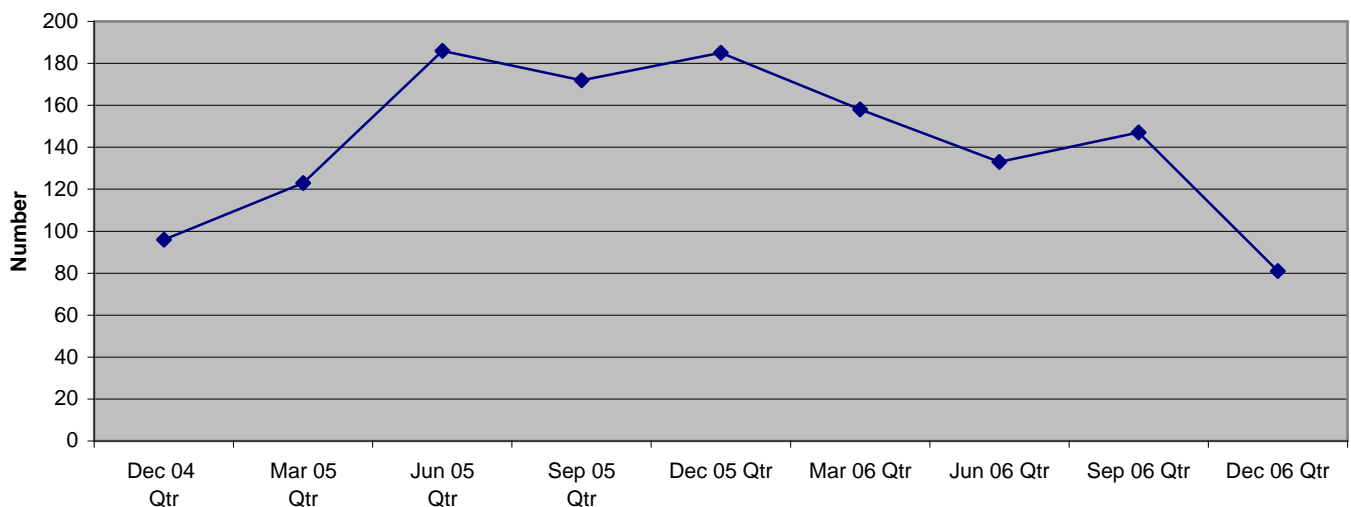
**Applications for mediation
(work injury damages)**



Costs

In the September 2006 quarter, we received 81 applications for assessment of costs.

Application for Assessment of Costs





QUARTERLY REVIEW

October - December 2006

Next quarterly review

We will publish our next quarterly review – covering the three-month period from January 2007 – March 2007 – in April 2007.

Further information

If you have any queries or would like further information, please email us at registry@wcc.nsw.gov.au