

REPORT OF THE ROYAL COMMISSION ON PERSONAL INJURIES

Undoubtedly the object of the greatest controversy in legal circles during the years 1968 and 1969 has been the report of the Royal Commission on Personal Injuries.

The Commission, which comprised Mr Justice Woodhouse as Chairman and H. L. Bockett, Retired Secretary of Labour, and G. A. Parsons, Public Accountant, as Members, was appointed on 14 September 1966 and transmitted its report to the Government on 13 December 1967.

Since then debate upon the recommendations contained in its report has steadily quickened, great impetus being given to it by the discussions at the Centennial Conference of the New Zealand Law Society in Easter of this year. However, no concluded view upon those recommendations has been reached by the New Zealand Law Society nor by the Government which in the course of the Speech from the Throne on 15 May 1969, indicated that it wished to foster further discussions and clarification of views.

To this end it was felt that it would be helpful to provide for readers of this Review a readily available record not only of the mandate to the Commission and its recommendations in response thereto, but also of some views of those other sections of the community which are also concerning themselves at this time with assessing the desirability or otherwise of implementing the recommendations of the Commission.

TERMS OF APPOINTMENT

Elizabeth the Second, by the Grace of God of the United Kingdom,
New Zealand, and Her Other Realms and Territories Queen,
Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved the Honourable Arthur Owen
Woodhouse, D.S.C., a Judge of the Supreme Court of New Zealand;
Herbert Leslie Bockett, Esquire, C.M.G., of Wellington,
Retired Secretary of Labour; and Geoffrey Arnold Parsons,
Esquire, of Wellington, Public Accountant:

Greeting:

Know Ye that We, reposing trust and confidence in your integrity, knowledge, and ability, hereby nominate, constitute, and appoint you, the said

The Honourable Arthur Owen Woodhouse,
Herbert Leslie Bockett, and
Geoffrey Arnold Parsons

to be a Commission to receive representations upon, inquire into, investigate, and report upon the law relating to compensation and claims for damages for incapacity or death arising out of accidents

(including diseases) suffered by persons in employment and the medical care, retraining, and rehabilitation of persons so incapacitated, and the administration of the said law, and to recommend such changes therein as the Commission considers desirable; and, in particular, to receive representations upon, inquire into, investigate, and report on the following matters:

1. Any need for change in the law relating to claims for compensation or damages in respect of persons incapacitated or killed in employment.

2. The institution and administration of a scheme for the payment of compensation or damages, in whole or in part, by periodic payments, in respect of persons incapacitated or killed in employment.

3. The desirability of adopting, in whole or in part or with suitable modifications, any scheme or system of compensation, medical care, retraining, and rehabilitation in operation in any other country which the Commission feels justified in investigating.

4. The relationship between money payable by way of compensation or allowances or damages in respect of persons incapacitated or killed in employment and money payable pursuant to legislation concerned with social security or welfare or pensions.

5. The desirability of amending the legislation to conform with the International Labour Convention (No. 121) Concerning Benefits in the Case of Employment Injury, and the international Labour Recommendation (No. 121) Concerning Benefits in the Case of Employment Injury.

6. The provision of facilities for medical examination of persons injured or incapacitated in employment, and their treatment, retraining, and rehabilitation.

7. Any amendment that should be made in the legislation to implement any changes recommended in respect of any of the above matters.

8. Any associated matters that the Commission may deem to be relevant to the objects of the inquiry.

And We hereby appoint you, the said

The Honourable Arthur Owen Woodhouse

to be Chairman of the said Commission:

BERNARD FERGUSSON,

Governor-General.

By His Excellency's Command—

J. R. MARSHALL, for the Prime Minister.

Approved in Council—

T. J. SHERRARD, Clerk of the Executive Council.

REPORT OF THE ROYAL COMMISSION ON COMPENSATION FOR PERSONAL INJURY

Conclusions and Recommendations

482. The following paragraphs repeat for ease of reference the more important conclusions and recommendations contained in the Report.

483. *Scope of Inquiry*

- (1) It is not possible to resolve the problem of industrial injuries in isolation from the many other hazards which face the work force throughout the 24 hours of each day.