

Custodial Corrections

Legal Insurance

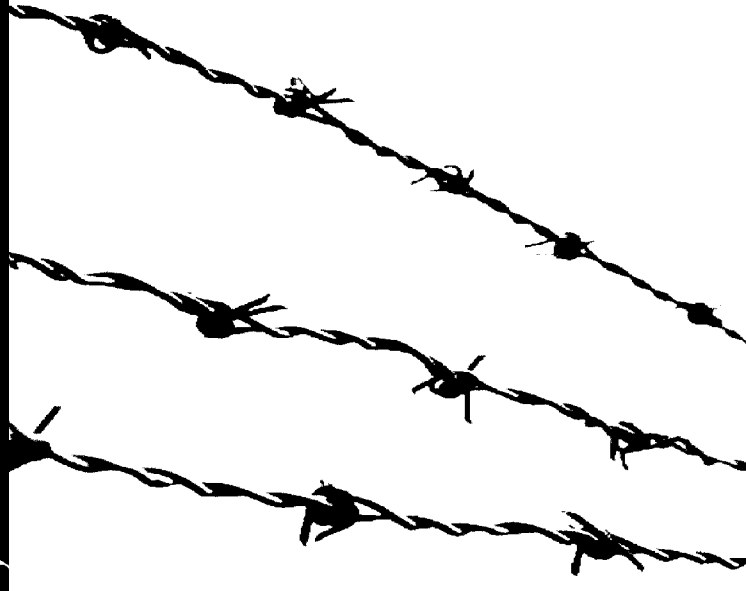
QPSU members in custodial corrections have a long and proud history of working together to win improved pay and conditions. In times of trouble it's good to know that union members are able to protect each other.

One example of how being part of a union builds better lives for Corrections members is legal expense insurance. QPSU members in Custodial Corrections made the decision to fund a group legal insurance policy to provide an added level of security and protection for those members working in the tough custodial environment. Each year the QPSU corrections division takes out a group legal expense insurance policy funded by this levy.

For more detail about the legal insurance policy and how it operates you can contact the QPSU office on 1800 177 244.



stronger
together
in corrections



Legal
insurance
in custodial
corrections

working for a
better life for
members



Custodial Corrections Legal Insurance

What does the policy cover?

- **Prosecution defence and internal disciplinary hearings** – “bringing legal action to defend a criminal prosecution or representation at an internal disciplinary hearing brought by the relevant inquiry body arising from a matter relating to the members employment”.

NB ‘Inquiry body’ is defined to mean Corrections Service Investigation Unit (CSIU), Queensland Corrective Services Ethical Standards Branch, Crime and Misconduct Commission, Public Service Commission, an agency of the Queensland Public Service or investigator appointed by such agency (subject to its directives, procedures, legislative provisions and regulations), Queensland Police Service, a Court of Law, or a Coronial Inquiry.

- **Personal injury matters**
- **Employment matters** – “bringing legal action to pursue a civil claim as a result of an infringement of your (the insured member’s) rights relating to your contract of employment”, where “infringement” means “an interference of your rights which in the Claims Administrator’s opinion is serious enough to justify legal proceedings”; and “bringing legal action to defend a civil claim in relation to your employment brought by a fellow employee”.
- **Contract matters** – “bringing legal action to pursue a civil claim resulting from a breach of a contract for goods or services you have bought for your own private use”; and “legal action to defend yourself in a civil court as a result of a dispute concerning a contract for the private sale of your goods”.
- **Property matters** - “bringing legal action to pursue a civil claim resulting from an incident which causes:
 - a. actual or imminent physical damage to your home; and/or
 - b. a nuisance; and/or
 - c. a trespass;which affects or will affect you owning or living in your home”.
- **Tax audits**
- **Uninsured loss recovery** (arising from accidents on public highway while in your car)

What does the policy NOT cover?

Like all insurance policies, this one comes with exemptions. Any claim arising from the following is NOT covered:

- a. personal injury or death to any person allegedly caused by the insured member, OTHER THAN by alleged assault or in connection with a claim under ‘prosecution defence and internal disciplinary hearings’
- b. loss of or damage to any property allegedly caused by the insured member;
- c. medical or clinical treatment, advice, assistance or care;
- d. illness, personal injury or death which is caused gradually or is not caused by a single act or omission;
- e. solely stress, emotional or psychological injury;
- f. anything to do with building, rebuilding, converting or extending all or part of a building;
- g. marriage, separation, divorce, cohabitation, maintenance or proceedings relating to rights about children;
- h. any dispute between a landlord and tenant or licensor and licensee;
- i. any works by or under the order of any government, public or local authority;
- j. planning laws and regulations;
- k. investments of any kind including stocks or shares;
- l. intellectual property rights;
- m. passing confidential information to another person without permission;
- n. anything said or written about the insured member;
- o. a manufacturer’s warranty or guarantee;
- p. subsidence, land heave, land slip, mining or quarrying;
- q. an alleged dishonest or malicious act by the insured member OTHER THAN a claim covered under ‘prosecution defence and internal disciplinary hearings’
- r. computer software operating systems and packaged software tailored by a supplier to the insured member’s special order.

What’s the fine print?

The policy operates on a ‘claims made’ basis. This means that claims are only covered as long as the insured person is aware of the event which gives rise to a claim during the period of insurance and advises the Claims Administrator of it, AND the event giving rise to the claim occurs during the period of insurance.

So, if something happens to you as a result of which you suspect you may require legal representation, it’s important to advise the Claims Administrator of this event as soon as possible. Visit www.qpsu.org.au/corrections to make a notification.

Because we have renewed the insurance coverage through the same underwriter, the ‘period of insurance’ includes the years 2008 and 2009. For example, if an incident occurred before Christmas 2009 but the claim is made in February 2010, it will still be considered as within the period of insurance.

How do I get access to funding under the policy?

One of the benefits of being part of the union collective is that we can pool our resources to support members who are in need. The QPSU and Hall Payne Lawyers have partnered together to make sure members receive access to funding in a timely way.

If you are involved in a situation where you anticipate or suspect you will require legal representation in the future, you can notify the Claims Administrator of the circumstances by visiting the QPSU website at www.qpsu.org.au/corrections or contact the QPSU office on 1800 177 244 to obtain a form.

If you require legal advice or representation immediately and believe you may be eligible to claim under this insurance policy, contact Hall Payne Lawyers on 1800 659 114.

To discuss your situation with a union industrial officer, call our union office on 1800 177 244.

For more information contact our union office on 1800 177 244