

Policy Officer's column

Simon McGregor, APLA Policy Officer, Melbourne

The National Conference was a great opportunity for us to gather and consolidate the amazing growth APLA achieved during 1997. As APLA grows, we are presented with more opportunities to influence Australia's legal and political landscape. So with an eye cast toward our future, the National Executive sent me to visit our American sister organisation, ATLA, and consider which aspects of their operations were suitable for implementation in our system. This 'fact finding' mission was as invaluable to APLA as it was personally fascinating to me, and useful information will be circulated to members via forthcoming issues of *Plaintiff*, and where appropriate, through our special interest groups.

On that note, may I recommend members join a special interest group in a field of their liking as this will help us deliver more specialised information to you. If there is no special interest group in your areas of practice, please contact me to discuss setting up

the same. In particular, we would like to hear from practitioners who might be affected by the NSW Attorney General's Local Government Public Liability Review. Local Governments are asking for caps on their tortious liability, which APLA will oppose. To conduct such a campaign, we will need members to contribute their time and expertise. Even simply advising us of the results of recent cases can assist us to collate data and examples for use in compiling opposing submissions. Ideally, we will actually formulate a positive agenda, and as such also seek members views on how this area of law can be improved.

Whilst in the US, I also attended a legislative reform lobbyists convention, and acquired useful information such as statistical information showing 'no fault' liability systems do not achieve any cost savings. I also learned details of the operation of 'Health Management Organisations', which are usually set up by insurance companies to control the rehabilitation of injured workers once common law claims are abolished. In short, the HMO's will only authorise minimum standard health care, yet cannot be sued for medical negligence as they sub-contract all treatment to 'accredited specialists', and have thereby satisfied their delegable duty of care. It seems likely HMO's will appear here in jurisdictions which lose common law claims.

Our web page, www.apla.com, continues to develop, thanks to recent contributions from members. Remember that if you have penned a legal gem in preparation for a seminar or talk, we would love to have your paper in our library archive for the benefit of all members. Over the break, members should check out the APLA code of conduct, which has now been posted on the site, and is essential reading for obvious reasons. The code will be invaluable in resisting the usual 'ambulance chaser' red herrings thrown into debates by our opponents, and we look

forward to using it accordingly.

Finally, I would like to take this opportunity to wish you each a merry Christmas, and a happy New Year. ■

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APLA's Special Interest Groups

APLA members are entitled to join Special Interest Groups of their choice to facilitate the exchange of information in particular fields. These include:

- Medical negligence
- Tobacco litigation
- Breast implant litigation
- Workers compensation
- Representative actions
- Chemical injuries
- Motor vehicle accidents

Call **02 9415 4233** to join an APLA SIG.



ATLA Executive Director, Tom Henderson and APLA Policy Officer, Simon McGregor at the ATLA office in Washington DC.

APLA Membership as at 31 November 1997

NSW	387
Queensland	251
Victoria	172
South Australia	53
Western Australia	27
ACT	16
Northern Territory	12
Tasmania	11
International	39
TOTAL	968