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## APLA National Council

Peter Carter	<i>National President</i>
Roland Everingham	<i>National Secretary</i>
Ron Pearce	<i>National Treasurer</i>
Ruth Carter	Catherine Henry
Geoff Coates	Michael Higgins
Rob Davis	Audrey Jamieson
Brian Donovan QC	Stephen Lieschke
Matthew Glossop	Steve Roche
James Hebron	Sukhwant Singh

# Education, reflection, celebration...

Peter Carter, APLA National President



Peter Carter

*The annual conference concentrates our minds on one of the major functions of the Association, education and information exchange.*

The conference is also a time of reflection on our other major role, that of lobbying on behalf of the maimed, the orphaned and the spouse deprived - the politically weak whom the powerful, including our governments prefer to ignore and do ignore if not abruptly reminded by organisations like ours.

Nearly all branches have been involved in major political battles over the last 12 months. The first in this period was that fought in Victoria. Although the Kennett government succeeded in abolishing workplace common law rights, it was dealt a severe blow in the Mitcham by-election where the issue, largely driven by APLA, caused the biggest by-election defeat in Australian political history.

In Queensland, APLA campaigned with its allies against the coalition in the July election. The branch's campaign was based on two issues: the destruction of workplace injury rights and the Minister's dishonesty on the issue. Given that the election was won in one seat by only eighty votes, APLA can credibly claim that it helped make a difference.

The branch relied on its existing good relations with unions and community groups to be able to quickly mount an effective campaign which not only brought results in terms of the election but strengthened those existing relationships. The branch must now rely on the promise of remedial legislation which hopefully the new Beattie government will make a reality without delay.

The South Australian branch has recently been fighting a battle against the introduction of a 6 month subsisting

injury preclusion period as a prerequisite for any common law damages claim arising out of motor accidents.

Needless to say the adoption of the proposal would mean financial and emotional disaster for many victims of transport injury. In response the branch was able to quickly mobilise a core of committed members to commence a campaign.

As a result of the committee's efforts, APLA was able to create an effective credible media presence and successfully lobby a number of Legislative Council members to defeat the proposals.

In Western Australia a campaign has been conducted against ruthless proposals for introduction of a more restrictive injury threshold in workplace injury claims. The current dual threshold scheme is sought to be changed so that the "easier" of the two common law gateways (greater than \$100,000 total damages) is removed. This would leave only one gateway- a 30% bodily disability threshold!

The branch has had considerable success in the media and in educating upper house MPs as to the serious social ramifications of the proposed changes. It is hoped that by the time of publication, the house will have defeated the Bill entirely.

A similar campaign is now being mounted by the New South Wales branch against proposals to cap legal costs payable to plaintiffs' lawyers in motor vehicle claims and in Victoria the battle to reclaim workplace injury rights continues and the branch is preparing for another war on the motor accident front.

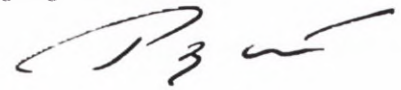
These fights are invariably against highly resourced opponents adept at intimidation, dirty tricks and media manipulation. Our major weapons are truth, and the energy and dedication of our members.

Each campaign has a cost. For those involved at the battlefield, the personal financial and emotional effort is enormous, often to the point of exhaustion. Although the task is largely thankless, the combatants have the satisfaction of knowing that those for whom we speak, enjoy

many rights they continue to take for granted only as a result of such efforts.

Our forthcoming conference will give each of us the opportunity to express our thanks to those who have contributed so much over the last year. It is appropriate that we honour these champions at that time.

Our conference is therefore also a time of celebration when we can through comradeship be thankful for our successes and be reminded of the enormity of our ongoing vocation.



# Third-party rises

## Compensation payout 'reforms' rejected

By Political Reporter  
ANNABEL CRABB

MOTORISTS will incur a 3.1 per cent rise in compulsory third party premiums - or \$7 a vehicle for city motorists - under changes announced yesterday.

The rise comes on top of an 8 per cent increase introduced in the May State Budget.

The Treasurer, Mr Lucas, angrily blamed the Opposition Leader, Mr Rann, and the Australian Democrats State parliamentary leader, Mr Elliott, for the increase.

He said it was forced by their rejection of reforms to compensation payouts.

He refused to blame Independent No Pokies MLC Mr Nick Xenophon, who played an integral role in the dismantling of the reform bill.

Mr Xenophon is being wooed by the Government to rethink his position on the sale of ETSA. A deadlock conference between the Houses of Parlia-

### THE NEW FEES

Metropolitan area	Rural area
Four-cylinder sedan was \$332, now \$339.50.	Four-cylinder sedan was \$259, now \$264.
Six-cylinder sedan was \$401, now \$407.50.	Six-cylinder sedan was \$328, \$333.
Panel van/light truck was \$430, now \$439.	Panel van/light truck was \$328, now \$333.

ment yesterday knocked out most of the Government's reforms, which included severe cutbacks to victims' eligibility for pain and suffering payouts.

Mr Lucas said planned savings to the Motor Accident Commission of \$17 million had been "gutted" by Labor and the Democrats.

"These actions by Mr Rann and Mr Elliott are disgraceful and vehicle owners will have to pay even higher CTP premiums not only this year but in future years," he said.

Registration fees for a car in

the metropolitan area will rise by \$7, while taxi drivers will be hit with a \$56 increase and heavy vehicle owners will pay \$19 more a year.

The Opposition police and emergency services spokesman, Mr Pat Conlon, said the Government was merely trying to deflect public anger over "slugging motorists yet again".

"The truth is this: what the Government tried to do was plunder compensation for people injured in motor vehicle accidents," he said.

The legislation had at-

tempted to extend, from seven days to six months, the period for which victims have to be incapacitated to claim pain and suffering compensation.

Under the agreement brokered in the deadlock conference yesterday, the period will remain at seven days - a triumph for plaintiff lawyers, who campaigned against the changes on the grounds that 83 per cent of claimants would be disqualified. An Australian Plaintiff Lawyers Association spokeswoman, Ms Angela Bentley, said she was "delighted to hear that the status quo on the impairment period will prevail".

Mr Xenophon now has moved to establish a parliamentary select committee to inquire into the MAC. "It seems that the MAC has been hijacked by bean counters where the important social and public policy role of CTP insurance has been marginalised," he told Parliament.