

NEW SOUTH WALES CONFERENCE 2004

The conference was held over two glorious days at the Manly Pacific Hotel. The location fostered a calming and relaxed atmosphere, and a good counterbalance to the stimulation of the conference program.

BRANCH PRESIDENT'S WELCOME

In his welcoming address to delegates, Bob Whyburn set a serious tone: lawyers and APLA are facing significant challenges; APLA is working to diversify to become more relevant and effective; and it is in the interests of both APLA and delegates that we work together. However, while the problems themselves were serious, he hinted that we should not take ourselves too seriously and many answers may be found in the opportunity that the

conference offered to network over a quiet drink.

KEYNOTE ADDRESS

Alan Jones delivered a powerful, well-researched and superbly delivered address. He focused on the effect of 'tort reform' upon the victims of negligence and criticised the justifications of 'insurance crisis', 'Santa Claus Judges' and the 'culture of litigation'. What does the 'poor coot' do who has suffered a debilitating back injury and can no longer work? How do he and his family manage on the statutory payments? He also identified the injustice of the advertising legislation.

The address was well received by delegates. I was aware of a number of delegates who believe that our concern and political focus should be the victims and not our loss of work. I know APLA executives

share this view, but Alan Jones' thought-provoking address made the need for this subtle change in direction clear.

Alan Jones is a well-known professional broadcaster and commentator, but he gave his time to our conference without charge. His only request is that we provide him with information of injustices flowing from the legislation. He is a powerful and erudite ally to our cause and we should honour his request.

PAPERS

The program consisted of both papers and workshops.

Judges Sidis and Balla of the District Court presented papers and invited feedback about the court and its methods. These invitations were accepted with alacrity by the delegates. The response by both judges demonstrated a real



Delegates from Turner Freeman at the Trust exhibition booth.

desire to find improvements. Both judges impressed with their intellect, understanding, practicality and humour. They succeeded in largely dispelling the feeling of many lawyers that the District Court rules and their enforcement by judges were a major hurdle for plaintiffs.

Mariano Rossetto's paper dealt with preparing a case for economic loss for the self-employed. This is a problem that we frequently confront. His paper was remarkable for its practical application and contained some very useful guidelines.

As a counterpoint, there was the difficult esoteric legal question of pure economic loss. Few of us will confront this complicated question but Jeremy Gormley's exceptionally well-delivered presentation was a carefully measured expose of the development of this area of law.

Andrew Stone's paper is a nut-

shell guide to the Civil Liability Act that I recommend.

THE DELEGATES

Many delegates have not been practising for long and for some this was their first conference. It is clear to me that this generation of lawyers are smart, quick and keen. APLA will be in good hands.

The mood of the delegates during and at the close of the conference was markedly positive. We are shaking off the pessimism that pervaded the last year or so and moving forward. We have not solved our problems but we have identified them and are becoming more positive.

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THE STAFF

If you were bright-eyed and bushy-tailed or standing in a cata-tonic state like a stunned mullet it is likely that the person passing their hands in front of your eyes and asking if they could help was Eva or one of her staff. The demands of keeping the wheels turning and delegates moving, informed and relaxed were Herculean. The staff performed unintrusively with unabated enthusiasm and good humour. Thanks guys. **PL**



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