

Queensland Report

APLA has met with Workers' Compensation Inquiry head Jim Kennedy for a second time. Our earlier written submission was well received and the Commissioner appears to have understood most of APLA's arguments. He accepts that common law access is worthwhile but appears also strongly persuaded by the view that it is overly costly. Another major factor which will impinge adversely on his recommendations will be the fact that Queensland is the only State to still allow full common law access. Members should prepare themselves for further confrontation on this issue to preserve the fundamental rights of Queenslanders.

An APLA delegation has met with Attorney-General Denver Beanland to list a number of concerns including: limitation extensions on "just and equitable" grounds, reform relating to legal costs, reform to damages for wrongful death, Court rules. The State committee will be developing a submission on reform to Court procedures and rules for delivery to the Minister.

A trial of recording our Litigation at Sunrise series on audiotape commenced with the most recent seminar held in Brisbane on 12 June. Members who are unable to attend seminars may order a copy of the audio-cassette transcript for the same cost of attending the seminar. The success of the system will be monitored over time and feedback from members is requested.

Thanks to members who completed the Queensland 1996 survey. Comments are still being collated and members will be provided with a summary shortly.

We received wide support in Queensland for our public advocacy over the Medicare fiasco. Any comments or difficulties should be notified to a committee member.

APLA has called on the Qld. Minister for Transport to urgently address liability limits for passenger death and injury arising out of intrastate air carriage. The Qld. Government appears not yet to have taken the necessary steps to increase the liability limit from \$180,000 to \$500,000 as occurred federally from October 1994. This is a matter of extreme importance to the travelling public as these limits apply to all commercial air transport including charter and airline flights.

Peter Carter, Queensland President.

Western Australia Report

The Western Australia branch is gearing up to do battle as a special interest group in upcoming elections expected in February 1997. The focus will be to obtain commitments from the political parties to improving the law applicable to injured persons and to reducing the adverse effects of the Workers' Compensation and Rehabilitation Amendment Act of 1993.

Additionally, a campaign will be launched to persuade the current Government not to implement some of the provisions in the Workers' Compensation and Rehabilitation Bill of 1995 and to obtain from the Opposition a commitment to like effect.

By the time this newsletter is published, the Western Australia branch would have held a general meeting on 18 June 1996 in the boardroom of solicitors Friedman Lurie Singh, 6th floor, "Law Chambers", 573 Hay Street, Perth. This will be the venue where all subsequent meetings are to be held.

In addition to general meeting matters, members will discuss the current law applicable to what has become known as "section 93D applications".

As a result of the 1993 amendments, an injured person wishing to commence an action against his employer for negligence, requires permission of court under section 93D to do so and has to meet the requirements under section 93D(5) of the Act.

Our forthcoming "WA APLA Sunset Seminars" are:

Thursday 25th July 1996, at 5.15pm
Deputy Registrar George Kingsley (District Court) will talk on the current requirements of section 93D applications and recent developments in the law under that section.

Tuesday 6th August 1996 at 5.00pm.
A presentation by pain specialist, Dr Phillip Finch, a physiotherapist and a clinical psychologist.

Tuesday 10th September 1996 at 5.00pm.
A presentation by barrister David Clyne, "Common Problems in the Assessment of Loss of Earning Capacity". This will be followed by a discussion on recent developments in the relevant law.

For any information in relation to our WA branch activities, you may contact Mr Singh by phone: (09) 325 6133 or by fax: (09) 421 1953

Sukhwant Singh, Western Australia President.