

Australian Plaintiff Lawyers Association

Plaintiff Lawyers - Unite!

Peter Semmler QC, National President of the Australian Plaintiff Lawyers' Association

The Australian Plaintiff Lawyers' Association (APLA) is a national organisation of nearly 600 barristers and solicitors who act for plaintiffs in personal injury and public interest litigation. In addition to the preservation of the common law itself, the other main aims of APLA are to share information and expertise which can be used in the prosecution of claims by accident victims and faster and cheaper access to justice for personal injury litigants. Members can also access an expert database containing the names of over 300 experts in various fields who have been personally recommended by other APLA members.

APLA was formed because of a perceived imbalance between the resources available to defendants including insurers, medical defence unions and government instrumentalities on the one hand, and those available to individual plaintiffs in the other. The imbalance has become particularly acute recently with the Federal Government's decision to cut

more than \$120 million over three years from an already inadequate legal aid budget.

APLA was inspired by similar associations overseas, namely the Association of Personal Injury Lawyers (APIL) in the United Kingdom and the Association of Trial Lawyers of America (ATLA) in the United States. The latter association was conceived by a meeting of 11 workers' compensation lawyers who acted primarily for claimants in Portland, Oregon in 1946. In August this year it celebrated its 50th anniversary. It has now over 55,000 members and is regarded as the second most powerful lobby group in Washington after the National Rifle Association. However, unlike the NRA, it has never been defeated in its lobbying efforts. It has recently successfully sidelined the "tort reform" legislation put forward by the Republican Party in Congress which would have seen caps on verdicts and the elimination of punitive damages and other

entitlements of plaintiffs in the US similar to restrictions we have seen in this country in recent years.

The President of the Association of Trial Lawyers in America, Mr Howard Twiggs delivered the Civil Justice Address at APLA's inaugural national conference in Noosa Heads in October 1996. The conference was extraordinarily successful and attracted more than 200 delegates from around the country. The quality of papers delivered by experts on various fields from here and overseas was extremely high and the enthusiasm of those who attended the conference demonstrated how great the need is for an organisation such as APLA which caters for the needs of the plaintiff lawyers both in individual cases and the bigger political picture.

Membership enquiries may be directed to APLA's Executive Officer, John Peacock at tel: 02 9415 4233 and fax: 02 9415 4210.

APLA National Conference – Noosa Heads

The Australian Plaintiff Lawyers Association held their inaugural conference in October at Noosa Heads and a contingent of Darwin practitioners was in attendance. General consensus indicates that the conference was an extraordinary success and provided not only the opportunity to mix with fellow professionals in the field, but also the ability to become informed on the latest information on personal injury and consumer litigation issues.

The topics covered at the conference included:

- Product and Premises Liability
- Medical Negligence

- Workplace, Sport & Recreation Litigation
- Damages
- New developments.

Conference participants were fortunate in having the opportunity to hear many expert presenters, including foremost trial lawyers from the United States, academic, medical and psychiatric specialists and a wealth of Australian legal expertise.

Most sessions provided a panel discussion and the extremely serious-minded were able to attend a 7.00am Saturday morning session entitled *Litigation at Sunrise*. Meetings of special interest groups (such as breast implantation litigation, medical negligence litigation, tobacco litigation and common law preservation) were also a feature of the conference.



Peter Thompson and Rhona Miller of Cridlands at the APLA Conference