

Chemically affected clients

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It is true that chemical victims are increasing in number, often with unusual symptoms which may mystify the patient's general practitioner and which may cause, for example, a purely psychiatric diagnosis.

If you come across clients who consult you for inability to work and their symptoms include, for example, fatigue, headache, nausea and other generalised or polysystemic problems, always explore the possibility that the cause is

work-place over-exposure to toxic chemicals or exposure to toxic chemicals in dangerous products at home or otherwise.

If the client is rendered very ill by exposure to a range of industrial solvents in glues, paints, fuels and so on, then a toxic explanation is likely and you will need to get the client reviewed by a doctor skilled in this area of medicine if there is a history of actionable over-exposure to toxic chemicals.

If you are interested in this area, or need further guidance you may wish to join the Chemical Injury Litigation special interest group of APLA.

We would be pleased to assist you with queries. ■

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Beyond the adversarial system: some of the challenges

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The current and future challenges facing courts, tribunals and practitioners were the focus of a conference held on 10-11 July 1997 in Brisbane. The international conference, hosted by the Australian Law Reform Commission (ALRC) and the National Institute for Law, Ethics and Public Affairs (NILEPA), was part of the consultative process currently being undertaken by the ALRC in its review of the adversarial system of litigation (the ALRC conference)¹. It followed an earlier conference on civil justice reform held in Brisbane in March 1996 by the Queensland Litigation Reform Commission. This earlier conference coincided with the visit to Australia by Lord Woolf and members of his civil justice inquiry team. Its focus of discussion was the reform proposals of the Litigation Reform Commission and the

Lord Woolf team relating to pleadings, discovery, case management and alternative forms of resolving disputes.

1. The ALRC's adversarial inquiry

The ALRC's inquiry commenced in late 1995 having regard to the need for a simpler, cheaper and more accessible legal system and recent and proposed reforms to court and tribunals². Whilst limited to the conduct of civil, administrative review and family law proceedings before courts and tribunals exercising federal jurisdiction, it is expected to have repercussions for civil litigation generally. The final report of the Commission due 30 September 1998 will address the advantages and disadvantages of the present adversarial system of conducting proceedings and whether any changes should be

made to the practices and procedures used in those proceedings.

2. Access to Justice: Lord Woolf's report on the civil justice system in England and Wales

The ALRC inquiry occurs in the wake of the final report and recommendations made in 1996 by Lord Woolf in the UK on the civil justice system in England and Wales³. Lord Woolf's substantial report makes 303 recommendations and is accompanied by a draft set of new court rules to replace existing rules of the Supreme and County Courts. Whilst the report has not escaped criticism⁴ it has promoted discussion about reform and provides insight into the extent of change that may be required in Australia to bring about a simpler, cheaper and more accessible legal system.