

The Grellman Report

Each year seems to witness some challenge to existing workers compensation procedures and this year has been no different. The current proposal before us is the privatisation of the compensation system. The Grellman Report has been recently issued and yet again, Michael Concannon has stepped in and assisted APLA with a speedy response to the recommendations contained in the Report. In addition, a regional member from Albury, Don Cameron, represented the interests of APLA at an Insurance Council forum to discuss the Grellman Report. At the recent APLA National Conference at Cooloom, Don was instrumental in establishing a national-based Workers Compensation Special Interest Group to monitor workers compensation changes around the country. Undoubtedly, APLA NSW will be able to feed off this group.

Lobbying

Those of us who are involved in the medical litigation area have been following

the progress of the joint state government review of medical liability. Far from just sitting back and waiting for the government to release its findings, we are lobbying the relevant bureaucrats to have an open forum so that we can have a public opportunity to ridicule the untenable position taken by the combined might of the medical defence organisations in their joint submission.

Also on the subject of medical negligence, we have started this year in NSW to become active within the Medical Negligence Special Interest Group primarily due to the efforts of Rebecca O'Connell of Blessington Judd. Another local practitioner, John Watts, of Champion & Partners, is to coordinate this group at a national level and hopefully we will see the emergence in the year ahead of real cooperation on issues which affect us all. If APLA NSW could have only one success as a group, the discretionary indemnity issue would certainly be a most worthwhile one.

In 1997, APLA has worked hard to establish a presence in all relevant forums

where the interests of our clients and therefore our members have been affected. We have clearly succeeded in that objective. Indeed, the fact that the leading medical press publication, *Australian Doctor* is currently going to print with a special feature article on APLA and that APLA was contacted here in NSW first means that we've succeeded in our mission to become a real force. Various meetings have been held to establish working relationships with interested groups and associations including the Law Society, the Attorney-General, the Director-General of the Attorney-General's Department, the Justice Research Centre, the Law Foundation and the Australian Competition and Consumer Commission.

Here's to a similarly successful year in 1998 and thanks to all those who have assisted during the course of this year. ■

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APLA NT report

James Hebron, Darwin

APLA in the Territory has been concerned primarily with the reform of the legislation which has already done away with large slabs of common law rights. Many people do not realise that there are no actions for damages in favour of Territory residents as a result of motor vehicle accidents, and no action for damages lies in the Territory in favour of any worker against an employer as a result of an injury.

The *Work Health Act* is currently under review and the proposed changes are due to take effect on 1 January 1988. It has been extremely difficult to get a copy of the proposed amendments as the government has been refusing point blank to provide details to any party. Of major concern in the proposed amendments is a ban upon legal representation in the early stages of a claim and its mediation. A response has been provided on behalf of the Law Society however

APLA is in the process of responding to the draft amendments also.

On the common law front, the matter of *Romeo v Northern Territory Conservation Commission* was recently heard before the full bench of the High Court. All Justices sat at the request of the Attorney General for the Northern Territory. The case concerns a young woman who fell over an unfenced cliff in Darwin and suffered severe injuries. The Northern Territory Attorney General was submitting that the High Court should overrule its own decision in *Nagle* and return to the categories referred to in *Aitken*. ■

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