

# APLA NSW report

Catherine Henry, MacMahon Drake Balding, Sydney

There are several significant lobbying issues current in NSW. The proposal to transfer cases of a personal injury nature from the Supreme Court to the District Court with a limited jurisdiction of \$250,000 is currently being considered by the NSW Attorney-General's Department. I called a meeting on 25th March to inform members who were able to attend of the current of play and to gauge the level of support for the strong opposition which I feel should be given to such a move. Peter Semmler, who has been involved in the discussions undertaken by members of the Bar with relevant members of the judiciary and the A/G's Department, addressed the meeting.

Following on from the update on legal aid funding in the last issue, APLA was invited to attend

the Public Hearing conducted by the Senate Legal and Constitutional References Committee as a result of the submission prepared by us. Peter Semmler and I attended the Hearing on 2 April and gave evidence. The Committee seemed particularly interested in an alternative proposal for a civil legal aid system which was put forward by Peter and we are to work up this proposal and submit it to the Committee in due course.

Fiona Tito addressed our Litigation at Sunrise seminar on 10 April and spoke on the interplay between tax reform and personal injury law. Post PIR and in her business as Legal and Policy Consultant, Fiona has undertaken various projects in this area. We also heard her perceptions of the MDO

view that we are witnessing a medical litigation "crisis". I encourage all members who were not able to attend the meeting to obtain a copy of Fiona's paper.

There will be a feast of personal injury law for lawyers in the Newcastle area on Saturday 24 May. The day is to be held at the old Customs House on the foreshore of Newcastle's picturesque harbour and we have an impressive cast of speakers providing hot tips on new and traditional areas of personal injury practice. Further information will be sent out to all members shortly. In the interim, please raise any queries about the program either with me or Tanya Simpson at the APLA office.

*Catherine Henry is the NSW President of APLA.*

# APLA Victoria report

Angela Sdrinis, Ryan Carlisle Thomas, Melbourne

The Victorian state branch recently held a well-attended Annual General Meeting which determined that this year's priorities would be a doubling of our membership, with a particular emphasis on recruitment from the Bar.

Maurice Blackburn and Slater & Gordon have very kindly offered to pay for a cocktail party at a suitably "barristerial" location to be hosted by Jack Rush QC. Also, all members were asked to actively lobby the barristers that they regularly use and ensure that as many sympathetic members of the Bar join the association as a matter of priority.

The importance of establishing and promoting the "protect plaintiff's rights" committee was also emphasised with a number of enthusiastic members volunteering to come on the committee.

A new state committee was also appointed as the meeting unanimously agreed that an expanded committee would be appropriate. The new committee is as follows:

Audrey Jamieson; Patsy Toop; Don O'Halloran; Geoff Coates; Andrea Wallace; Paul Henderson; Sean Millard; Tom Keely; Angela Sdrinis; Ron Pearce

We are also keen to have more representatives from suburban or country practices on the committee. If any Victorian members from suburban or country practices wish to come on the committee, please contact Angela Sdrinis on (03) 9240 1409.

The APLA seminar programme will be published in the next *Plaintiff*, as will details of subcommittee meetings.

Members are advised that the Rules Committee of the Supreme Court is developing new rules specifically for medical negligence cases. Proposals include mandatory inclusion of a medical report before proceedings can be issued, a panel of court-appointed experts and the abolition of jury trials.

If you wish to participate in an APLA submission, please contact

Kate Booth on (03) 9345 2700 or John Arranga on (03) 9791 5711.

Also, a Senate Standing Committee is looking at changes to the Comcare scheme. Should you be interested in contributing to an APLA submission on this question, please contact Greg Isolani on (03) 9240 1414 or Michael McGarvie on (03) 9321 9999.

Finally, our state President Angela Sdrinis is running for the Law Institute Council. If you haven't already done so, please vote for her and encourage other members of your firm to do so. A strong voice for plaintiffs on the Council may prove crucial in the coming year of backbenchers who are apparently investigating the abolition of common law in relation to workplace injuries and a system of no appeals from conciliation except on a question of law.

*Angela Sdrinis is a partner at Ryan Carlisle Thomas, Melbourne and National Councillor and Victorian President of APLA.*