

APLA Queensland report

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On 14 May, a Committee reception was held for the newly appointed Motor Accident Insurance Commissioner, Lesley Anderson. The purpose of the reception was to impress upon the Commissioner, APLA's commitment to the protection and enhancement of the rights of those injured by road negligence.

It was clear from the Commissioner's comments that the MAIC is being heavily lobbied by insurers to bring about more procedural and substantive changes which would further restrict the rights of road accident victims.

It was pointed out that members concerns were primarily those of their injured clients and that APLA spoke in their interest. APLA's work in the promotion of the *School Bus Safety Campaign* was cited as an example of our commitment to safety and accident avoidance.

Also present from MAIC were John Hand and Mike Hancock with whom APLA has previous enjoyed a frank and effective dialogue on issues concerning our members and clients.

It was made clear by the Commissioner that major legislative changes will not occur until the scheduled review date in 1999.

One could not help but feel however that economic pragmatism may be given priority over the protection of individuals at that time.

The Commissioner informed us that some changes of a minor nature may be made before 1999. Specific issues raised by the committee included insurers' treatment of rehabilitation obligations and the acceptance by insurers of Notices of Claim outside the statutory nine month period. (*See separate report in this edition*).

The discussion was certainly worthwhile. However it is now very clear that to counter further erosion of victim's rights APLA must mount a significant effort in the near future

to stave off further assaults by insurance interests.

It is also clear that members must encourage their clients to join the *Injured Person's Association* in order to give further credibility to that organisation in its fight against Government attempts to allow profits to take priority over people. Applications can be obtained from the APLA executive office (tel: 02 9415 4233; fax: 02 9415 4210; email: info@apla.com).

By the time this edition of Plaintiff is received, I will have completed my third term as branch President.

In that short time APLA has grown to become an effective voice for its members and their clients in Queensland. We have shown that there is counter to the hysterical screams of insurers who continually drive legislators to reduce or eliminate rights which ordinary Queenslanders take for granted.

APLA's growth in some ways is not surprising. The interests of plaintiff lawyers and their clients was always an area of the profession which was crying out for forthright representation. In retrospect, it is a surprise that it took until 1994 for an organisation like APLA to come into existence.

Our solid growth however has only come from hard work - the work of your committee in effectively representing your interests - in delivering the goods - in doing what every members expects to be done and doing it well.

There are many people to thank for APLA's achievements in the last 3 years. I am particularly grateful for the work and support of Rob Davis who has served as state Secretary over the period. Without his skill, intellect and sheer hard work, we would not be what we are today.

All members can be proud of the effort which their committee members have demonstrated over these three years. It has been a pleasure of

working with all of them. Members can be assured that their interests, and those of their clients are in good hands if the determination and commitment of future committees can be matched by the current incumbents and those of the past.

I am personally grateful and feel privileged to have played a part in putting so many important issues to the forefront of legal debate and in helping get APLA off the ground.

Although there is a lot to be proud of, we must not for a moment pause in our efforts. The only certainty we face is the relentlessness of those who seek to obliterate the rights of ordinary persons and our ability to speak out for them.

APLA's strength in the issues it has addressed over the last 3 years is also attributable to its membership growth. The larger our membership, the greater volume our voice commands. This will be increasingly important in years to come.

We still have a long way to go to achieve our aim of over 400 members in Queensland. Please therefore support the current *Member get a Member Campaign* and introduce at least one new solicitor/barrister member before 31 July.

Congratulations to two of our barrister members who have received recent appointments. Michael Halliday has been appointed a Magistrate in the Brisbane District and Greg Sowden is now part time a Commissioner for the Queensland Anti Discrimination Tribunal. Greg will continue his plaintiff practice at the bar.

Greg and Michael join Michael Forde (now a District Court Judge) as those who have received appointments from the ranks of our members in the short history of APLA in this state.

Peter Carter is President of APLA Queensland and National Vice President.