

National President's page

Peter Semmler QC, APLA National President

Our National Conference in Coolum at the end of October promises to be even more successful than last year. Over one third of our membership will attend from all over Australia, as well as from the United States and Britain. The speakers are pre-eminent in their respective fields. They will provide delegates with state-of-the-art information about carefully chosen topics of practical relevance to lawyers who act for accident victims and consumers.

During the course of the conference APLA's special interest groups in the fields of medical negligence, tobacco litigation, chemical injuries and breast implant claims will meet to enable lawyers acting for plaintiffs in this kind of litigation to exchange information and resolve problems of common concern. The need to establish two further special interest groups, in relation to motor accident claims and workers' compensation cases, will be canvassed at the conference.

The remaining rights of workers in this country to sue their employers for damages are in jeopardy. As you will read elsewhere in this edition of *Plaintiff* the Victorian Government has introduced legislation which will eliminate the common law rights of workers injured in that state. Bearing in mind the recommendations of the HWCA Final Report, that a nationally consistent workers compensation scheme is desirable, the changes in Victoria constitute an ominous precedent for the rest of the country. APLA's Victorian branch ran what was generally regarded as a very sophisticated, high-profile campaign against the changes. Without this campaign, the changes would undoubtedly have been even more outrageous, probably involving retrospective abolition of rights. Instead, a sunset clause on claims was introduced, and with the debate now entering the mainstream political arena,

we are hopeful other concessions can be extracted. Delegates from other states where workers' common law rights are still intact will undoubtedly benefit from discussing the campaign and the significance of the changes with their Victorian colleagues at Coolum.

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Last month, APLA's Policy Officer, Simon McGregor, and I met with Adele Byrne and Derek Fittler, senior advisers to the Commonwealth Attorney-General. We put forward APLA's position on a wide range of issues including legal aid for plaintiffs in civil cases, the present tax deductibility of legal costs for defendant corporations, the need for easier access by plaintiffs to their own medical records, and the implications of the HWCA Final Report for common law claims by employees. We made a number of suggestions about procedural changes which would help to level the legal playing field and ensure better access to justice for people who have suffered injuries due to neg-

ligence. The most important consequence of the meeting was that it consolidated a channel of communication between our association and the people who are involved in the day-to-day formulation of policy affecting personal injury plaintiffs and their lawyers throughout the country.

Last month, on behalf of APLA, I also attended a lunch organised by the Law Foundation at which Roger Smith, Director of the Legal Action Group in Britain, was the guest of honour. He is a leading lawyer and social activist. Roger started his career in a large City of London firm having companies as his clients, but left there to work in law centres for people. He was quoted in the August *Solicitors Journal* saying something with which many APLA members would agree: "It is very important to me to work where I have a constituency that I feel is worthy. I don't feel that about multinational corporations, but I do feel it about people on legal aid." He identified a marked trend internationally towards cohesion amongst lawyers who do the same work and have common interests. Associations such as APLA in Australia and APIL in Britain are the inevitable consequence of such a trend.

Thus it is not surprising that APLA's impressive growth rate continues. Membership at the end of September was 922. Twelve months ago we had 542 members. I look forward to seeing many of our new members at Coolum. ■



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