

ACTIVATE

ROB DAVIS, NATIONAL VICE-PRESIDENT

“ACTIVATE” is APLA’s public affairs column. It is intended as an update for members on issues and trends relevant to APLA’s public affairs. Comments and suggestions to info@apla.com are welcome.



Rob Davis is a Partner at Atwood Marshall, PO Box 334 Coolangatta Qld 4225, **PHONE** 07 5536 9777
FAX 07 5536 9755
EMAIL rdavis@attmar.com.au

Louise Beard, our Public Affairs Manager, recently left APLA to work in East Timor. I am writing this column pending the appointment of a new Public Affairs Manager. By the time this column is published that appointment should have been made. So we shall introduce our new Public Affairs Manager to you in our next issue.

Many of you will be aware of the recent media blitz by the Australian Medical Association and United Medical Protection on the cost of medical negligence indemnity insurance. The AMA and the UMP claim they face an ‘indemnity crisis’ and that further increases in the cost of medical insurance is warranted to cover a liability cost funding shortfall.

The same old themes have been trotted out. Themes such as how increasing legal claims cause malpractice premiums to rise. This leads to claims from the medical profession that the ‘solution’ (for them at least) is to ‘cap claims’ so premiums remain at affordable levels. In short, the argument they push may be summarised as ‘doctors’ profits are more important than patients’ rights’. An alternative summary might be ‘doctors want protection from the patients they injure’. We have all seen it before, and we shall see it again.

This media follows closely upon the release of the SA Senate Rural Health Inquiry that calls for the introduction of a ‘scheme similar to Workcover’ to allow compensation claims to be capped. The report also suggested that the ‘suitability of settlements being paid as an annuity or pension rather than a lump sum be investigated’. Senator Nick Xenophon (independent) attempted to inject some reality into the Senate discussion when Senator Sandra Knack (Democrats) announced the findings of the report. Unfortunately, his comments were met with constant interjections, most of them by Senator Knack. The report

itself is based upon the views of 91 health and medical ‘witnesses’ (none of whom represented the viewpoint of the victims of malpractice).

Suffice it to say that the APLA Public Affairs Committee (PAC) is following these developments very carefully. If their media blitz does not run out of puff in the near future then we will have to join battle on this issue.

On another front I am pleased to report that APLA’s school bus safety campaign has recently attracted some serious allies in Queensland. Earlier this year the president of the Qld branch of the AMA expressed strong support for elements of our campaign. Subsequently we have met with the AMAQ and explored areas of common interest in this issue. I am confident that they are keen to cooperate with us on this issue.

In late November 2000 the Council of the Qld Law Society, following a request from APLA’s PAC, unanimously agreed to support each of the aims of the APLA School Bus Safety Campaign. I have since had discussions with other groups on the same issue. I believe a strong coalition of concerned groups, (including medical, legal, P&Cs and insurers) will be formed to lobby for reform in this area. Over the next year I hope to see many other groups around the country join APLA’s fight for child safety.

I encourage all members to become involved in educating the public about the risks of allowing children to:

- stand in school buses;
- travel without seatbelts; and
- alight from buses that are not adequately identified as school buses.

Children using school buses are truly ‘consumers without a voice and consumers without a choice’. I encourage anyone who feels they can assist in this issue to contact either their State President or myself. Our members and APLA’s school bus campaign will succeed in saving children’s lives. **PL**