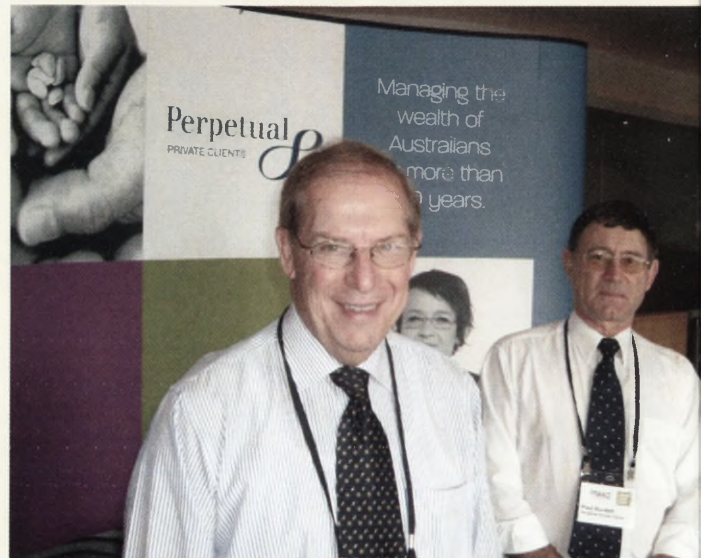


NEW SOUTH WALES STATE CONFERENCE 2006

By Mary Moloney



Bob Whyburn and Mary Moloney at the conference dinner



Stan Rickert and Paul Burdett from Perpetual



Gary Stimson and Grant White from Ability One with Jane Van Groningen from the Lighthouse Health Group

The Australian Lawyers Alliance NSW State Conference, which was held over two days from 10 - 11 March 2006 at the Citigate Sebel Waterfront Resort, The Entrance, attracted a total of 140 attendees. For many of the delegates it was a nostalgic trip, as many hadn't been to The Entrance since their childhood holidays.

The conference opened with a brief description from the NSW Branch President, Richard Royle, of the work being done by NSW members and the State Committee to roll back tort reform. Richard Faulks, the Alliance's National President, then gave a national perspective on the same issue.

During the course of the conference, the delegates were given the latest developments in personal injury law in NSW, which over the last few years seems to have been in a constant state of change. Hot off the press was the presentation by Andrew Stone and Dr Andrew Morrison SC, dealing with the Motor Accidents (Lifetime Care and Support) Bill 2006, which was tabled in Parliament on 9 March 2006.

Delegates were told that the Bill was likely to go before Parliament in late March this year. If passed, it will come into effect no sooner than June 2007 and will apply only to motor vehicle accidents after that date. The Bill creates a Lifetime Care and Support Authority to administer the scheme, which will be funded by a levy on all third party policies. Andrew Stone added that the scheme is intended to cover those who have suffered serious spinal injury or traumatic brain injury, including those who cannot prove fault in a motor vehicle accident. The insurer will be able to opt claimants into the scheme without their consent. This effectively means that all such claimants will go into the scheme, as once this happens the insurer escapes any further liability to cover their future treatment and care needs.

During this session, the delegates were also informed that the NSW Government is introducing a no-fault scheme for children injured up to the age of 16, with the intention that the legislation will come into effect on 1 October 2006.

Further up-to-the-minute information was given in the final presentation of the conference, '50 Significant Cases for 2006', presented by Russell McIlwaine SC and Jeremy Gormly SC.

Keith Rewell SC gave delegates food for thought, reminding them not to forget ethics in a world where profit is all important.

From the medical profession, Anna Castle-Burton, occupational therapist, demonstrated that value could be added to a claim by engaging a suitably qualified and experienced occupational therapist to report on the future needs of significantly injured claimants.

John Watts, barrister, gave an insider's view into the coronial inquest and inquiry into the ACT bushfires in January 2003.

On the practical side, Darryl Browne provided invaluable information in relation to the running of CARS assessments. Similarly, the Workers' Compensation Panel discussion provided useful tips.

Kylie Nomchong, barrister, gave a very informative and at times entertaining presentation on medical negligence law.

Another interesting paper was presented by Maarten Vlot, in which he examined the arguments put forward by insurers as to why compensation schemes do not benefit people's health. Maarten demonstrated that there were flaws in the research relied on by insurers on this issue.

On the financial side of things, Michelle Castle, Principal,

D J Thompson Driscoll + Matters and Ben Slade, Managing Principal NSW, Maurice Blackburn Cashman, gave a presentation dealing with costs under the *Legal Profession Act 2004* (NSW).

The planned keynote speaker, the Honourable Justice Michael McHugh AC, unfortunately had to cancel at the last moment. In his place, June McPhie addressed the conference on the Law Society's position statement in relation to tort reform and encouraged all interested parties/associations to work together to bring about tort reform.

The conference would not have been possible without the generous support of our sponsors, including our major partners, Furzer Crestani Services and Law Master, and our event partners, Ability One, DG Thompson Driscoll + Matters, Evidex, Impact Funding, ipac and Perpetual. Thank you all for your continuing support.

Friday's program culminated with a very enjoyable conference dinner, allowing colleagues to catch up with each other and new friendships to be made. ■

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