

## Queensland Report

APLA is playing a vital role alongside other community groups in raising public awareness of the dangerous proposals to emasculate citizens' rights arising out of the Kennedy Commission.

The proposals can be beaten but only if we all contribute to the fight with total commitment. The fight will not be won by itself.

The four things members can do are:

1. Make MPs' phones ring.

This means getting your staff and clients to phone their local Queensland MPs to tell them what they think. Every MP should get calls from different constituents every day.

2. Keep up the protest letter campaign.

Get your clients and colleagues and their friends to sign protest letters. Send these all back to APLA in Brisbane so they can be delivered to the Premier.

3. Spread the word as widely as possible about the evils of the new scheme.

Do this especially to any community groups who are sympathetic and who have contacts.

4. Donations.

The print and TV advertising campaign costs serious money. All donations should be forwarded to the APLA campaign account, GPO Box 3114, Brisbane 4001. Last year several firms donated \$2,000 and that is the sort of commitment we need again.

Your efforts will be appreciated by your clients. They need your voice to help protect them from the proposals which will virtually eliminate court access for workplace injuries.

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The AGM of the Queensland Branch was held on 24 July, 1996 and the following persons were elected:

President: Peter Carter  
Secretary: Rob Davis  
Treasurer: Matthew Craswell  
Committee: Ian Brown, Richard Carew,  
Shane Ellis, Jeff Garrett,  
John Griffin QC, Steve Roche,  
Kerry Splatt and Alan Warnick.

**Peter Carter, Queensland President.**

## Western Australia Report

The WA branch held its monthly meeting on 25 July 1996, where Registrar Mr George Kingsley gave an excellent presentation on primary principles of law applicable to what has become known as Section 93D applications.

There was peak attendance but just enough space for everyone to relax over a wine and nibbles during the talk.

Mr Kingsley summarised principles of law generally applicable and from the following cases:

1. *Cikara v Minister for Works* (unreported, DCT, Lib No 4920);
2. *Pollitt v Midland Brick Co Pty Ltd* (unreported, DCT, Lib No 4564);
3. *Sgro v New Cement Pty Ltd* (unreported, DCT Lib No 4459) – a most useful case;
4. *Thomas v O'Shea* (1989) ATR AT-251;
5. *Theobald v St John Ambulance Australia* (unreported, DCT, Lib No 4991, delivered 24 July 1996).

A lively discussion ensued thereafter during a question and answer session.

Mr Kingsley's main message to the meeting was the importance of forensic evidence in affidavits in support of applications and the need for precision of facts which would enable a court to find in favour of a claimant.

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Our next APLA Sunset Seminar is to be held on **Tuesday, 10th September 1996 at 5.00pm.** This will be a presentation by barrister David Clyne, "Common Problems in the Assessment of Loss of Earning Capacity".

This will be followed by a discussion on recent developments in the relevant law.

It will be held in the Boardroom of:

Friedman Lurie Singh  
"Law Chambers" 6th Floor,  
573 Hay Street, Perth.

For any further information in relation to our WA branch activities, please contact:

Mr Singh  
Phone: (09) 325 6133  
Fax: (09) 421 1953.

**Sukhwant Singh, Western Australia President.**