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APLA National Council

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President's page

Peter Semmler QC, APLA National President



Peter Semmler QC

APLA's membership reaches 1000

APLA enters 1998 with a membership which has just reached 1000. The rapid growth of our association since it was formed in May 1994 is at once very pleasing and superficially surprising. Why have so many lawyers so quickly embraced this fledgling organisation? The answer is apparent when one considers more closely the needs of APLA members and the void which our association has filled.

Lawyers who act for plaintiffs are often professionally isolated, and their clients financially disadvantaged. Our members are usually not from large city firms with deep-pocketed corporate clients and ample resources. Rather the typical APLA member is a sole practitioner, either barrister or solicitor, or a lawyer in a small or medium sized firm, often in the suburbs or the country. APLA members generally act for people, not insurance companies or other corporations. The plaintiffs for whom they act are frequently impecunious. This is often because of the very wrong (be it a negligently caused accident or a consumer rip-off) for which they have engaged a lawyer.

The professional, financial and emotional strain for acting for such disadvantaged people against better resourced opponents can be enormous. The Australian Plaintiff Lawyers Association offers considerable practical assistance to such lawyers in a way that traditional legal associations in this country have never done. The assistance is available in our expert database, in *Plaintiff*, in our regular members-only seminars and annual conference, and in the whole ethos of APLA which is characterized by the sharing of information, skills and resources between members.

In addition, for the first time in this country, APLA has provided a platform from which lawyers who act for the injured and disadvantaged can speak out against those who seek to destroy the very

system which rights the wrongs of which their clients are the victims. APLA has developed an infrastructure including a national secretariat and a full time policy officer through which research is done, evidence is collected and lobbying is coordinated to prevent the further erosion of the common law in this country. Considering that prior to APLA's advent no other association had ever possessed such a finely focussed aim nor conducted a well co-ordinated campaign to preserve the rights of disadvantaged people, on reflection it is not so surprising that APLA has grown so quickly.

Birth Trauma Litigation Conference

Medical negligence litigation, particularly that involving obstetric negligence, is a peculiarly difficult area of practice for plaintiff lawyers. This is not only because of the problems associated with proving causation. It is also because of the enormous difficulty encountered by plaintiff lawyers in identifying experts with the necessary expertise, objectivity and sheer professional courage to condemn carelessness by fellow practitioners if that is what the records reveal. In an effort to assist members to better understand the difficulties associated with birth trauma litigation and ways of overcoming them, APLA, in conjunction with the Association of Trial Lawyers of America, has organised a Birth Trauma Litigation Conference which will take place in Sydney at The Regent Hotel on 2 - 3 March 1998. Leading American and Australian medical and legal experts will be speaking. It promises to be the finest foray into this esoteric area which has ever been undertaken in this country. The conference is open only to APLA medical negligence special interest group members. ■

Peter Semmler