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It has also been recognised that inversion therapy, the placement of a patient upside down, increases the cranial blood flow and places the patient at a greater risk of death. It is rare for inversion therapy to be practised by the careful physiotherapist. One of the most over-represented areas of complaints against physiotherapists is that of sexual misconduct. Studies have shown that around a quarter of all physiothera-

pists will have some form of improper relationships with their patients. Lawyers can contact the Australian Physiotherapy Association and obtain a copy of a guide that details the standard of care required of physiotherapists by the APA. Of particular relevance to plaintiff lawyers is the fact that the professional indemnity insurance carried by physiotherapists is, unlike that provided by medical defence organisations, not subject to discretionary indemnity.

Insurance is not a pre-requisite to registration however it is understood that it is universally employed by physiotherapists. ■

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**General**

1. APLA members shall at all times act in a manner which will uphold the standing and good reputation of plaintiff lawyers and APLA.
2. APLA members shall promote the prevention of damage, loss or injury through safer products, services work-places and other environments.

**Competence**

3. APLA members shall keep up to date with developments in law and practice relating to their field of expertise.

**Obtaining Instructions - Ordinary Members**

4. APLA members must not personally or through any other person solicit instructions from a person who by reason of some recent trauma, injury, loss or other circumstances is or might reasonably be expected to be at a significant disadvantage in dealing with the member at the time when the instructions are sought.
5. APLA members must not personally or through any other person solicit instructions from a person in any manner that is reasonably likely to offend or distress such person or may reasonably be regarded as harassment or coercion of such person.
6. APLA members shall not go to the scene of an event which caused injury, loss or damage unless requested to do so by an interested party, an aggrieved survivor, a relative of either, or by an attorney representing an injured party or survivor.
7. APLA members shall not knowingly accept a referral from a person, whether an APLA member or not, who has acted contrary to this code in obtaining such referral.

# APLA Code of Conduct

**Representations & Advertising**

8. APLA members shall not personally or through an agent make representations of experience or specialist skills which they do not possess.
9. APLA members shall not knowingly make any statement, whether to a prospective or existing client, or otherwise which may give the client false expectations.
10. APLA members shall not engage in promotional activities that might reasonably be regarded:
  - (a) as being false, misleading or deceptive;
  - (b) as being vulgar, obscene or sensational;
  - (c) as devaluing the public protection role of plaintiff lawyers;
  - (d) as promoting litigation as a means of obtaining financial reward rather than fair compensation for an injury or loss sustained; or
  - (e) as bringing the common law right to claim damages for injury or the adversarial system into disrepute.
  - (f) as being likely to bring plaintiff lawyers or APLA into disrepute.
11. APLA members shall not use APLA's logo for advertising or marketing purposes, either personally or through their firm, except as specifically permitted by APLA.

Members are however able to identify their individual APLA membership.

**Information**

12. APLA members will not disseminate any information imparted in confidence at any APLA seminar or other APLA educational event or from any APLA publication to any insurer or any person who represents or is connected with an insurer.

**Disputes**

13. In the event of a dispute or difference arising between APLA members, those members shall endeavour to resolve that dispute or difference among themselves prior to any other recourse unless, in the case of a dispute or difference concerning the affairs of a client, a member is specifically instructed otherwise by such client.

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