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PLAINTIFF

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Editor's note



We run the risk in Australia of bidding down our compensation systems to zero.

The states are competing with each other to reduce costs to business and thereby attract entrepreneurs to set up or relocate in that State. The wisdom of this is seldom questioned. It might be argued that in a country as small as Australia in the global marketplace, we ought to have a national focus, to maximise our efforts. There seems little to recommend a policy which has Victoria using its resources to lure a Grand Prix away from South Australia.

Queensland will shortly move to an average workers compensation premium rate of 1.85% of salary. It might be thought worthy of note that this moves marginally below the current lowest rate of 1.9% (Victoria).

Competition over the amount of the benefits they provide to injured workers is not nearly so obvious. It is not necessary to argue that cost should not be a factor, simply that it is the second question to be asked after you have decided what level of compensation you should provide.

Also spreading fast among the states is the use of the "AMA Guides to Permanent Impairment" to determine injured peoples' compensation entitlements. The "Guides" themselves say this should not be done. The reason is obvious. They attempt to provide a basis for an objective assessment of injury. Compensation on the other hand must deal with the individual if it is to be meaningful. Why then the enthusiasm for its unfettered use among compensation authorities? They are increasingly driven by actuaries who like the predictability of the objective measure. They dislike Common Law for its lack of predictability.

So with this issue devoted to statutory compensation schemes I give you two causes to take up. Who's first? **PL**

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