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media release

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Prejudice and misinformation no way to start citizen's jury process

The President of the ACT Law Society, Ms Sarah Avery, and the President of the ACT Bar Association, Mr Ken Archer, today reiterated the commitment of the legal profession to ensuring the ACT's Compulsory Third Party (CTP) scheme continued to fairly compensate people injured in motor vehicle accidents.

The referral of the CTP insurance scheme to a citizen's jury was a potential opportunity to improve the system.

Sadly, today's announcement by the Chief Minister shows that the Government will not let an opportunity go by to influence a prospective jury as to how it should approach any suggested change to the CTP scheme and that it is not committed to fairness in the citizen's jury process.

Any semblance of approaching the matter fairly has been abandoned right at the start.

The ACT Government has previously unsuccessfully attempted to limit the compensation payable to injured people. It appears that the ACT Government remains committed to destroying the rights of injured motorists. They appear to favour an approach that arbitrarily pushes injured motorists into the social welfare system, rather than getting a level of compensation that would enable injured people to have flexibility as to how their injuries are treated and to pursue the recovery of the actual loss they have suffered.

The Law Society and the Bar Association are disappointed that the Chief Minister has sought to prejudice the outcome of the deliberative process by seeking to influence prospective jurors by peddling misinformation and half-truths about the existing scheme.

The legal profession has consistently and forcefully advocated on behalf of their clients injured in motor vehicle accidents and will continue to do so throughout the citizen's jury process.

A range of measures could be implemented to improve the CTP scheme and the outcome for injured persons. These include for example, measures to deter false claims, improve early access to medical and rehabilitation treatments and facilitate timely insurance settlements.

While the legal profession is happy to work constructively with Government to improve the effectiveness of the CTP scheme, it will strongly oppose retrograde measures. Arbitrarily cutting benefits to badly injured people, shifting responsibility from insurers to the public purse and time limiting recovery periods is not an acceptable outcome.

The legal profession looks forward to working with the community to ensure that vulnerable, injured members of our community continue to receive fair and adequate compensation.

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