

Tort Law Changes Hit Injured Australians Where it Hurts Most

A Productivity Commission report released today clearly shows that changes to compensation laws have had a devastating impact on the rights of injured Australians, according to the Law Council.

Referring to the commission's Review of Government Services report, Law Council President John North said, "Tort law changes were an excessive reaction by governments. This report shows that the laws have prevented over 40 per cent of claimants from pursuing their common law rights. Since the laws were introduced, there have been negligible reductions in premiums."

The commission's report, which reviewed a range of government services, including court administration, showed that District Court civil filings in personal injury matters had fallen sharply between 2000 and 2005.

The report showed large drops in civil filings in NSW and Victoria, and suggested that numbers were continuing to fall.

"What the report does not show is the real human cost of the [tort law] changes," Mr North said. "Every year the number of people struggling to cope with injury, without compensation, continues to rise. Meanwhile, insurance companies are wallowing in profits made at the expense of those who can least afford it," he said.

"It is time for governments to respond to the mounting evidence that tort law changes have not worked. Governments must roll back the tort law changes," Mr North concluded.

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The Law Council of Australia exists to represent the legal profession at the national level, to speak on behalf of its constituent bodies on national issues, and to promote the administration of justice, access to justice and general improvement of the law.

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