



Law Council
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Media Release

Tort Law Reforms Were Unnecessary, According to Law Council Report

There is no evidence that reforms to personal injury laws were needed to halt a so-called "litigation explosion" in Australia, according to a Law Council report released today.

"National Trends in Personal Injury Litigation: Before and After Ipp", a report by Professor Ted Wright, commissioned by the Law Council, analyses trends in personal injury litigation in Australian states and territories over the past decade.

Professor Wright is the Director of the Justice Policy Research Centre at the University of Newcastle. His research was officially launched today at the NSW State Library in Sydney.

Law Council President-elect Tim Bugg said, "This comprehensive national report shows, once and for all, that litigation rates were, generally, not rising exponentially in the lead up to the 2002 Ipp Report, and that there was no justification for the sweeping reforms to tort law."

The reforms introduced across much of the nation have had a dramatic effect on personal injury litigation rates in most states and territories.

However, as the Law Council has feared for some time, these reforms have simply diminished the rights of injured Australians to claim compensation, rather than helped to reduce insurance premiums.

"The Law Council has long had concerns about the loss of compensation rights and the effect on people who have been injured through another's negligence," Mr Bugg said.

"This report confirms what we have been saying for many years – tort law reforms were hastily-introduced and ill-thought out. They were a knee-jerk reaction to a problem that, according this hard data, had little or nothing to do with litigation rates," Mr Bugg 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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