



Did you know
the **Stanhope**
Government
is trying to take
away your right
to claim fair
compensation?



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BACKGROUND

The ACT Government wants to take away **your right to fair compensation if **you** are injured in a motor accident. We thought **you** should know...**

In February 2011 the ACT Government introduced changes to motor accident compensation laws (CTP - Compulsory Third Party Insurance). These laws, if passed by the ACT Legislative Assembly, will severely restrict the rights of ACT road users to access fair compensation.

If you are seriously injured in a road accident, due to someone else's carelessness, whether you're driving, riding a bike or crossing the road, you may get no compensation for pain and suffering. The amount you get for future medical treatment, future loss of wages and future care will also be severely cut.

These changes will affect every road user in the ACT, but will most severely impact on children, stay-at-home parents, retirees, the unemployed and the disabled. If you don't have a job, you will receive next to nothing in compensation following serious injury.

The ACT Government says these changes are necessary to reduce CTP insurance premiums. But the Government hasn't guaranteed any CTP premium reductions at all. Experience with similarly drastic laws in NSW is that premiums don't go down and people don't receive fair compensation. This will happen in the ACT.

The Government says 84% of motor accident victims "will no longer have to be concerned about the subjective lottery of "pain and suffering" compensation for their injuries." But the Government has failed to admit that those people will receive much less compensation than before.

The ACT Government has claimed "broad support" for these changes. But every public submission expressed concerns with the changes, including whether the changes breach ACT Human Rights laws and also their impact on public servants who already can't claim workers compensation if injured travelling to and from work.

Despite all of these grave concerns, the ACT Government is refusing to even refer the law to an independent Parliamentary Committee to give ACT residents the transparency in government they deserve.

A road accident could happen to you, or someone you love. Go to www.faircomp.org.au to find out more.



BELOW: Copy of the information from 'An open letter from Canberra's legal profession to the ACT Chief Minister' Published on 26.02.11 in *The Canberra Times*

Dear Mr Stanhope,

Please don't take away injured people's right to claim fair compensation.

As you are aware, Canberra's lawyers are very alarmed about your Government's planned changes to the ACT's compulsory third party laws. Why would you proceed with changes which will seriously disadvantage every motorist, cyclist and pedestrian (and their families) wrongfully injured in ACT motor accidents?

Put simply, we believe your Government's changes put all Canberrans at risk of serious hardship because they won't receive fair compensation. That's why we say these changes are unfair, unnecessary and unjust.

Why? Because:

- **100% of motor accident victims in the ACT will be worse off** because your changes will substantially reduce compensation for future medical care, rehabilitation, home care and loss of income. Accident victims also won't be entitled to interest on their compensation if their insurer delays settlement.
- **84% of all motor accident victims in the ACT won't be entitled to fair compensation** for their pain and suffering. That means no compensation for pain arising from multiple injuries and surgery and no compensation for the loss of enjoyment of life such as inability to play sport or play with their children because of serious injuries.



Why won't you provide the facts?

We have repeatedly asked you to provide the facts showing why these changes are necessary. But you repeatedly refused to provide the facts.

You've also said that:

- Canberra has the most expensive CTP premiums in the country. But in fact ACT motorists pay less than many interstate drivers.
- There needs to be more focus on rehabilitation. But your changes won't provide any more rehabilitation to accident victims.

So why make the changes?

Your own experts have told you, that since you changed the law in 2008, CTP claims costs have been reduced by 30% mainly due to a reduction in legal costs. So why won't you give the 2008 reforms a chance to work before you take away people's compensation rights?

Please...

- don't take away all Canberrans' right to fair compensation.
- don't act without providing all the facts.

At the very least, why not agree to a Parliamentary Committee review of the changes so that all the facts can be laid on the table?

We're not asking for much, just fair compensation for everyone.

Yours sincerely

Athol Opas
President
ACT Law Society

Philip Walker
President
ACT Bar Association

Mark Blumer
President, ACT Branch,
Australian Lawyers' Alliance

actlawsociety



If the changes **do** go ahead, the chances are you will not find out how unfair they are until you, or someone close to you, is a victim — and finds access to justice denied.



This Bill should be rejected

The ACT Government intends to strip rights to fair compensation for **all ACT road users**.

Despite this assault on **your** rights, the Government has refused an open and transparent debate, or to tell us the truth about the impact these laws will have. The Government has refused to produce information showing what is wrong with your current right to fair compensation. The Government wants this bill passed as quickly and quietly as possible.

These changes have been opposed by psychologists, legal experts, academics and accident victims. Before such drastic changes to road accident laws are introduced, we deserve a fair public debate with all the facts.

Write, email or call your local MLA and oppose this bill. Find out what you stand to lose.

Visit www.faircomp.org.au

What can you do?

If you think the changes are unfair, tell your friends, speak to your local Member, ask your union, add the FairComp Facebook page to your favourites and oppose this bill.

ACT LABOR

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