

# MEDIA RELEASE

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## Top judge criticises injury compensation laws

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Embargo: 12.30pm Friday 17 February

Queensland's top judge has strongly criticised restrictions in personal injury compensation laws.

The Chief Justice of Queensland, the Honourable Paul de Jersey AC, said that while some changes to the laws were justified, they have "brought about marked erosion of a fundamental right to adequate compensation" for injury caused by negligence.

The Chief Justice told the Queensland conference of the Australian Lawyers Alliance that the right to compensation is "an individual's right to personal safety and security".

Lawyers Alliance Queensland president Ian Brown said the Chief Justice is a senior and independent judge who can't be accused of having any self-interest on this issue.

"Since 2002 the federal and state governments have wound back people's rights to fair and just compensation while insurers continue to post record profits."

"We've now had a number of senior judges around the country speak out against these changes and it's about time politicians started taking action to restore some balance," Mr Brown said.

Chief Justice de Jersey said the critical issue now is "the need for active reconsideration of whether the so-called reforms have proven justified, or should be wound back".

He said that the more unjust changes to Queensland laws include caps on damages, restrictions on compensation to family and friends for free care given to injured people and limits on legal fees refundable for smaller claims.

Mr Brown said the Chief Justice's comments also "highlight the hypocrisy of the state government by rightly changing the rules to compensate the Bundaberg Hospital victims but leaving all other injured Queenslanders at the mercy of these unjust laws".

The Chief Justice said the special arrangements for the Bundaberg victims "plainly raises the query – what of others in the community, without a voice or media support, currently disadvantaged by the legislation?".

**Note:** Chief Justice de Jersey's speech will be delivered at 11:45am, Friday 17 February at the Gold Coast Royal Pines Resort. This will be followed by a speech by Beryl Crosby, the president of the Bundaberg Hospital Patients' Support Group.

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