
Rapists in South Australia get better legal representation than injured workers

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A peak, legal body representing the rights of individuals, the Australian Lawyers Alliance, is concerned that people injured at work, through no fault of their own, are given less representation or assistance in South Australia than those alleged to have committed, and later found guilty of, rape or murder.

Australian Lawyers Alliance South Australian president, Tony Kerin, said such a statement may seem incredible, but the facts spoke for themselves.

“If you get injured at work in SA, any dispute about the nature and extent of your disability will be heard and determined by a medical assessment panel, made up of WorkCover-approved doctors who meet in secret,” Mr Kerin said.

“You have no right to legal representation and no right of appeal!

In contrast, if you are a home-invading rapist, in SA, you get to plead your case before a court, with a judge presiding. If you have no money, the State will pay for your legal representation and if you are convicted, you have the right of appeal,” he said.

Mr Kerin said injured workers were being treated in South Australia as second-class citizens and it was time their common law rights to sue negligent employers for damages was reinstated.

“It is the only Australian state without this common law right, yet the government can, and does, prosecute employers for negligence, profiting from injured workers pain and suffering and pumping this money back into its own coffers. How is this fair?” Mr Kerin queried.

“Common law ensures adequate compensation to pay for the treatment of personal injuries worsened by age. South Australia needs to reintroduce this right as a matter of urgency,” Mr Kerin said.

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