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Severely injured Queenslanders worth more interstate

Slater & Gordon lawyers and their clients are calling on the State Government to increase the maximum amount of compensation available to severely injured motor vehicle accident victims after revealing Queenslanders receive substantially less than those injured interstate.

Slater & Gordon motor vehicle accident lawyer Abraham Arends said severely injured motor vehicle accident victims in Queensland were entitled to not much more than half the maximum level available in other States, such as New South Wales and Victoria, for pain and suffering.

"Severely injured Queenslanders are being treated like second class citizens when compared to those injured across the border in New South Wales and that's just not fair," he said.

Mr Arends said presently the maximum level of compensation for pain and suffering in Queensland was capped at \$250,000, while it is \$408,000 in New South Wales and \$450,000 in Victoria.

He said the Queensland Government must increase the maximum payment for the benefit of people such as Darren Webster who became a T10 paraplegic after being injured in North Booval, Ipswich in May 2009.

Darren and a friend Vincent Ieremia were sitting in their parked car, after stopping to buy groceries for their families from a corner store, when it was hit by another vehicle.

"Darren is no longer able to work in his trade; he has a young family to care for and when you consider the maximum amount of money that he could be entitled to, it is inadequate.

Mr Arends said Darren was in hospital for five months before being discharged home. He then underwent intensive rehabilitation for several months and is currently living at home with his partner. Darren is reliant upon his partner to provide him with ongoing care to assist him with all his ongoing needs.

"Darren has just been cleared to return to driving - which should at least give him some more independence" said Mr Arends. The next steps will be re-training to assist him to re-enter the workforce in the future.

Ann Taylor of Victoria Point lost both her legs in a horrific accident when she was run over by a bus while trying to cross the road in the Brisbane CBD. Ann was on her way home from work but as a employee under the Comcare scheme she was not entitled to workers compensation benefits.

Since her accident Ann has had to learn to live as a bilateral amputee while she waits for her compensation claim to be finalised. Under Queensland's compensation laws, Ann's injuries are unlikely to be considered sufficiently serious to attract the maximum payment for pain and suffering.

Queensland Motor Vehicle Accident, Practice Group Leader Ian Brown said changes to the Civil Liability Act in December 2002 saw significant restrictions introduced on, amongst other things, an injured person's entitlement to fair compensation for their pain and suffering.

"Recent amendments to this legislation, which passed in Parliament last week, have only given a small CPI increase to accident victims and it's not enough," he said.

Media Release

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“The changes to legislation mean that for those injured from July 1, the maximum figure will increase to about \$290,000 in Queensland - but this is only a belated increase because of indexation.”

Mr Brown said other legislative amendments were required, such as an end to loss of income being based on average weekly earnings, instead of earnings of the individual who has been injured.

He said more flexibility was also needed around the level of care that was available to injured victims.

As part of the campaign, Slater & Gordon, is launching a facebook group today. It is the first time the national law firm has used facebook to campaign for its clients. The facebook group will give members of the public the chance to show their support for severely injured Queenslanders.

Media inquiries

Slater & Gordon lawyers, (07) 3220 2555

Angela Bell, Senior Media Advisor, 0430 355 554