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Leading the way in injury compensation

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Land Sting Writs Filed

Associate Judy Teitzel is acting for nearly 200 victims of a Gold Coast real estate marketing scam.



Judy Teitzel (seated) and litigation assistant Abbi Beggs are constantly surprised by the marketeers' scams

TYPICALLY they are husband and wife couples who were lured into the scam through telemarketing or seminars across Australia and New Zealand. In most cases they were then "stung" during flying weekend visits to the tourist strip. The marketeers used sophisticated techniques to bait their clients into committing to overvalued properties in poor loca-

tions. Capital growth rates of up to 11% were guaranteed on what was said to be prime investment property.

Sellers were often ignorant of the scam. The marketeers typically guaranteed to them a specific price. Unknown to seller (and the buyer) the actual sale price was up to 30% higher than that which the seller agreed to accept. The excess was kept secret and pocketed by the middlemen.

Judy has commenced test cases against each of the major marketing firms involved and developers, valuers, solicitors, financial consultants and real estate agents.



Judy has a history of complex trial experience in her 12 years as a solicitor and settled Queensland's first class action in 1998. ■

Road Trips

CENSORED

The QLD Government mandates against public discussion of personal injury compensation

Censored? What's this...

WORK COVER CHANGES DON'T GO FAR ENOUGH

Although a step in the right direction, the latest round of workplace injury compensation changes that will soon come into force fail to address one of the most serious problems facing injured workers.

IN THE PAST many workers have been excluded from compensation and this feature is retained in the new legislation. WorkCover itself is still the gatekeeper – it decides by whom it will allow itself to be sued.

Government has clearly shown its priority is to favour business over individuals. There have been two premium reductions for employers - premiums are now the lowest of any

state - since the so called crisis which led to the 1996 Kennedy inquiry and the extreme laws that downgrade workers to third class legal citizens.

According to senior partner, Peter Carter*, "WorkCover still has the right to exclude many people from obtaining injury compensation. It has total say over which workers have injury compensation rights against reckless employ-

ers and which workers don't. WorkCover made a profit of \$219 million last year, the government had a perfect opportunity to reinstate proper access to justice to all workers."

Carter concedes that the changes are welcome and overdue but says "The only way for this injustice to be remedied is to have the determination of workplace injury compensation restored to courts."

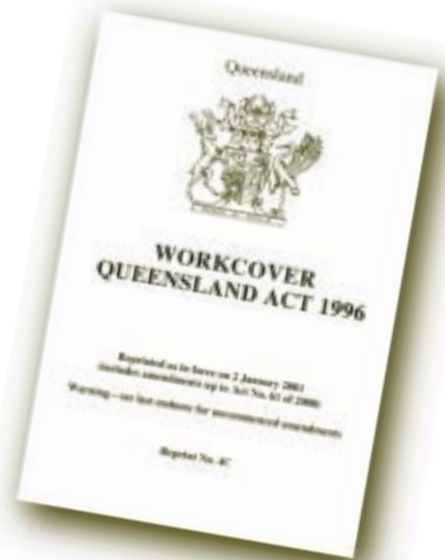
This is the sixth substantial change to the legislation since January 1996 meaning that there are six possible compensation outcomes to a person injured since then. The new changes entrench the complexity of a system which is "bursting with hazards for workers and their advocates". Carter says, "if the government were serious about remov-

ing these hurdles, the changes should have been retrospective."

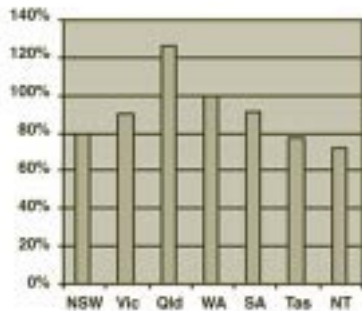
"Government has also failed to remedy the difficulty faced by job applicants being discriminated against for having made a previous workers compensation claim," Carter argues. "Employers ought to be encouraged by legislation to objectively decide on a person's job

suitability by reference to medical or physical standards rather than act on prejudice which operates in many employers' minds when told of a prior claim."

The changes have benefits for workers particularly in relation to some simplified procedures. These changes will also save WorkCover millions in internal costs. ■



Ratio of Assets to Claims Liabilities 1999/00



With record profits, the lowest premiums nationally and by far the highest asset reserves, the government missed a perfect opportunity to restore proper access to justice for workers ...

Attorney General Wrong in Case Slur

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CARTER CAPNER HAPPENINGS

SENIOR partner Peter Carter was elected recently to be one of the two Australian governors on the board of the 60,000-strong Association of Trial Lawyers of America headquartered in Washington DC. He is also a vice president of its international practice section. Peter was foundation Queensland president of the Australian Plaintiff Lawyers Association and foundation APLA national councillor. He was national president of APLA in 1998-1999 and is currently also a director of the Civil Justice Foundation. ■



Senior Partner Peter Carter

YEARS OF DEDICATION

FRAN Campbell and Julie Wlodzinski were honoured for their periods of long service with Carter Capner at a dinner in July. Fran has been a secretary, conveyancer and word processor operator at Carter Capner for nearly 30 years. Julie has been the accounts manager for 15 years.



Julie (right) with daughters Nicki and Tina



Fran (right) celebrates with daughter Vicki

Many former staff attended the dinner as did some of both Fran's and Julie's family. It was a perfect opportunity for them to recount many of the humorous moments of their years at the firm. Senior partner Peter Carter presented both with original art works in honour of their years of dedication to Carter Capner clients. ■

CONGRATULATIONS AMANDA



AMANDA Steele who until recently was the friendly face and voice of Carter Capner as our receptionist celebrated the arrival of her first child on September 4.

Amanda and Graham are ecstatic and both mother and daughter Aysia are healthy and happy. We all wish the family the very best. ■

Amanda on her last day at Carter Capner reception.

KOORALBYN VALLEY RETREAT

Our personal injury team travelled to Kooralbyn Valley in August for a retreat.

AS WELL as dealing with technical issues, the retreat focused on team building and developing ways to deliver the best outcomes for clients.

CARTER CAPNER ONLINE



Make your first enquiries by visiting our website at <http://www.cartercapner.com.au>

NEXT time you are online, come to visit us at www.cartercapner.com.au

You will find information about various types of claims and the claims' process. There's also some history about your lawyer and short summaries of some of our recent cases.

For non-clients the feedback section lets you submit a new case enquiry to us for consideration.

The web site will be undergoing a major redesign over the next few months so don't visit just once – come back often! ■



Strategies identified during the retreat are being developed and will result in improved service delivery and an even stronger team for the overall benefit of all personal injury clients. ■

Chris Ng and Kate Bradley in a brainstorming session at Kooralbyn Valley



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