

Are we still relevant?

By Anthony Scarcella

Recently, some ALA members have asked whether our organisation is still relevant. The question merits serious consideration; the following views are my own.

Gone are the halcyon days of unfettered common law in personal injury claims, free of costs caps. Human rights abuses within our own beloved nation have been exposed and our self-proclaimed title as a champion of human rights has been dealt a few telling blows in recent years. Practising law within the practice areas of our membership has become more complicated, restrictive and, for most of us, less financially rewarding. The 'tort de-form plague of 2001/2002' saw only the 'true believers' survive in personal injury practice. Many of our colleagues took up other areas of legal practice, or left legal practice altogether. This is fact and is now long behind us. We are lawyers and most of us have adapted to the draconian changes in personal injury law and endeavour to achieve the best results possible for our clients under these unfair laws. After all, it is our duty to do so.

In 2004, our organisation went through the controversial name change from the 'Australian Plaintiff Lawyers Association' to the 'Australian Lawyers Alliance'. With the name change came an expansion of policy and practice areas, including human rights, criminal law and immigration. In reality, these practice areas already fitted into our philosophy of *'protecting and promoting justice, freedom and the rights*

of the individual'. The change merely formalised the position. It is true that, for a short period, personal injury practice seemed to take a back seat to human rights, but for good reasons; that is, the 'children overboard affair', children in custody, David Hicks, Dr Haneef and the push for a national human rights Act. Personal injury practice was never off the agenda. The ALA aims to keep a balance, which is obviously variable depending upon the nature, timing and urgency of the assaults across the nation on justice, freedom and the rights of the individual.

The ALA national council and its branch committees are more active than ever before in pursuing the organisation's philosophy for the benefit of its members, their clients and the general public. Nowadays, the national president travels around the countryside giving speeches at branch conferences, conferring with branch committees, giving impromptu media interviews and issuing press releases in relation to the latest assault upon justice. Other ALA members regularly give media interviews and issue press releases in relation to their respective speciality areas. The ALA is often invited in its own right to provide submissions on proposed new law, proposed changes to the law and to give evidence at inquiries. The mere fact that we receive such invitations is recognition that we are a relevant stakeholder. Even where we are not specifically invited, we provide submissions and enter into the fray. One only has to check out the ALA website to view the huge number of



submissions made both nationally and at state and territory level.

A new database should be up and running by the time this edition goes to print. This will facilitate the re-introduction of special interest groups, online forums, the updating of an expert database, regular bulletins to keep members up to date in their respective areas of interest and other member benefits. The ALA provides first class CLE, particularly at branch and national conference level.

All of the above-mentioned activities either directly or indirectly benefit our members, their clients and the general public.

So, is the ALA still relevant? In my opinion, of course it is! However, in order to remain relevant we need the continued support of our current members, to increase our membership, to provide a value-added service to our members and to increase the numbers of loyal volunteers at national and branch level, who tirelessly provide their time, energy and sharp legal minds in the pursuit of the organisation's objectives. ■

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