

Country lawyer heads Restore the Workers' Rights Party

DAVID McCABE, a workers' compensation specialist who numbers members of the NSW Shearers and Rural Workers Union among his clients, is the founding president of the Restore the Workers' Rights Party (RWRP) which plans to run candidates in the 2007 NSW election.

McCabe, of McCabe Partners in Young, has furnished the Law Society with information about the history and goals of the new party.

This reveals that the party is setting its sights on getting members elected to the State Parliamentary Cross-Benches where they can exert pressure on the government to reverse the direction of its workers compensation policy.

RWRP's objectives

The party's major objective, McCabe says, "is the restoration for workers injured at work and/or by the negligence of others to fair and just compensation for their injuries and disabilities, and failing agreement on quantum and/or right to compensation, the full restoration and maintenance of independent and unfettered judicial determination of those entitlements".

Should the government fail to meet this objective, elected members of the RWRP will abstain from voting in support of it in Parliament.

Other RWRP objectives are:

1. to lower non-economic loss thresholds or damages for pain and suffering from the current ten per cent whole person impairment to a new threshold of five per cent, in respect of persons injured in motor vehicle accidents in NSW;
2. to reduce the superannuation of politicians from 66 per cent to nine per cent across the board for new and old politi-

cians. While the old rates prevail, elected RWRP members will donate 54 per cent of their superannuation entitlements to a worthy charity;

3. to support an inquiry into why insurance companies fail to adequately provide for claims and why their premiums are unreasonably high, particularly in the area of public liability, given that the companies are reporting massively increasing profits in their half yearly and yearly statements;
4. to maintain NSW taxing laws relating to clubs as at 20 November 2003.

The party has already established a web site (www.rtwr.net.au) to help with its campaigning and is seeking support from solicitors.

Facts expose rhetoric

The RWRP has put together a table showing how compensation payments to injured parties have continuously and markedly declined since 1 October 1995, when the Government implemented the first stage of its workers compensation reforms.

In a pre-reform, post-reform comparison, some post-reform

injured workers are shown to be more than 90 per cent worse off than they would have been prior to October 1995.

The least worse off suffered a loss of 14 per cent, with other losses rising as high as 92 per cent.

The RWRP document poses these statistics against a statement by John Robertson, Labor Council Secretary, published in a full-page advertisement of 5 December 2001 in the *Daily Telegraph*, that "Throughout the campaign we have worked to hold the Carr Labor Government to its promise that no injured worker would be worse off".

McCabe says that if the Carr Government did in fact make the promise that no injured worker would be worse off, "this is completely untrue". Since 1 January 2002, a person now has to receive \$12,500 worth of benefits for impair-

ment under s.66 before they are entitled to compensation for pain and suffering under s.67.

Prior to this, under s.66, they had to obtain benefits equal to or greater than \$10,000 to gain the entitlement: "Therefore," says McCabe, "injured workers are clearly now worse off."

Party leaders

With himself as party secretary, David McCabe and three former shearers, all of them retired from the industry with varying degrees of work related injury, are the leaders of the Restore the Workers Rights Party: Clifford Walford is the registered officer, Trevor Harris deputy registered officer and Barry Gissell the party agent.

Walford and Gissell will be the party's candidates at the next election. □

MARY ROSE LIVERANI

Former shearers Barry Gissell (left), Trevor Harris (centre) and Clifford Walford (kneeling) reckon workers have been shorn of their compensation rights by the NSW Government. And Young, NSW solicitor David McCabe (holding the broom) couldn't agree with them more: so much that he has joined with the three shearers to found the Restore the Workers' Rights Party, which will be running Walford and Gissell as candidates in the 2007 State election. PHOTO: MARTIN LANGFIELD, CLASSIC IMAGES, YOUNG

