



# Injury Schemes Seminar\*

**Balancing Outcomes**

10–12 November 2013  
Sheraton Mirage Gold Coast

\* Formerly the Accident Compensation Seminar



**Actuaries  
Institute**

**Call for Papers  
and Presentations**

## SYNOPSIS

### LEGAL RISK – HOW ONE DECISION CAN CHANGE A SCHEME?

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**Key words:** Legal Risk, Legal Precedents, Injury Schemes, Accident Compensation, Workers' Compensation, Compulsory Third Party (CTP)

**Purpose of your paper:** To provide a summary of the impact that legal precedents have had on Injury Schemes and how these Schemes manage their legal risk.

**Synopsis:** Injury Schemes impact most Australians and hundreds of thousands of claims are reported each year. Most of these Injury Schemes in Australia permit access to common law. As a result, these schemes are subject to substantial legal risk through judicial precedents. These precedents can have a significant flow on effect and are often a tipping point for scheme change.

We summarise the key historic legal precedents and the impact they have had on Australian Injury Schemes.

We also aim to explore how Injury Schemes manage their exposure to legal risk and communicate emerging risks to scheme management. The extent to which a scheme is able to successfully manage their legal risk will be strongly linked to the long term stability of the scheme itself.