

OPENING REMARKS

The Rt Hon Sir Owen Woodhouse

It is a compliment to be asked to be here today. I am grateful for that. And it is pleasant to realise that I am able to share a platform with the Minister, within the first week, of her successful return to the field of battle.

It is pleasant, too, to find myself beside my old friend Matthew Palmer. I remember that we were beside one another at an earlier discussion of compensation for injury.

I was taking soundings at the University of Chicago. Matthew didn't say much. In fairness to him I should explain that he was only three at the time.

However, there was really no need for him to speak. His father seemed well able to do all the talking.

I hasten to add that Sir Geoffrey and I have been able to do a good deal together since February 1967.

I have said that I am grateful for the compliment carried by the invitation to attend this meeting.

At the same time, I am not sure why I am here - except, perhaps, as a sort of museum piece, showing that even the thunderbolts of the Business Round Table are not always lethal.

Anyway, although I appreciate the invitation, I have been very reluctant to act on it, as the Planning Committee knows.

The reason is simply this. As one grows older it is wise to realise that the continuing value of earlier ideas is best assessed by those who will continue to be affected by them.

As for my own earlier ideas about accident compensation, I leave them to speak for themselves in the 1967 Report.

I can be forgiven for holding to them, but I do not wish to offer elderly support for them 35 years down the track!

Since I *am* here, I would like to say something about the methodology adopted for this conference.

As I understand the initial purpose, it is to look back to help decide what may be needed for the future.

That must be a good idea. As the years pass by the reasons for earlier action tend to be forgotten.

Every important institution needs to keep abreast of modern needs and ideas.

But it would be a pity if over-hurried revisions ended up with a repetition of earlier mistakes.

In the case of accident compensation, there have been numerous debates during the past 30 years. There seem to have been even more amendments.

But many of the answers could be no more than a limited response to the pressures of special groups.

Too often they seem to have centred on sectional economic interests.

Now and then market-based theorists from overseas have been heard in the land.

Perhaps with less than intended effect.

In the real world, all this is important, of course.

But after a time, patch and repair, however well-intentioned, is likely to obscure the wider needs, together with the principled base which should support them.

In relation to benefits, for example, there is the situation of the hardworking housewife who is injured at home or on the highway or indeed anywhere else.

In terms of principle, has her entitlement kept pace with that of her hardworking partner who is injured at his place of work, or indeed anywhere else?

Even at the beginning, the enacted scheme involved a few important departures from the five principles which were deliberately accepted at that very time.

For example, the central feature of the system is entitlement based on the injury condition, and *not*, as formerly, its cause or where it happened. This has enabled the different remedies to be done away with.

It was accepted that the demarcations were unfair, and the cause of much cost, delay and disappointment.

The decision was also supported by a different argument.

Most of the money which supported the old remedies was eventually paid by the whole community, as part of the price of the goods or service.

Yet, from the outset, on the income side of the ledger the whole emphasis was left unchanged.

As previously, the cause or location of the accident was made to decide everything.

Adopted as a hangover from the days of private insurance, individual trades and businesses have been charged unevenly.

Each must meet the estimated cost of injuries expected to occur within its own area of operation.

There is also retention of the old divisions of work, highway, and other accidents in order to decide what income should be collected in each of those compartments.

It is self-evident that these decisions - to collect income based on cause, on who should be held responsible for accidents - have resulted in much subsequent contention about costs and benefits.

In any case should these and other decisions be reassessed against the basic principles upon which the general system depends?

It is not easy to understand how both can stand comfortably together.

I mention these various matters merely as examples of the kind of issue that may deserve contemporary consideration.

So I end these comments about the meeting today where they began.

History and past experience have lessons for us all.

The arrival of sudden problems, and the daily pressures that affect most people, can easily find those earlier lessons forgotten.

The Planning Committee, and all who are giving time to offer their expert opinion, deserve congratulations and thanks for having the imagination and energy to push forward with this initial part of the enterprise.

