

Pain and suffering

Thursday, 10 June 2021
12:00 - 13:00

This webinar looks at the preparation of the schedule, evidence and case in relation to damages for personal injury. It looks at the case law and:

- What is an “injury”?
- What is a claimant being compensated for?
- What factors affect the award for pain and suffering?
- Does the age of the claimant matter?
- How should pain and suffering be presented in the Schedule?
- Can the claimant simply rely on the medical evidence in presenting their claim for injury?
- What factors are going to affect the award for pain and suffering?



Gordon Exall was called to the Bar in 1991 having originally qualified and practised as a solicitor. He practices from Kings Chambers.

He works almost wholly in the area of personal injury litigation and in the law relating to civil procedure, limitation and costs. He has a particular interest in issues relating to damages, evidence and the drafting of special damages schedules.

Gordon is a former executive committee member of APIL and has lectured widely for APIL and CPIL on personal injury and procedure topics. Gordon is the author of written Personal Injury Practice Notes (Cavendish); The APIL Guide to Fatal Accidents (4th edition); the 14th edition of Munkman and Exall on Damages, and Periodical Payments the New Law. He also writes the section on limitation for the APIL loose-leaf.

Gordon has appeared in several of the leading cases relating to procedure, service of the claim form and the assessment of damages.

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In his spare time Gordon plays guitar and mandolin in a rock band (which has performed at APIL conferences). He has four children and lives in York.

Loss of earnings

Friday, 18 June 2021
12:00 - 13:00

This webinar looks at major issues in relation to claims for loss of income, how they are presented and how they are established at trial

- The law as to loss of earnings
- How a claim for loss of income is calculated
- Disability in the labour market, evidence, the schedule and the witness statement
- The Blamire award
- Awards for loss of congenial employment
- The self-employed claimant
- The schedule of damages and claims for loss of earnings
- Proving loss of earnings at trial – some practical examples
- A client questionnaire for loss of earnings



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Care claims

Friday, 25 June 2021

12:00 - 13:00

Here we look at claims for care, the law underpinning care and assistance claims, looking at practical ways of preparing the case and presenting the schedule.

- Medical and hospital expenses – does a claimant have to use the NHS?
- What is “care”?
- Quantifying care without the help of an expert
- Care in minor and non-severe cases
- Claims for household assistance – does the law treat them differently?
- Can a claim be made for inability to act as a carer?
- Care claims in the Schedule



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Accommodation and appliance claims

Wednesday, 30 June 2021
12:00 - 13:00

Claims for accommodation and appliances are a major part of many serious claims.

Here we look at the legal principles underlying these claims and how these should be formulated in the schedule

- Proving a need for accommodation
- Quantifying the accommodation claim
- Interim payments and accommodation claims
- Proving the need for aids and appliances
- Quantifying the claim for aids and appliances
- Accommodation and aids and appliances in the schedule



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Periodical payments and provisional damages

Thursday, 8 July 2021
12:00 - 13:00

This webinar looks at the law, practice and procedure relating to provisional damages and periodical payments including how they should be presented in the schedule and the evidence that needs to be provided in support and will cover:

- When is a claim for provisional damages appropriate?
- Making a claim for provisional damages
- Consequences of a provisional award
- Causation
- The obligation of the court to consider periodical payments
- Factors involved in the exercise of the court's discretion
- Ensuring security for the claimant
- Practice and procedure



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Dealing with the counter-schedule and counter-arguments in relation to damages

Friday, 16 July 2021
12:00 - 13:00

Here we take a detailed look of those arguments that can be marshalled to reduce a claim for damages

- Assessing points made in the counter-schedule
- Causation arguments and the reduction of damages
- Arguments about mitigation of loss
- The schedule and recoupable benefits
- The schedule and non-recoupable benefits



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APIL webinar series - damages

Webinar title	Tick	1 person	Small office (2 - 6 people)	Large office (7 + people)
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Accommodation and appliance claims		£65 + VAT	£105 + VAT	£160 + VAT
Periodical payments and provisional damages		£65 + VAT	£105 + VAT	£160 + VAT
Dealing with the counter-schedule		£65 + VAT	£105 + VAT	£160 + VAT
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