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13 February 2001

Harsha Patel  
Department of Trade and Industry  
STRD 4  
321 Red Zone  
151 Buckingham Palace Road  
London  
SW1W 9SS

Dear Ms Patel

**DTI Consultation: The Personal Protective Equipment (EC Directive) Regulations 1992**

I am writing on behalf of the Association of Personal Injury Lawyers (APIL) to respond to the DTI consultation document regarding the amendment of the Personal Protective Equipment (EC Directive) Regulations 1992.

APIL was formed as a membership organisation in 1990 by claimant lawyers committed to providing the victims of personal injury with a stronger voice in litigation and in the marketplace. We now have over 4,900 members across the UK and abroad, and membership comprises solicitors, barristers and academics. The association's main objectives are:

- To promote full and just compensation for all types of personal injury;
- To promote and develop expertise in the practice of personal injury law;
- To promote wider redress for personal injury victims in the legal system;
- To campaign for improvements in personal injury law;
- To promote safety and alert the public to hazards;
- To provide a communication network for members.

APIL welcomes the consolidation of the four regulations concerning personal protective equipment as it will introduce both clarity and ease of reference. The introduction of an additional power to prosecute is also fully supported. Trading Standards Officers should have a full range of sanctions available to them so that they can impose the sanction appropriate to the particular breach of the regulations.

If additional powers to sanction are to be given to Trading Standards Officers, however, it is imperative that they are aware of the circumstances under which it is appropriate to impose each of them. This will require thorough training and guidance.

In addition, the power to prosecute should not be seen merely as an alternative to the power to forfeit and destroy goods, as is suggested in the consultation document. Where personal equipment has ceased to be effective and cannot be repaired it is essential that it is forfeited and destroyed to prevent the possibility of others using it and personal injury occurring. If others have been allowed, however, to use the defective personal protective equipment, then prosecution of those in control of the equipment may well be appropriate.

I hope that these comments are useful. Please do not hesitate to contact me if I can be of any further assistance.

With kind regards.

Yours sincerely

Annette Morris  
Policy Research Officer

cc: Lorraine Gwinnutt, Press and Parliamentary Manager, APIL