



**The Sunday Times** *At last, the whiplash wonders are getting it in the neck* (27 July)

Sir,

An injured person with a valid claim for compensation is the result of negligence, not fortune. So while “taking responsibility for our own dumb luck” sounds well and good, when another person did not take, or could not be bothered to take, the proper care to avoid causing harm then it is only right that an injured person should be able to seek reparation. Compensation is not paid for accidents. Negligence must be proven, and that burden of proof lies with the injured person.

It is also worth pointing out that one in five people with whiplash injuries still suffer symptoms a year later. And more than half of the cost of the average motor premium is spent on repairs, staffing, and overheads, according to the Association of British Insurers. The Office of Fair Trading found the insurance industry’s approach to car repair and replacement is “dysfunctional”, and adds an unnecessary £225 million a year to the bill for consumers.

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