



**Re: £13,000 payout for a dead child is an insult, say mothers (The Times - Thursday 17 September 2015, p.25)**

Sir,

It cannot be right that it is cheaper to kill people in England and Wales than it is to maim them. The law of damages places a higher value on a badly injured thumb than on a life. Bereaved relatives receive statutory damages of £12,980 after the wrongful death of a loved one, compared to between £14,000 and £25,000 awarded to someone with a badly injured thumb. More than two thirds of people believe this is wrong, according to research commissioned by the Association of Personal Injury Lawyers (APIL). In Northern Ireland, damages are even lower, at £11,800.

In a just society, the law needs to show much greater understanding to bereaved families. England and Wales has a production-line approach, awarding a prescriptive amount in damages to a restricted list of eligible relatives, excluding unmarried partners, step-parents, and children who have passed their 18<sup>th</sup> birthdays. For our neighbours in Scotland, the amount awarded relies on legal precedent and a proper examination of the closeness of the bereaved to the deceased, to ensure that any payments are fair. 80% of people surveyed agree that the Scottish system is indeed fairer.

Jonathan Wheeler

President

The Association of Personal Injury Lawyers

