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Lawyers call on Government for action to help bereaved families

Scottish lawyers have today called on the Government to support a Members' Bill which would reform the law for families whose loved ones have been killed through negligence.

"This proposed legislation, if introduced, would be of real benefit to people whose relatives have been wrongfully killed, as it both clarifies existing law and simplifies the way financial loss to the deceased's family is calculated," said Ronnie Conway, Scottish spokesman for the Association of Personal Injury Lawyers (APIL).

Consultation has now closed on Bill Butler MSP's Damages (Scotland) Bill which is based on recommendations published by the Scottish Law Commission in 2007, at the request of Scottish ministers.

"The proposals will also save time in the process of calculating the award, as there will be reduced investigations into the finances of the deceased, and should provide the bereaved relatives with the compensation they need more quickly than is the case under the current arrangements," he went on.

"The Bill will improve the predictability of awards and improve the prospects of settlement without litigation. There should also be an additional saving in lawyers' costs by removing the need for lengthy investigations into the financial arrangements of the deceased, and his family."

Pursuers' lawyers are also pressing for the introduction of other legislation proposed by the Scottish Law Commission which has stalled due to lack of parliamentary time. "We have been campaigning for many years for reforms relating to limitation, and to psychiatric injury," said Ronnie, "and we are asking the Scottish Government to act on these recommendations as a matter of urgency."

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- APIL (Association of Personal Injury Lawyers) is a not-for-profit organisation, whose members are dedicated to campaigning for improvements in the law to help people who are injured or become ill through no fault of their own.



- For further contact: Lisa Wardle, Press & PR Officer, t:0115 9388715, or Jane Hartwell, Assistant Press & PR Officer, t:0115 9388702.