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Northern Ireland 'could pioneer new justice system'

Northern Ireland has a golden opportunity to introduce a pioneering legal system to the world of personal injury law, says a not-for-profit campaign group.

The Association of Personal Injury Lawyers (APIL) has recommended retention of legal aid for personal injury claims, but modification of the system to ensure those who cause injuries foot the bill, rather than the taxpayer.

APIL Northern Ireland co-ordinator Peter Jack said: "Northern Ireland has a fantastic opportunity to blaze a trail by creating a modern system which is fair and provides the widest possible access to justice, without costing the taxpayer a penny."

The recommendation was made in response to a review of access to justice by the Northern Ireland Courts and Tribunals Service (NICTS). As part of that review, NICTS is considering whether legal aid should still be made available for personal injury claims, at all.

APIL's recommendation is that the existing legal aid system should be modified to allow an injured person's lawyer in a successful case to charge a fee to the losing defendant, which will then be paid into a special fund to meet the cost of future claims.

Mr Jack said: "This would enable the fund to support other injured people in their pursuit of justice."

And APIL urged the NICTS to dismiss a funding proposal based on removing legal aid and implementing recommendations similar to those originally suggested by Lord Justice Jackson in England and Wales. Under these proposals, a proportion of the victim's damages would be used to pay legal costs.

"If the new scheme proposed for England and Wales is adopted, some of the most seriously injured victims of negligence will not receive the full and fair compensation they need and deserve," said Mr Jack.



“People whose lives have been shattered by negligence should have the same access to justice as anyone else. It flies in the face of justice to start taking legal fees out of an injured person’s damages payments.”

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Note to editors:

- 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.
- APIL’s response to the Northern Ireland Courts and Tribunals Service Review of Access to Justice is available on the association’s website here: <http://www.apil.org.uk/consultations-and-apil-responses>.
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- Visit the association’s website at www.apil.org.uk.