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New FSA rules highlight urgent need for EL fund, say lawyers

Proper compensation for industrial disease has once again played second fiddle to insurers' drive to cut costs, says the Association of Personal Injury Lawyers (APIL).

New rules by the Financial Services Authority require insurers to publish data on employers' liability policies from April this year, but not details of all past policies, because insurers said this would be disproportionate and expensive.

"We welcome the fact that the FSA has at least undertaken to look at the inclusion of historic policies in the rules, but this must happen as a matter of urgency," said Karl Tonks, executive committee member of APIL. "The new rules, and the new EL Tracing Office, may well help injured people in the future. But this is not where the real problem lies, and the insurance industry knows it.

"Many sick and dying workers who can't trace their employers' insurers from decades ago still won't be able to claim the compensation they need. Some people are dying from asbestos-related diseases without receiving their compensation and this situation cannot go on."

"We must have a fund of last resort for people who cannot obtain their compensation any other way, and we must have it now," he went on. "Dying workers are tired of empty promises and of subsidising insurance companies who have taken money in premiums but been able to avoid providing proper redress.

"The Government must taken urgent action to introduce a fund to help these people. And the FSA must not delay in investigating the inclusion of old insurance policies in the regulations."

Notes for 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 also provides an industry recognised kitemark to lawyers who reach a required standard of competence and specialist expertise in personal injury law.

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