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## **NEW APIL PRESIDENT SETS OUT VISION FOR THE FUTURE**

Personal injury lawyers must embrace new approaches to litigation if they are to provide clients with a 21<sup>st</sup> century service, delegates will be told at the conference of the Association of Personal Injury Lawyers next week.

In his inaugural speech on Thursday (May 8) David Marshall will set out his ambition to develop the 'holistic' approach to personal injury law during his forthcoming year as president. He will also outline a series of new APIL initiatives to encourage use of rehabilitation, create more transparency in funding arrangements, and develop a code of ethics for personal injury cases.

"I believe wholeheartedly that the effective personal injury lawyer of the 21<sup>st</sup> century must focus on more than monetary compensation," he will tell delegates. "The tremendously difficult task of helping someone to put a disrupted life back on track means we must use every tool available.

"Using the College of Personal Injury Law as our starting point, we must continue to undergo the highest standard of professional training. We must be willing to embrace new concepts where they are appropriate."

The first of these is mediation which, Marshall says, though not a 'panacea', can "at the right time and in the right case ... be a valuable tool to assist in cost effective settlement of disputes".

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The second key area of change is the proposed introduction of reviewable periodic payments. He believes the traditional lump sum will, inevitably, always be the wrong sum, but warns that in considering the imposition of periodical payments, the wishes of the claimant must be the primary concern of the court.

Rehabilitation is the third key tool of the 'holistic' approach. "It is easy for us to focus on the difficulties," he will say. "But in appropriate cases and with pro-active involvement of the claimant's lawyer to ensure the programme is focussed on the client's needs and is truly independent of the litigation process, rehabilitation can do something which as lawyers, we have never before had the tools to do. It can return the claimant to something like the position he was in before the accident."

Marshall will also announce the development of a new 'best practice model' which will allow APIL members to make informed choices about the independence and quality of rehabilitation providers.

He also plans to introduce a best practice model to help ensure after-the-event insurance providers are transparent about product features and pricing, to help resolve confusion and in-fighting between ATE and liability insurers. "With no sign of the insurance industry being able to sort this out, or the Government being willing to do so, someone has to take a lead," he will say. "We hope our members will support such a scheme so that they buy products from providers who are prepared to sign up to it."

And Marshall also hopes to tackle problems with professional regulation and competition. "In the present system, non-solicitors are completely unregulated and, even so far as solicitors are concerned, no-one knows what professional rules will be enforced," he believes.

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"Over the next 12 months, APIL will work with the Law Society on the third of our key new

initiatives which will aim to develop a transparent, workable and enforceable code for personal injury cases. We will also aim to work with the Government to ensure a level playing field for all participants in the market place in the interest of clients.”

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**Note to editors:** For further information, or for interviews with APIL president, David Marshall, please contact:

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