

4 December 2003

AP 241

FIXED FEES FOR WORKPLACE ACCIDENTS 'PREMATURE' WARN LAWYERS

Personal injury lawyers have warned against ignoring complexities of the law for workplace accidents in the course of Government reforms to the employers' liability compulsory insurance (ELCI) system.

Following publication of the Department of Work and Pensions' (DWP) second report into the system, the Association of Personal Injury Lawyers (APIL) said it is far too soon to consider the introduction of fixed fees to work-place accident claims.

“Even low value claims for accidents in the workplace can be extremely complicated,” said APIL president, David Marshall. “APIL has been instrumental in introducing fixed fees to low value, straightforward traffic claims, which settle without the need for court proceedings, but to begin discussions about introducing such a scheme to a much more complex area of the law before the new scheme is reviewed in two years' time is dangerously premature.”

Marshall explained that APIL is fully committed to continuing to work with the Government and insurers in pilot schemes to find ways of reducing 'frictional costs' in EL claims, such as streamlining procedures and increasing the skills of insurers and lawyers. He also welcomed the Department of Work and Pensions' continued commitment to rehabilitation for injured employees.

AP241/2

But he warned that the suggestion that workers with lower value claims could be dealt with directly by the insurer or employer without recourse to a lawyer except to check the fairness of a settlement at the end of the process could lead to an unlevel playing field for injured individuals who may not know their way around the system.

- ends -

Note to editors: For further information, please contact:

Lorraine Gwinnutt
Head of Legal & Public Affairs
APIL
11 Castle Quay
Nottingham
NG7 1FW
Tel: 0115 958 0585
Fax: 0115 924 3485
email: lorraine@apil.com

or

Lisa Wardle
Press & PR Officer
APIL
Tel: 0115 958 0585
Fax: 0115 924 3485
email: lisa@apil.com