

AP246

INJURY VICTIMS' COMPENSATION COULD RUN OUT, WARN LAWYERS

Compensation awarded to severely injured people may not last long enough to pay for their future nursing care, warns a leading lawyers' group.

Periodical payments – the method by which injury victims will soon receive their compensation instead of a lump sum – could leave people injured through NHS blunders, for example, short-changed and unable to meet the financial pressures of paying for 24 hour care.

David Marshall, president of the Association of Personal Injury Lawyers (APIL) says the problem lies in the interest rate used to calculate by how much periodical payments should increase each year.

“The idea behind periodical payments is that injured people receive a regular amount of money for life, without the worry of it running out if they live longer than expected,” he said. “We are very concerned, however, that the normal inflation index for regular increases in these periodical payments is to be the retail price index. The retail price index is simply too low, as the cost of care – not to mention the increase in earnings which the victim would have enjoyed – are going up at a much higher rate.”

David says there is a real danger that if care costs continue to rise more steeply than RPI, victims will be left penny-pinching and having to cut back on the care regime they so desperately depend on, in order to save money.

AP246/2

“I do not relish the prospect of having to tell a severely injured client that his compensation might run out,” said David. “Surely these people have suffered enough at the hands of someone else’s negligence - it is unfair that they should have to worry about compromising the care they so desperately need.”

APIL is urging the Government to look at possible solutions to the problem as a matter of urgency.

- 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