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PETITION HIGHLIGHTS INJUSTICE FOR INJURED SCOTTISH WORKERS

Injured Scots workers who are being denied compensation are at the centre of a petition being presented to the Scottish Parliament tomorrow (13 April)

The petition highlights the fact that many victims of industrial disease are prevented from claiming compensation because of the way the courts interpret the Scottish 'limitation' laws which govern the time an injured person has to register a claim.

Ronnie Conway, spokesman for the Association of Personal Injury Lawyers (APIL) in Scotland - the organisation which drafted the petition - says the situation is "grossly unfair."

"A huge number of Scots who have suffered injury and disease through no fault of their own are unable to get their cases off the ground when, south of the border, victims of similar injuries can successfully claim compensation," he said.

"The problem lies with the Prescription and Limitation (Scotland) Act 1973 which says people have three years to make a claim after finding out they have an injury or disease.

"This may sound like a long time," he went on. "But industrial disease cases are very different from traffic accidents, for example. Symptoms of an industrial disease can take a long time to surface and can be minor at first. They can occur long after working life is over, so there might not seem any immediate connection to work. The

courts are more and more often expecting people to have this knowledge and so more and more people are finding they've run out of time to bring their case.”

A spokesman for the Scottish Trades Union Congress (STUC) - which is supporting the petition – said the organisation will be looking to work with APIL in the future to “secure the petition’s success.”

Ronnie Conway said it is now crucial to persuade the Scottish Executive that urgent action needs to be taken.

“Typical diseases are asbestosis, deafness and vibration white finger,” he said. “There are scores of people with cases in court at present where the only defence is time bar. They are mainly from Scotland’s heavy industry generation. They should not be suffering just because they put in a hard day’s work.”

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