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INJURED SCOTTISH WORKERS FACE COMPENSATION SETBACK

A campaign to close a loophole in the law which prevents many injured Scottish workers from obtaining compensation has been set back until the end of next year.

A petition presented to the Scottish Parliament earlier this year by the Association of Personal Injury Lawyers (APIL) highlighted the fact that many victims of industrial disease are prevented from claiming compensation because of the way courts interpret Scottish 'limitation' laws, which govern the time an injured person has to register a claim.

"The public petitions committee has now announced it will take no further action on this issue because the Scottish Law Commission will be consulting on the matter," explained Ronnie Conway, spokesman for APIL in Scotland.

"Although the Law Commission's involvement is a positive step, the fact remains that no progress on the consultation will be made for at least a year and, until that time, scores of injured people – many suffering from devastating diseases - remain unable to claim compensation for their injuries. We are bitterly disappointed that the issue won't be dealt with as a matter of urgency," 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 but symptoms of an industrial disease can take a long time to surface and can be minor at first," said Ronnie. "There may not appear to be an immediate connection to work because symptoms may appear long after working life is over, and more and more people are finding they have run out of time to bring a case."

"Many of these people are from Scotland's heavy industry generation, and are suffering from diseases such as asbestosis, deafness and vibration white finger," he said. "They are suffering because they put in an honest day's work – the fact they can't be compensated for these appalling injuries is intolerable."

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