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**AP296**

**Parliamentary group's call to drop part of Compensation Bill welcomed by lawyers**

A report out today from an all party group of MPs to drop a controversial clause from the Government's new Compensation Bill has been supported by lawyers.

In the report into the Compensation Bill and the compensation culture, the all party parliamentary group on insurance and financial services says part 1 of the bill, which aims to clarify the law of negligence "serves little useful purpose" and should be dropped.

"We've said consistently that attempts to summarise 75 years of common law in legislation was likely to cause uncertainty, leading to unwanted and protracted legal argument," said Allan Gore QC, president of the Association of Personal Injury Lawyers (APIL).

"The aim of this part of the Compensation Bill was to change the perception of those who wrongly believe they can be sued for anything," he said. "But legislation cannot change a perception and the language used in the bill is only going to cause greater confusion about what the law means.

"The bill calls for the courts to consider whether a person who causes an injury by being negligent is engaged in a 'desirable' activity when that injury happens. But what is considered desirable in one court may not be considered desirable in another.

"This will not only cause great confusion and unwanted additional debate," he went on. "There is also a very real danger that a person who is injured by someone else may not receive the compensation to which he is entitled, simply because he's been injured by someone who the judge thinks was engaged in a 'desirable' activity at the time.

"This is contrary to the common law and certainly does not represent 21<sup>st</sup> century justice."

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