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LOCAL AUTHORITIES AT CENTRE OF LAW REFORM CALL

Lawyers have called on the Government to change a “grossly unfair” law which means local authorities are shouldering the cost of paying for injured people’s care.

While the cost of adapting a house for a wheelchair or round the clock nursing care is currently being met by the public purse, lawyers believe the defendant who caused the injury in the first place should pay, not the local authority.

“It is completely wrong that local authorities are being forced to fund this kind of care,” says Martin Bare, president of the Association of Personal Injury Lawyers (APIL). “If someone has been seriously injured at work because of his employer’s negligence, for example, then that employer should be paying for the care costs through his insurers.

“Why should the local authority have to pay? It’s not the local authority’s fault that someone’s life has been shattered and that person needs 24 hour care,” says Martin. Surely the person who caused the injury in the first place should be made to pay?”

APIL is calling for the law to be changed following a Government consultation looking at reforming the law on damages.

“The law is ripe for reform,” say Martin. “Not only is it unfair that local authorities are footing the bill, there is no guarantee that injured people will receive the continuing care they need. A judge cannot predict how much money will be available within a local authority for the next forty years, because the amount of funding can change from year to year.”

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Note to editors:

A copy of APIL’s full response can be found at

<http://www.apil.com/RespondingOnBehalfOfInjuredPeople.aspx>

For more information please contact Lorraine Gwinnutt, t: 0115 9388715, or Andrew Brentnall, t: 0115 9388702