

29 June 2011

## Justice Bill a savage blow for injured people

In his zeal to cut the cost of civil justice, Lord Chancellor Ken Clarke will deal a savage blow to some of the most vulnerable people in society, campaigners said today (Wednesday).

"Mr Clarke told the House of Commons today that he would not compromise on access to justice," said David Bott, president of the Association of Personal Injury Lawyers (APIL). "But, in his proposal to cut legal aid for people suffering from medical injuries at the same time as restricting 'no win, no fee', he will leave many seriously injured people unable to obtain the compensation they need to get their lives back on track.

"And the suggestion that these people, who have been needlessly injured through no fault of their own, will be able to turn to the 'no win, no fee' system for help is, at best, misinformed.

"The Government's intention behind this brutal Bill is to cut costs for itself and for insurers by forcing injured people to give up part of their compensation to pay legal fees – that's if they can still find legal representation at all, in light of the proposed changes," Mr Bott continued.

"People don't choose to be injured, but when negligence happens, the guilty party – the losing defendant – must surely be held fully to account."

-Ends -

Note to editors:

There has been a considerable amount of misleading information broadcast this week which we would like to correct.

Myth: Small businesses live in fear of being bankrupted by no-win, no-fee claims.

Reality: Almost every business with employees is required by law to have employers' liability



insurance which provides cover for personal injury claims, so there should be no fear of bankruptcy as a result of a claim.

**Myth:** Repeated references to a “compensation culture”

**Reality:** Lord Young of Graffham’s review of health and safety for the Prime Minister found last year that the so-called compensation culture was “perception rather than reality”

**Myth:** The system promotes access to justice for claimants. Justice is for defendants as well.

**Reality:** There is a huge inequality of arms in favour of the insurer: defendants and their insurers are usually extremely well resourced and have an expert understanding of the system. Injured people, who usually only use the system once, are vulnerable, have to prove their case from the outset, and don’t have the same resources as the big institutions they are usually up against.

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- APIL (Association of Personal Injury Lawyers) is a not-for-profit organisation, whose members are dedicated to campaigning for improvements in the law to help people who are injured or become ill through no fault of their own.
- Further information can also be found at the organisation’s website - [www.apil.org.uk](http://www.apil.org.uk).