

The child claimant and fatal accident litigation

Tuesday, 8 December 2020
12:00 - 13:00

This webinar looks at the particular problems and issues faced by a child who has suffered the loss of parents or carers. It looks at the position when children are the sole claimants, have a dependency claim as part of a family, and potential claims by the “adult child”.

- Bringing an action on behalf of a child in a fatal case.
- When the child is the only dependant. How does the court approach damages?
- When the child has to move household – the complex legal issues.
- How are damages assessed if the dead parent provided poor care?
- What is the position when there are “two families”?
- “Does the adult child” have a claim?
- Apportionment of damages and child claimants

The webinar will include an outline of the relevant case law and legal principles. It will also provide a useful checklist and questionnaire of the specific matters that litigators need to consider in relation to children and fatal accident litigation.



Gordon Exall was called to the Bar in 1991 having originally qualified and practised as a solicitor. He practices from Kings Chambers.

He works almost wholly in the area of personal injury litigation and in the law relating to civil procedure, limitation and costs. He has a particular interest in issues relating to damages, evidence and the drafting of special damages schedules.

Gordon is a former executive committee member of APIL and has lectured widely for APIL and CPIL on personal injury and procedure topics. Gordon is the author of written Personal Injury Practice Notes (Cavendish); The APIL Guide to Fatal Accidents (4th edition); the 14th edition of Munkman and Exall on Damages, and Periodical Payments the New Law. He also writes the section on limitation for the APIL loose-leaf.

Gordon has appeared in several of the leading cases relating to procedure, service of the claim form and the assessment of damages.

Gordon writes the “Civil Litigation Brief”, one of the most widely read sites on litigation, evidence and procedure.

In his spare time Gordon plays guitar and mandolin in a rock band (which has performed at APIL conferences). He has four children and lives in York.

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