

Personal injury pay-outs – they are not all the same



Jon Wilby, Partner and head of our Litigation Department, advises that widespread media reports about the vast compensation settlements made in a number of recent court cases are giving some claimants unrealistic expectations about how much they may receive.

Jon says “The case of young Manchester United footballer Ben Collett, who received a £4.5 million award after his career was cut short by a badly broken leg, received particular attention thanks to the sheer amount of money involved. Unfortunately, it has little bearing on people who may have been victims of crime, including violence, who often receive far smaller payouts.”

One of the main reasons for Ben’s big pay-out is that this was a ‘fault’ case, where another footballer and his club were known to be responsible for the injury. This meant the case could be heard in court, taking into account factors such as the loss of past and future earnings – and as one of England’s most promising stars at the time, Ben was clearly set for a very high income.

If the perpetrator of a crime is not caught, however, a case is regarded as ‘no-fault’. This means that reparation is paid by the state, with a fixed set of guidelines in place to determine how much should be paid. Jon continues “In a case of violent crime, awards are made by the Criminal Injuries Compensation Authority (CICA). Their guidance, for example, proposes just £1,000 as appropriate compensation for a victim who suffers an undisplaced fractured nose.”

Jon believes, however, that we are lucky in this country to have the opportunity to gain such financial awards. “There are many countries where no compensation at all is available in no-fault cases,” he says. “With the support of a good personal injury solicitor, we can all gain some reparation – and in some cases, it can be significant. If you have suffered an injury that you would like to discuss, call our personal injury department on 024 7649 3114 for some initial advice.”