



## APIL Guide to Damages: Third Edition

*Simon Allen, Ivan Bowley, Hugh Davies*

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# APIL Guide to Damages: Third Edition

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## **APIL Guide to Damages: Third Edition** Simon Allen, Ivan Bowley, Hugh Davies

Claimant lawyers need a clear understanding of the general principles of damages as well as the know-how to maximise the client's claim. The APIL Guide to Damages sets out the general principles followed by a concise explanation of the law, practice and procedure regarding each possible head of claim. Each chapter contains a brief explanation of the law together with practical tips on evidence and procedure and is illustrated with sample calculations. The new edition has been substantially revised and updated to take on board the many changes since publication of the second edition, including: \* PSLA - the new Judicial College Guidelines, which include commentary from Dame Janet Smith on the historic gender differential in the assessment of damages for disfigurement; \* Loss of Chance - High court guidance underlining the 'scenario' approach to assessment of the effect of a head injury on solicitor (Clarke v Maltby [2010] EWHC 1201); \* Smith v Manchester - guidance from the Court of Appeal on the Blamire approach and when it should be adopted (Ward v Allies and Morrison Architects [2012] EWCA Civ 1287); \* Future loss of earnings - examination of the judicial application of Ogden Tables which now incorporate contingencies other than mortality; \* Interim Payments - likely approach of the courts following CA decision in Eeles v Cobham Hire Services Limited [2010] 1 WLR 409; and \* Revised schedules of damages and worked examples throughout. The likely impact of interest and benefits on the level of damages received by the claimant is clearly set out together with advice on when interim payments and provisional damages may be available, as well as how to deal with periodical payments and what investment advice ought to be given to clients.



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