

PE1351/EE

Justice Directorate

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David Stewart MSP
Convener
Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

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Dear Mr Stewart

Launch of Scottish Government consultation paper – Civil Law of Damages: Issues in Personal Injury

We are writing to provide the Committee with an update on the Scottish Government's work on reforming the law on prescription and limitation (time-bar). The Committee has taken an interest in this work in relation to historic childhood abuse and the consideration given to petitions such as PE1351.

We are pleased to confirm that the consultation paper, Civil Law of Damages: Issues in Personal Injury, was published today – www.scotland.gov.uk/Publications/2012/12/5980. The consultation will close on 15 March 2013.

The paper seeks views on implementation of the Scottish Law Commission's 2004 report on *Damages for Psychiatric Injury* and the recommendations for improving the way in which mental harm is addressed by the law; its 2007 report on *Personal Injury Actions: Limitation and Prescribed Claims* and the recommendations for clarifying and improving the law on time-bar; and on the one outstanding recommendation in its 2008 report on Damages for Wrongful Death. There is also a chapter seeking views on a range of related issues such as the Discount Rate; Interest on Damages and Periodical Payments. During the consultation period we aim to hold a number of events to facilitate discussion with key interest groups.

The Scottish Government will publish a response following analysis of the responses and the events and we would be happy to provide the Committee with a copy when available.

Yours sincerely

Colin McKay
Deputy Director, Civil Law & Legal System Division