Developments in Tort Law in Europe 2016

16th Annual Conference on European Tort Law

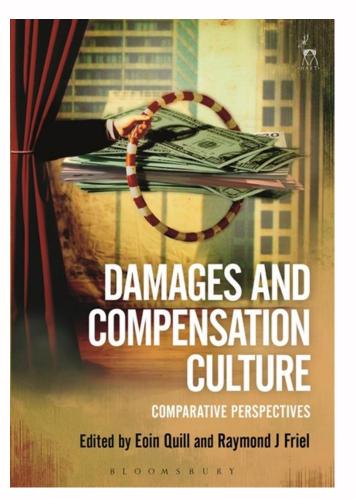
Ireland

Eoin Quill

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Book of Quantum 2nd Ed



- First Book of Quantum 2004
 - Subject to numerous criticisms
- Second Edition 2016
 - Resolves some of the problems, but not all

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Positive Aspects

- Upper Tariff
 - □ Uses the correct amount approx €450,000
 - Identifies the correct conditions for eligibility
- List of injuries improved
 - Claims can be made for types of injury not listed
- Improved definition of each injury
 - Up to 5 grades of injury per body part
 - More detailed descriptions
- Based on more comprehensive data

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Negative Aspects

- Includes settlements in setting amounts
 - Is this consistent with statutory obligation?
- Amounts not rounded
 - False appearance of precision
- Notable omissions from listed injuries
 - Reproductive organs