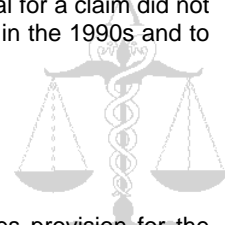


Norton v Corus UK Ltd [2006] EWCA Civ 1630

In this case Hand Arm Vibration Syndrome [HAVS] had been un-progressive since 1992 yet the claim for compensation was made in 2004 following a suggestion from a relative that there might be a valid claim to make. Limitation was accepted [again] at appeal; knowledge of the cause of action was more than 3 years before the date of claim.

The case seemed to centre on the view that the condition would have been diagnosed in the 1990's, that the claimant knew it was work related in 1992 and that knowledge of the potential for a claim did not alter the material facts. It was reasonable to expect the claimant to be diagnosed in the 1990s and to have followed the discovery to its logical conclusion at that time.



NHS Gateway number 7645 Injury Costs Recovery Scheme

The Health and Social Care (Communities Health and Standards) Act 2003 makes provision for the establishment of a compensation recovery scheme. The new legislation will not extend to disease cases, unless the disease in question is attributable to the injury suffered by the person. There are provisions to take into account contributory negligence where it has been a factor in the primary compensation claim. Liability applies to all compensators, not just insurance companies. It extends to foreign compensators. NHS enquiries to steve.dibdin@dh.gsi.gov.uk

CDC Advance Data Number 381 Dec (2006) The State of Childhood Asthma, United States, 1980–2005

The report provides US data on the prevalence and consequences of childhood asthma by age, State and race. The data could be used to model the impact of new information on causation and duty of care.

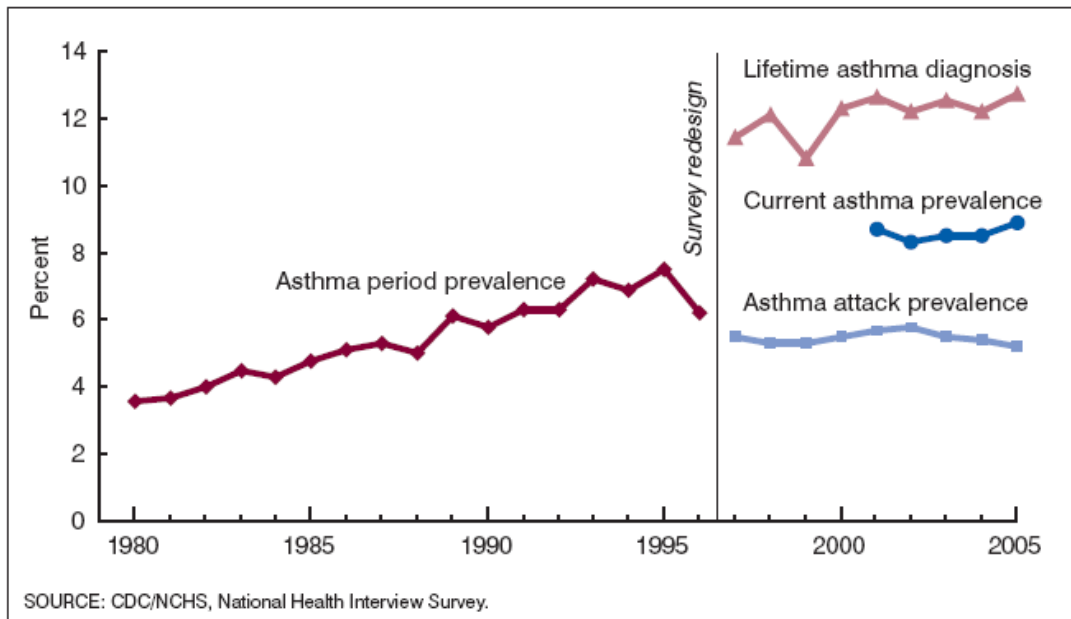


Figure 2. Asthma prevalence among children 0–17 years of age for measures of asthma prevalence available in each year, United States, 1980–2005