

PUBLICATION

Personal Injury Negligence Claims: It's Not a Winning Lottery Ticket

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It's Not a Winning Lottery Ticket: Understanding Compensation in Negligence Claims

Austin Paladeau in our Personal Injury Law group, clarifies some of the common misconceptions about the compensation received by Plaintiffs in negligence claims in a recent article published by *CanLII Connects*.

A common grumble heard from those outside the civil litigation bar is that people pursuing a personal injury claim are somehow "milking the system". Skeptics typically express their concern over an injured person "profiting" from their injury or loss, and I can understand why. It is exceedingly rare in society to have a negative event yield a seemingly positive result, and from the outside it can appear that pain equals profit. But are truly injured people somehow abusing the system by seeking compensation for their losses? And do injured people truly "profit" from their injuries? The aim of this post is to help explain how and why our system operates as it does.

Why Do Injuries Attract Compensation?

The fundamental concept behind our loss shifting system is the concept of duty. Simply put, people owe a duty of care to keep those close to them reasonably safe. The nature of the duty, who is affected by it, and the means by which breaches are corrected all fall under the umbrella of our tort system.

Please [click here](#) for the article.