

**THE REDUCED UTILITY
OF A LIFE PLAN**

**AS BASIS FOR
THE ASSESSMENT OF DAMAGES
FOR PERSONAL INJURY AND DEATH**

by

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FOREWORD

This project began over ten years ago when it was arranged by Juta's that Adv Gauntlett and I were to work together to update the 'Principles' in Corbett & Buchanan 'The Quantum of Damages in Bodily & Fatal Injury Cases'. Due to certain logistical difficulties the arrangement fell through. I had by that stage already done a good deal of reading and had assembled the material which formed the basis for the publication by Juta's in 1984 of 'Damages for Lost Income'. Mr Justice Corbett very supportively provided a glowing foreword. This thesis is an amplification of that earlier publication. Few words capture better the essence of damages for future loss than the following extract with which I prefaced 'Damages for Lost Income':

*I am a part of all that I have met;
Yet all experience is an arch wherethro'
Gleams that untravelled world, whose margin fades
For ever and for ever when I move.*

from 'Ulysses' by Alfred Lord Tennyson

I come to this subject having qualified in 1974 both as an actuary through the Faculty in Scotland, and as an LLB with UNISA. Prior to this I had completed an honours degree in theoretical physics. A further formative period was three years spent lecturing statistics and computer management at the Business School of the University of Stellenbosch. I have for the last 15 years, the last 8 fulltime, earned a living doing damages calculations. The practice now handles in excess of 1500 claims per year.

I owe thanks to many people, but particularly to my children who have often expressed the wish that they had a normal father who stopped working at weekends. To those many others that I do not mention they are not forgotten. My special thanks goes to my business clients who have loyally supported me over the years and provided the raw material, ideas and opportunities which have so greatly helped to enlarge my perspective.

Cape Town
July 1993

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