

### Список використаних джерел:

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### FEATURES OF COMPENSATION FOR DAMAGE BY MINORS IN ENGLAND

Minors accidents can be a sensitive and complex issue, particularly when it comes to determining liability for compensation. Liability for compensation in cases of minors accidents will depend on several factors, including the circumstances surrounding the accident and the extent to which the actions of various parties contributed to the child's injuries [1].

Based on different sources, such as article “Child Accidents at School: Who is Liable” by Jacob Emran it is clear that minors have accidents. They happen quite often and are learning experiences for them. However, it's also true that children aren't always as careful as adults might be or don't realise the dangers posed by certain situations. Therefore, in some situations, schools, businesses and other organisations should take extra care to try and keep children safe. If they don't, and an accident does happen, a parent may be able to make a child injury claim for compensation for their child's suffering [2].

If someone is involved in an accident caused by a child, in England and Wales it can be tricky to make a successful legal claim. Depending on the age of the child, it can be very hard to prove that the minor was negligent in law (a child is aged 16 or under for these purposes – a 17-18-year-old will be held to the same standard as an adult) [3]. Even if it can be proved that an older child was negligent, it will probably not be worth pursuing

legal action as the child is unlikely to have any money out of which they can pay compensation.

In England and Wales, parents or careers are not automatically liable for the personal injury, loss or damage that the minor has caused. However, if a parent was negligent in, for instance, allowing the child's actions that caused harm or injury, or for failing to prevent the incident – the parent could be held liable [4].

There are rules that surround accidents caused by minors. If your child has caused an accident it may be very difficult to prove that the child behaved in a negligent manner. Sometimes even if the carelessness of the minor can be proved it may not be a viable option to pursue legal action as more often than not the child will not have any money to settle a claim [5].

You may find it quite strange that an injury claim can be made against a minor but there are occasions when it is possible. Minors who are very young cannot be classed as negligent even if their actions resulted in an accident. This is because they are too young to realize the consequences of their actions.

However, older minors are more aware and they understand the implications of what they have done.

There are three main situations when a minor could face a compensation claim: If your child is aged 10 years or over, they can under the law be convicted of a criminal offence in England and Wales; In very rare situations where a minor has assets, they can be sued for compensation; In certain situations, cases can be heard within six years of the incident taking place during which time the child may become eligible [4, p. 1].

There are four main situations when a minor would be subject to a claim for compensation: If your child is aged 10 years or over, they can, under the law be convicted of a criminal offence in England and Wales; In very rare situations where a child has assets they can be sued for compensation; In certain situations, cases can be heard within six years of the incident taking place, during which time the child may become eligible to pay; Finally, although a young child would not be able to pay compensation, children do live with their parents, who are ultimately responsible for them [5].

The law in England and Wales states that parents or careers cannot be held responsible for the damage that their children cause. However, parents may feel a moral obligation towards the injured party. This does not however, mean that parents or careers are personally negligent because they have failed to control their children. Where the incident occurred in the presence of an adult, it may be that the adult could face partial or full responsibility for the situation [6].

However, liability for minor accidents is not always straightforward, and there may be other parties who share responsibility for the accident. For example, if a child is injured in a car accident, liability may lie with the driver of the other vehicle, or with the manufacturer of a faulty car seat.

When it comes to determining liability for minor accidents, it is important to seek the advice of a qualified legal professional who can help assess the specific circumstances of the case and provide guidance on the best course of action.

Where the minor was accompanied by an adult at the time of an incident, it may be possible, depending on the scenario to take legal action against the adult, provided that sufficient proof can demonstrate that the adult acted in a neglectful manner by failing to sufficiently control the child [2]. Whether or not a minor can be held accountable and face potential liability in terms of accidents, is a grey area and one which should be approached with care.

In conclusion, the compensation for damage caused by minors in England is a complex area of law that requires careful consideration of several factors. While parents have a legal duty to ensure the safety and well-being of their children, liability for child accidents is not always straightforward and may involve other parties, such as property owners, employers, or product manufacturers. Depending on the circumstances, it may be possible to make a successful legal claim against an adult who failed to control the child, or against a third party such as a manufacturer or property owner. Seeking advice from a qualified legal professional is essential to assess the specific circumstances of the case and determine the best course of action.

### **Список використаних джерел:**

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