



Back Injury suffered in Collision - Road Traffic Accident

Mr D from Andover was involved in a road traffic accident when the van he was driving was collided with and rolled over, causing him injury to his back.

Although liability for the accident was admitted by the Defendant driver, agreement was not easily reached over the level of damages that should be awarded to Mr D.

The expert medical evidence showed that the accident caused an exacerbation of a previously asymptomatic back condition in Mr D by some 8-10 years, but the Defendant sought unsuccessfully to argue that this was not the case.

The claim eventually settled for £12,500 within weeks of trial.

Employers Liability

Mr R from Weston-Super-Mare sustained a suspected fracture to his right ankle whilst working on a building site. Mr R was asked to retrieve materials from a very messy storage shed, when several sheets of MDF measuring eight by four feet fell onto his leg causing it to twist at the ankle and trapping it.

Mr R's employer's refused to accept they had breached the Workplace (Health, Safety and Welfare) Regulations and the Manual Handling Operations Regulations. Faced with this denial of liability, Mr R's solicitors had no alternative but to issue court proceedings against the employers.

The case was then settled prior to trial, with Mr R receiving £3,600 in respect of his injuries.

Tenant Injured in Fall - Occupiers Liability

Miss S from Barry in Wales suffered injuries to her lumbo-sacral spine and her left foot and ankle when she fell on the steps outside her rented property. Despite the fact that Miss S had complained to her landlord about the lack of a handrail in the past, nothing had been done about this.

Miss S's landlord refused to accept that they had breached their statutory duties under the Landlord and Tenant Act, the Defective Premises Act and the Occupiers' Liability Act 1957, furthermore they had breached the terms of their own tenancy agreement and yet would not offer Miss S compensation.

Once court proceedings had been issued by Miss S's solicitors, an offer was made by her landlord to settle her claim in the sum of £2,650.

Motorcyclist hit by Van - Road Traffic Accident

Mr. F was involved in a road traffic accident on the 24 March 2003. Client was on a motorbike at the time when he was hit by a white van driver. He suffered severe crush injury to his left leg and was unable to return to work for several months after the accident.

At the time he worked as a motor mechanic. Although he made a satisfactory recovery, he was left with a disability in his left leg which affected his career as mechanic and he was forced to take less active role in the workshop.

Client received £85,000.00 damages, for his injuries, loss of earnings and his handicap on the labour market.

Worker Injured in Fall - Employer's Liability

Whilst working in a pub Miss M had just finished taking change down to office when she tripped over the cover of the draining system which was raised 1.5 inches off the ground.

Miss M sustained torn ligaments to her left leg, tore her left knee cap and underwent an operation where wires were inserted.

Miss M's employer's refused to accept liability for breach of the Workplace (Health, Safety and Welfare) Regulations. Miss M's solicitors managed to obtain further evidence and threatened to issue court proceedings if the matter wouldn't settle. The Third party insurers then settled, with Miss M receiving £8,500 in respect of general damages.

Drunk Driver causes Passenger Injury - Road Traffic Accident

Mr E was a passenger involved in a road traffic accident when the car he was in drove into a ditch.

Mr E sustained whiplash and a broken left arm.

Liability was initially denied as the police report showed that the driver was drunk and that Mr E was allegedly aware of this and should not have got into the car. Following the solicitor's investigations into this matter it was discovered that Mr E had not been with the driver when he was drinking and could not have been aware of him being drunk therefore contributory negligence did not apply.

The case settled for £4,200.

Crush Injury on Building Site - Employer's Liability

The claimant (C) a 32 year-old man, received £11,190 for a hand injury sustained whilst at work. C sustained a crush injury to his dominant hand when it was caught in a cement mixer.

C was employed as a labourer to work on a building site. On the day of the accident, he was instructed to clean the cement mixer. As he did so, he caught his hand on the top of the mixer and the pivot.

C sustained fractures to his index and ring fingers. He also required 20 stitches to his hand and a skin graft, and when examined by a medical expert was considered to have reduced grip as a result of the accident (although this was thought not to be permanent).

He brought an action against his employer alleging that they were in breach of their duties pursuant to the Management of Health and Safety at Work Regulations 1999.

Liability was admitted by the employer and a settlement was reached out of court for the total sum of £11,190, comprised as follows:

- £4,000 for pain, suffering and loss of amenity;
- £6,750 for loss of earnings; and
- £440 for future rehabilitation treatment.

For further information on making a claim for personal injury please visit :

<http://www.thelegalconsultancy.co.uk/personal-injury-claims/>