

Personal injury UPDATE

FIRM' LOGO

Winter 09

cyclist awarded £5,000 for traumatic accident



A 58-year-old cyclist who was knocked down by a car has been awarded compensation after he was left so

Afterwards, he had to have two weeks off work, but has since retired from his job as a printer.

Before the accident, the man had been cycling 150 miles a week, but afterwards he was so traumatised that at one stage he thought he would never get back on his bike again. However, after counselling he has recovered enough to begin cycling again.

The car driver did not admit liability for the accident but settled the claim out of court for £5,000.

psychologically traumatised that it was eight months before he felt able to ride a bicycle again.

The accident happened on a narrow bridge. The cyclist maintained that he had waited on the bridge for the car to pass, but it had hit him. The driver of the car disputed this version of events.

The cyclist was left with injuries to his thigh, arm, foot and ribcage, as well as a scar above his left eye.

If you have been injured as a result of an accident on the road that was not your fault, whether as a cyclist, pedestrian or other road user, you may be entitled to compensation.

It will assist your claim if you can provide evidence of what happened from witnesses or photographs taken at the scene of the accident.

Please contact us and we will be happy to advise you.

£25,000 for injury at 'Safety Awareness Day'

A farmer's wife, whose leg was permanently injured when she fell down a hole at a 'safety awareness day' for agricultural workers, has received £25,000 in compensation from the Health and Safety Executive (HSE).

Tania Foster was attending the health and safety workshop on how to avoid farm accidents. She was amongst a group of people who were in conversation with an HSE inspector, en-route to a demonstration on the safe use of ladders, when she fell into an uncovered drain.

Mrs Foster suffered injuries to her metatarsal and Achilles tendons. She now has to wear a permanent ankle brace and remains on painkillers.

After the accident, Mrs Foster was angry at the attitude of the HSE's lawyers, who told her that the incident had been her own fault. She said that she would have been happy with a bunch of flowers and an apology but instead decided to bring the case to court.

The HSE pointed out that it had carried out a risk assessment of the farm where the event was held and the site had been visited three times by a Health and Safety Awareness Officer. It did not consider it necessary to cover the drainage hole since it is a common feature on farms and the event was aimed at farm workers.

In spite of this, the HSE eventually agreed an out of court settlement shortly before the case was due to come to court. Although it did not admit liability for the accident, it agreed to pay Mrs Foster £25,000 in compensation and the same amount in legal costs.

If you have been injured through no fault of your own – for example by slipping, tripping or falling over an uneven surface – you could be entitled to compensation.

Please contact us to discuss your claim.

deskbound worker wins compensation for blood clot

An office worker who suffered a blood clot after spending long hours sitting at her desk has received an undisclosed sum in compensation.

Angela Lamberton, 53, worked for HM Revenue and Customs (HMRC) in Leicester. She had suffered a previous blood clot for which she had been prescribed medication and the treatment was successful. Nevertheless, she had been advised by her doctor not to sit at her desk for longer than 15 minutes without getting up and moving about.

When new working practices were introduced, however, Ms Lamberton was prevented from following her doctor's

advice. Targets were established so that a certain amount of work had to be completed and under the new system staff no longer had to leave their desks in the course of their work.

Ms Lamberton complained to her supervisor that the new system of working was damaging her health, but was ignored. Within weeks, she had begun to experience pain in her legs. Her GP found she had developed a potentially fatal blood clot and she had to have emergency treatment to disperse it.

The episode has had a huge impact on Ms Lamberton's life. She now has to take blood thinning medication and wear specialist stockings. Her legs are often painful

and tired and she is fearful of flying in case she develops another blood clot. A case was brought against HMRC, which admitted liability and settled the claim out of court.

Businesses seeking to make efficiency savings should take care not to neglect their health and safety responsibilities, otherwise they could lay themselves open to claims for damages from employees who suffer illness or injury through no fault of their own but as a result of poor workplace practices.

If you have suffered ill health because of poor working conditions and would like expert advice, please contact us for advice.

£80,000 for fractured wrist



A former county rugby player, who hoped to turn professional, has won compensation after he was forced to give up the sport he loved because a hospital failed to diagnose his wrist injury correctly.

The man, 23, suffered the injury during a rugby match when he was 16 years old. Doctors at the hospital in Devon where he was treated simply told him to rest his wrist for ten days. Five months later, a break in his wrist was spotted by his GP.

It emerged that the hospital had failed to spot that the man had a fracture of the scaphoid, a bone in the wrist. This type of

injury is difficult to detect but, because of this, the hospital should have offered him a follow up X-ray a week to ten days after the accident. This would normally have revealed the injury.

Instead, the man had to have three operations and a bone graft to help repair the fracture. As a result, the opportunity to pursue a career as a professional rugby player was lost to him and he still suffers significant pain in his wrist.

The man brought a claim for compensation. Two weeks before the case was due to come to court, the Northern Devon Healthcare Trust admitted that the hospital should have called him back for an X-ray and agreed to pay £80,000 in compensation.

If you are injured as a result of negligent medical treatment, we can help you obtain an appropriate settlement.

Whiplash payout for Rod Stewart fan

A woman who was hit on the head by a football at a Rod Stewart concert in Dublin in 2005 has won compensation for whiplash injuries.

Sally Price has been a fan of the 64-year-old singer's music for many years. Mr Stewart, who is a keen Celtic FC supporter, has a tradition of kicking autographed footballs into the audience.

Unfortunately, at the Dublin venue one of the balls Mr Stewart kicked went sailing up into the air, hit the rigging, and shot straight down onto Mrs Price's head. She was knocked over and felt dazed for some time afterwards.

Mr Stewart visited Mrs Price in hospital and gave her four autographed footballs by way of an apology for the incident. However, Mrs Price continued to suffer from whiplash-like symptoms and has never fully recovered. Consequently, she brought a personal injury claim against the concert promoters. The court found that it was foreseeable that Mr Stewart's actions would cause an injury and Mrs Price had suffered a concussion as a result of the accident. She was awarded £15,000 in compensation.

Members of the public who attend entertainment events such as this have a right to expect that they are run in such a way as to ensure, as far as is reasonably practicable, that they are not exposed to risks to their health or safety. If you would like advice on bringing a claim for personal injury, please contact us for advice.

CONTACT DETAILS & LOGO HERE