

FOSTERS

SOLICITORS SINCE 1761

Personal Injury Case Studies

A Fear of Needles

Our client, a carpenter, successfully claimed against his social housing employer who failed to thoroughly clear and clean an empty property which was previously lived in by a known drug dealer.

Our client sustained a needle injury from an old syringe left in a cupboard and suffered from 6 months stress and fear as to whether he would contract HIV, including undergoing numerous injections and tests.

To make matters worse, this period included his pre-planned wedding and honeymoon in Barbados.

We were successful in recovering £11,000 in damages.

Completely Guttled

Whilst undergoing surgery for the removal of gallstones, our client suffered a perforation to her small intestine.

The other party initially denied liability, but following an extensive review of the notes and further negotiations, they eventually agreed to accept our client's offer to settle of £10,000.

This claim was particularly unusual in that the settlement was reached without independent medical evidence in support of our client's claim, or without the other party ever admitting liability for the injury.

Touched a Nerve

Our client underwent decompression surgery for carpal tunnel syndrome in her right hand. Following the surgery, the pins and needles which had been troubling her stopped.

However, our client began to notice that the muscles in her right hand were wasting and that she had lost power and dexterity in the hand as a result. This affected her ability to work as a hairdresser.

We investigated and it was discovered that her ulnar nerve had been damaged during the initial surgery. The other party admitted liability and the claim settled for £25,000.

A Broken Heart

Our client was admitted to hospital as an emergency case but a rupture to one of the arteries in his heart was missed by the hospital staff.

As a result of this our client suffered further pain and needed a second emergency admission 3 days later.

While the other party did admit liability, they raised a strong causation argument that the outcome for our client would have been the same even if the rupture had been diagnosed during his first admission.

We were able to overcome this argument and obtained damages for 3 days pain and suffering of £2,200.

Not What the Doctor Ordered

Our client had a regular repeat prescription but on taking his latest prescription to his chemist he was given an incorrect dosage some four times stronger than normal.

Within days he began to suffer from severe stomach cramps, diarrhoea, and lethargy. He was unable to leave the house and spent most of the day lying down feeling very unwell. This continued for some four weeks until, on consulting the chemist again, the error was noticed.

Liability was conceded very quickly followed by payment of £1,750 in compensation.

A High Powered Claim

After working for the same employer for over 40 years using tools powered by compressed air on a daily basis our client developed Vibration White Finger, a painful and debilitating condition where one or more fingers become swollen and “blanched” in cold weather.

His employer’s insurers initially refused to concede any degree of liability arguing that the claim was outside the limitation date and that his injuries were caused instead by his hobby of restoring old cars where he occasionally used power tools.

As he had worked for the same employer for so long there were six different insurers and two periods when an insurer could not be traced.

Despite these difficulties we obtained compensation of £35,000 with the employers themselves having to contribute a share of the damages for the periods when insurers could not be traced.

Not Standing Still

Our client was knocked to the ground in what appeared to be a low impact collision in a public car park. His injuries were initially thought to be very minor but he subsequently developed back problems and Tinnitus (ringing in the ears).

Although liability was finally conceded the Defendants refused to accept that our client's medical problems were caused by the accident. We obtained medical evidence to support our client's claim and eventually recovered £18,000 – over four times the Defendant's first offer.

Don't Look Up

Whilst walking along a pavement on a busy street our client was struck by a shard of glass which fell from the third floor of a building which was undergoing repairs. She was struck on her upper chest which caused a deep scar and was lucky not to be more seriously injured.

There were three Defendants i.e. the owner of the building, the contractor and a sub-contractor each of whom blamed the others.

Following vigorous negotiations settlement was achieved on a full liability basis from the sub-contractor's insurers.