

Accidents at work

This firm has extensive experience of helping clients win cases where there are complex issues regarding health and safety legislation and multiple defendants. The following case demonstrates the team's commitment to narrow the issues, identify the correct defendants and push on to succeed with the claim where previous firms have given up.

Mr M worked in a warehouse. His role was to oversee the distribution of goods in a warehouse. Unfortunately one of the forklift trucks in the warehouse hit Mr M as it reversed. Mr M was knocked to the floor and his ankle squashed between the concrete floor and the wheels of the forklift truck. Mr M sustained significant soft tissue injuries resulting in chronic pain and instability in his ankle.

Mr M was employed through an agency. The employment agency and the owners of the warehouse failed to risk assess his role and establish a safe system for pedestrians and forklift trucks to operate in the warehouse simultaneously. In addition the employment agency were vicariously liable for the failure of the forklift truck driver to keep an appropriate look out as he reversed around the warehouse. Dominique Parker took over this claim from another firm of solicitors after one of the defendants withdrew their earlier admission of liability.

A claim was pursued against Mr M's employment agency, who were also the employment agency of the forklift truck driver, as well as the occupiers of the warehouse. As the proposed defendants were blaming one another and would not reach an agreement to share responsibility for this incident, Court proceedings were issued and the claim was eventually settled without the need for a trial.

Mr M was unable to return to work that involved standing for long periods of time, or do any manual work. At the time of the accident Mr M was close to retirement and so loss of earnings were included in the claim up until his retirement age. In addition a sum was claimed to pay for someone to do the DIY and gardening that Mr M used to do at home.

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The team handling this case was led by Dominique Parker, Associate, Personal Injury.

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