

# ASLEF Personal Injury Legal Services

Autumn/Winter 2014



Legal Helpline 0808 100 8009

## Train driver secures compensation after witnessing suicide

**A TRAIN DRIVER, who was left psychologically traumatised after he witnessed a member of the public being hit by his moving train in an apparent suicide, has secured £8,200 with the help of Thompsons and ASLEF.**

The driver, employed by Cross Country Trains, was driving his train through a railway crossing at speed when a person stood on the tracks in front of his train.

Following the incident, he was diagnosed with post-traumatic stress disorder, depression and travel anxiety. His mental illness was so debilitating that he was unable to work for six months, and when he returned, he could do so only on limited duties.

As a result of his experience the driver contacted his union, ASLEF, who instructed Thompsons Solicitors

to investigate a claim of compensation.

Following negotiations, Thompsons was able to secure the member compensation under the Criminal Injuries Compensation Authority scheme (CICA), a government-funded scheme to pay an award to people who have been physically or mentally injured in a crime of violence.

### Last to benefit from CICA

The sum of £8,200 awarded to the member is one of the highest ever secured under CICA for this type of case. But he will be one of the last to receive compensation under the scheme, following a government decision in 2012 to effectively exclude train drivers from claiming any compensation for physical or mental injuries sustained during the course of their employment.

## Train driver compensated after trip

A TRAIN DRIVER who was injured while changing ends on a class 158 unit has secured £7,000 compensation with the help of ASLEF's legal service.

The member had entered the driver's cab and turned to sit on the seat. As he did so, his foot became caught on a raised metal strip on the cab floor, causing him to trip and strike his knee on the cab door.

As a result of the accident, he suffered painful persistent knee pain that meant he had to undergo an MRI scan.

Following the accident, the member contacted ASLEF who referred his case to Thompsons Solicitors. Thompsons' investigations revealed that two screws were missing allowing the metal strip to be raised and present a tripping hazard.

Compensation was secured after Thompsons brought a claim against the member's employer for not carrying out a simple piece of maintenance to ensure a safe place of work.

## Elbow injured in cycling RTA

**AN ASLEF member, who was injured after being knocked off his bike by a car, has secured over £24,500 in compensation, thanks to the union's legal service and Thompsons Solicitors.**

Simon Hones was cycling along the A6 when a car took a reckless left turn into his path and knocked him off his bike.

As a result, he suffered a nasty

fracture to his elbow, which meant he was unable to work, and lost vital earnings.

He sought legal assistance through the ASLEF legal service and Thompsons Solicitors was instructed to pursue a claim of damages on his behalf.

A claim was brought against the driver of the car for his negligent driving and full compensation for Simon's injuries was secured.

## DON'T FORGET

Whether it's you or a member of your family who has suffered,

ASLEF is here to help.



STANDING UP FOR YOU

# Member compensated after rupturing bicep

**AN ASLEF member, who ruptured his bicep in an accident at work, has secured compensation for his injury.**

The member, employed by DB Schenker, was unloading coal at a power station.

The lighting in the area was poor and his foot caught on the concrete apron near the weighbridge causing him to slip.

He put his arm out to stop himself from falling and sustained a ruptured bicep which required surgery.

## Claim for compensation

The member contacted ASLEF who instructed Thompsons Solicitors to investigate a claim for compensation.

A claim was brought against the occupiers of the power station for failing to provide a safe place of work.

The occupiers denied liability but, following extensive negotiations, the case eventually settled before trial and the ASLEF member secured compensation.

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# Driver injured by exploding firework

**AN ASLEF member, who was left with permanent ringing in his ears, has secured £3,300 compensation, with the help of the ASLEF legal service.**

The member was driving a train under a pedestrian bridge when an industrial firework or incendiary device was thrown from the bridge and exploded in the air only two feet from the side of the cab window.

As a result, the member experienced an immediate ringing in his left ear and was later diagnosed with tinnitus.

British Transport police investigated the incident and concluded that

someone had thrown an incendiary device at the train.

## Legal assistance

He sought legal advice through the ASLEF legal assistance scheme and a claim was lodged with the Criminal Injuries Compensation Authority.

Despite being left with permanent ringing in his ears they rejected the claim saying that he did not suffer an injury sufficiently serious to warrant an award of compensation.

A review was submitted by Thompsons on his behalf and he eventually received an award of £3,300.

# Member required surgery after trip

AN ASLEF member who was injured whilst unloading coal at a power station has secured compensation with the help of Thompsons Solicitors.

The member was walking in a poorly lit area towards the rear of a train when he caught his foot on the concrete apron near the weighbridge causing him to trip and fall.

## Ruptured bicep

As he put out his arm to prevent himself from falling, he suffered a ruptured bicep which required surgery.

Following the accident, the member contacted ASLEF who referred his case to personal injury specialists, Thompsons.

A claim was brought on the member's behalf against his employers for failing to provide a safe place of work and provide sufficient lighting.

The power station owners continued to deny any fault in the accident, but Thompsons was still able to secure compensation for the member.

# About Thompsons

Thompsons Solicitors is the largest specialist personal injury firm in the UK with over 1000 staff in a network of offices nationwide.

We secure over £150m compensation each year for people who have been injured and suffered loss as a result of accidents caused by the carelessness of others. Thompsons only works for injured people, never for insurance companies or employers.

Please email [newsletters@thompsons.law.co.uk](mailto:newsletters@thompsons.law.co.uk) to let us know if this newsletter was helpful and what topics you would like covered in future.

**If you have suffered an injury at work, call the legal helpline on 0808 100 8009**

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