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Quantum

Edwina Rawson



Doc No: 2486230

Ogden 6 – Principles

Issues affecting future working life

- ◆ Employment status
- ◆ Disability status
- ◆ Educational attainment



Ogden 6 – Application to multipliers

- ◆ Tables giving discount, A to D
- ◆ A and B for males to retirement at 65, not disabled and disabled
- ◆ C and D for females to 60, not disabled and disabled



The judges applying?

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FATAL ACCIDENTS ACT 1976 - Dependency

- ◆ Welsh Ambulance Services v Williams (2008) C/A
Meaning of dependency
- ◆ Train v Fletcher (2008)
Multiplier
- ◆ Arnup v White (2008)
Benefits



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CARE

- ◆ Sowden v Lodge (2004) C/A
- ◆ Freeman v Lockett (2006)
- ◆ *Crofton v NHSLA (2007) C/A*
- ◆ Burton v Kingsbury (2007)
- ◆ Peters v East Midlands (2008)



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CARE – Mileage in Arguments – Range of Options

- ◆ Crofton – discount multiplier
- ◆ Burton – top up with adaptable PPOs
- ◆ Peters – full cost privately



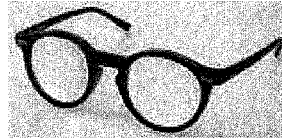
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CARE

- ◆ Crofton v NHSLA (2007)
Remitted to trial Judge
- ◆ XXX v A Strategic HA, 14.11.2008
Helpful and important case
Pensions
Holiday
- ◆ Iqbal
Deducting future care



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LOST YEARS

- ◆ Iqbal (2007)
young children's claims
- ◆ Thompson v Arnold (2007)
failure to claim

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LIFE EXPECTANCY

- ◆ Crofts v Murton
Ogden Tables

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INDEXATION – PPOs

- ◆ Thompstone (2008) C/A
ASHE 6115
- ◆ Taylor v MIB (2007)
Flexibility

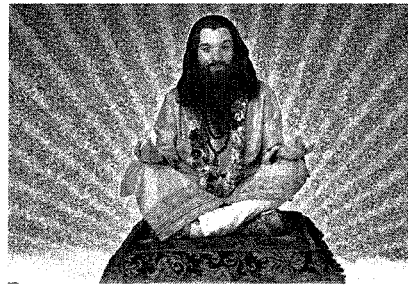
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ALTERNATIVE THERAPIES AND WAKES

- ♦ James v Royal Devon and Exeter NHS Foundation, 2008
Claimable?



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GENERAL DAMAGES

- ♦ A v Powys Local Health Board (2007)
- ♦ Smith v East & North Hertfordshire (2008)



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HYDROTHERAPY POOLS

- ◆ Burton v Kingsbury (2007)
Let the battle begin

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LOSS OF EARNINGS

- ◆ Ingrid Van Wees v Karkour and others (2007)
A brave and bold attempt
- ◆ Collett v Smith (2008)
A star in the making



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INTERIM PAYMENTS

- ◆ Osunde v Guy's & St Thomas' (2007)
- ◆ Brewis v Heatherwood & Wrexham Park Hospitals
20.10.2008

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SMITH V MANCHESTER

- ◆ Morgan v UPS 2008 C/A

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THANK YOU!!

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