

12th April 2009

€369,000 for psychological injury after crash.

A drama teacher who suffered post traumatic stress disorder after a road traffic accident was awarded €369,000 in compensation.

Martin Vernon sued Gary Colgan after the road traffic accident in August 2003. High Court Judge Miss Justice Mary Laffoy in her judgement said that Vernon's physical injuries "*cleared up within a short time after the accident*" and that he had been psychically fit for most of the time since. He had received no medical treatment for his physical injuries after January 2004, although he claimed he received physiotherapy for 18 months.

A psychiatrist Dr Hugh Nalty who first saw Vernon a month after the accident, said his physical injuries were "*superficial*" but he had "*serious psychological symptoms*". He became depressed, anxious and agitated, suffered from flashbacks, and appeared frightened and suspicious when re-living the event. He also suffered from irritability and insomnia.

Vernon was now unable to drive or get a mortgage, and was currently unemployed. He had broken up with his partner and there were problems with his children for which he felt responsible. Dr Nalty said Vernon still suffered from panic attacks, depression and low self esteem and had constant nightmares.

Deirdre O'Donnell, a senior clinical psychologist with Clare Mental Health Service, said Vernon could now sit behind a driving wheel of a car but driving on a main road was not possible because of his fear of oncoming traffic. She said he was only capable of part-time employment in a sheltered environment where noise was controlled and there was little intrusion by other people.

Miss Justice Laffoy said that she was satisfied that "*the Plaintiff suffered a very serious life changing injury which has resulted in the loss of his partnership of 20 years and the break up of his family and has affected his capacity to earn*". She estimated loss of earnings to date at €70,000.00 and future loss of earnings at €20,000.00, plus €100,000.00 for pain and suffering to date and €75,000.00 for pain and suffering in the future. Special damages were agreed at €3,771.00, giving a total damages award of €368,771.00.