

Female slips, trips and falls most common liability claim

by **Caroline O'Doherty**

FEMALE customers who slipped, tripped or fell in shops made up the most common public liability claim handled by the state injuries board last year.

Victims were more likely to come from Dublin or Munster than elsewhere, they most often suffered a sprain or fracture and they got on average €23,143 in compensation.

The nature of mishaps in public places was observed by Injuries-Board.ie, formerly the Personal Injuries Assessment Board, which determined 1,443 such cases last year, making awards totalling €33 million.

Chief executive Patricia Byron said the board, in place since 2004, was saving €100 million a year compared with the prior system which almost always involved legal proceedings, solicitors fees and a trip to court.

She said further savings could be made through reduced compensation payments and lower insurance premiums for both customers and businesses if improved accident prevention measures were taken and said the board's latest research was designed to help.

"The findings are especially valuable to health and safety professionals in their risk assessments and enable scarce resources to be focused on the most critical areas.

"Even during difficult economic times, investing in accident prevention can save money for organisations that enjoy a significant public footfall on their property."

The board also handles employer liability claims of which 74% arise out of workplace accidents involving male employees but when it comes to public liability, the opposite is the case with 72% of claimants being female.

Shops were the most common place for a public liability accident to happen, accounting for 25% of injuries, followed by amenities under local authority control (24%). Hotels, pubs, nightclubs and restaurants came next (19%), followed by public transport and other state controlled services (8%), gyms, beauty salons, cinemas and other leisure facilities (7%) and education and health facilities (3%).

Slips, trips and falls were by far the most common type of accident, accounting for 65% of injuries, while 9% were caused by falling or flying objects and the rest were a fairly even mix of cuts, burns, scalds, assaults, poisoning, animal bites and allergic reactions.

Injuries were mainly sprains (42%), fractures (33%), bruising (32%), lacerations (20%), superficial (13%) and psychological (5%), and 57% of awards were under €20,000 while just 0.5% exceeded €100,000.

Risk of accident increased with age with close to half of all awards going to people over 45 even though they make up only a third of the population. Geography also played a part as residents of Dublin and Munster were 22% and 21% more likely to receive an award than claimants from elsewhere.

Cautionary tales: Injury board cases

Sample cases handled by InjuriesBoard.ie:

■ Maura, a housewife in her 60s, tripped and fell over a collapsed steel clothes rail in a shop, cutting her hand, leg and foot. The fall aggravated a previous tendon problem and she needed surgery. She had difficulty walking for any period of time and suffered frequent pain. She received €27,000.

■ Fiona, a chef in her late 30s, walked into the unmarked glass door of a grocery store, sustaining lacerations around her eyes and bruising to her face and nose. She still gets intermittent nosebleeds. She was awarded €4,200.

■ Adam, 10, was attacked by the dog of friends. He sustained deep cuts to his arm and was left with scarring. He was awarded €19,000.

■ Office executive, Barry, in his 20s, slipped on spilled ice cream on a tiled cinema foyer, breaking a finger and suffering ligament damage to his wrist. He could not work for six weeks and had trouble with driving and computer work. He was awarded €30,000.

■ Tess, a childminder in her 50s, fell over a footpath left uneven after road works. She fractured her shoulder, has been unable to return to work, requires home help and has had to make renovations to her home to adapt it to her needs. Her award was €95,000.