



Summary of Verdict

Vicki Hamilton v Phoebe Sampson - S CI 2017 1487

22 May 2018

On 22 May 2018, a jury of six awarded a plaintiff damages of \$250,000 for pain and suffering and \$300,000 for loss of earnings and earning capacity, finding that the defendant was liable in negligence for injuries sustained by the plaintiff in a road accident on the evening of 16 April 2013 on Waiora Road in Heidelberg Heights.

The defendant, driving a motor vehicle, was attempting to make a left hand turn from the right lane of the roadway, when she collided with the plaintiff, who was riding a motorcycle. As a result of the accident, the plaintiff suffered crush injuries to her right lower limb and psychological injury, alleging that she was unable to return to suitable employment.

The defendant denied negligence and the extent of the plaintiff's injuries, and argued in the alternative, that the plaintiff was contributorily negligent in that she, amongst other things, failed to keep a proper lookout and avoid the collision, and was driving at a speed excessive in the circumstances.

The jury found the defendant liable, however found the plaintiff contributorily negligent to the extent of 30%.

Note: a jury does not give reasons for its verdict.