

SUPPORTING MATERIALS

13 June 2018

Level 4

**INTRODUCTORY CONSIDERATIONS FOR
PERSONAL INJURY LAWYERS**

Subject Code L4-7



THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

**UNIT 7 – INTRODUCTORY CONSIDERATIONS FOR
PERSONAL INJURY LAWYERS***

SUPPORTING MATERIALS

Information for Candidates on Using the Supporting Materials

- This document contains the supporting materials for your examination.
- You have **THIRTY** minutes' reading time to read these supporting materials and the question paper.
- It is strongly recommended that you use the reading time to read these supporting materials and the question paper fully. However, you may make notes on these supporting materials, the question paper or in your answer booklet during this time, if you wish.

Do not turn over this page until instructed by the Invigilator.

* This unit is a component of the following CILEx qualifications: **LEVEL 4 DIPLOMA IN PERSONAL INJURY LITIGATION and LEVEL 4 EXTENDED DIPLOMA IN PERSONAL INJURY LITIGATION**

SUPPORTING MATERIALS

INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer at a firm of solicitors, Kempstons LLP, The Manor House, Bedford, MK42 7AB, where you assist litigation partner Rebecca Webb.

You arrive at the office to find the following documents requiring your attention:

- Document 1** Attendance note of meeting with Amil Kaur
- Document 2** Attendance note of telephone call between Amil Kaur and Rebecca Webb
- Document 3** Notes in preparation for a meeting with Frank Tyler and Samantha Tyler

DOCUMENT 1

ATTENDANCE NOTE OF MEETING WITH AMIL KAUR

Attending: First meeting with Mr Amil Kaur
Re: Accident at work on 23 February 2015
Date: 21 May 2018
Units: 10

Amil Kaur attending a first meeting to talk about his claim.

On 23 February 2015, Mr Kaur had an accident at work.

At the time of the accident, Mr Kaur was employed as a Sales Manager at Luxury Kitchens Limited ('Luxury Kitchens'), a kitchen design shop. In the shop they had several kitchens set up for display purposes. These had been installed by the owner, Jeremy Fenchurch.

Mr Kaur was showing one of the kitchens to a potential customer. He opened one of the upper-level cupboard doors. As he did so, the whole cupboard fell away from the wall. In his attempt to stop the cupboard from falling on his head, it landed heavily on his left arm, wrist and hand.

Mr Kaur attended Accident and Emergency. He had suffered a hairline fracture to his left wrist, a sprain to his left thumb and extensive bruising to his left lower arm.

Mr Kaur was initially signed off work for two months. Unfortunately, during this time his wife left him. Although they had been going through a rough patch, this was completely unexpected. Mr Kaur took the separation very badly and fell into a depression. To make matters worse, his mother died suddenly from a heart attack a few weeks later. This caused him to enter an even deeper depression. He developed agoraphobia. As his symptoms were not improving, Mr Kaur resigned from his job.

The fracture to Mr Kaur's wrist and the sprain to his thumb resolved about three months after the accident. After this, he was supposed to attend physiotherapy sessions, but his agoraphobia prevented him from doing so. However, he has now made a good recovery and only has occasional aches in the left wrist.

At the beginning of February 2016, Mr Kaur started to receive therapy for his mental health symptoms. Although it was a slow process, he began to get better, and in April 2017 he was able to go back to work. He now works for a large home furniture store.

Mr Kaur feels that he is back to good health. Over the last year, he has acquired a new job and a new home and has met a new partner. He now feels ready to deal with his accident at work and would like to start a claim against Luxury Kitchens.

Turn over

DOCUMENT 2

**ATTENDANCE NOTE OF TELEPHONE CALL BETWEEN
AMIL KAUR AND REBECCA WEBB**

Attending: Mr Amil Kaur
Date: 29 May 2018
Re: Accident at work

Mr Kaur telephoned. He was very anxious. He has been speaking with a former work colleague, who still works at Luxury Kitchens.

Mr Kaur's former colleague said that everyone was worried about their jobs. Sales have been down, and he has heard that they have not been paying some of their suppliers. He was worried that he might turn up to work one morning to find that the business had closed. There were lots of rumours that the business was about to go into liquidation.

Mr Kaur is worried that he will not be able to make his claim for damages, if Luxury Kitchens goes into liquidation.

**NOTES IN PREPARATION FOR A MEETING WITH
FRANK TYLER AND SAMANTHA TYLER**

Re: RTA claim
Fee Earner: Rebecca Webb
Date: 29 May 2018
Units: 10

Samantha Tyler was injured in a road traffic accident on 3 December 2015. Frank Tyler is Samantha's father. They had not thought about making a claim previously. However, they had seen adverts in the newspaper and thought that they should make a claim.

Samantha's date of birth is 23 August 2007. She was 8 years old at the date of the accident.

The accident took place on Staples Roundabout. Samantha was a rear seat passenger in a car being driven by her aunt. They were proceeding around the roundabout, when another driver collided with the side of their vehicle. Samantha sustained injuries.

Samantha's aunt exchanged insurer details with the other driver, but forgot to get his name or address.

Samantha suffered neck and lower back pain. This continues. The symptoms are generally mild and do not interfere with her day-to-day life. However, she has recently joined a gymnastics club. The exercises from this are aggravating her symptoms and she is in a lot of pain the day after the gymnastics club. She has had a few physiotherapy sessions, and these have helped.

Following the accident, Samantha suffered from nightmares. These were worse for the first few weeks after the accident. They gradually became less frequent, and since about six months after the accident she has not had a nightmare.

Mr Tyler reports that Samantha has not been a good car passenger since the accident. For the first month, she refused to travel in the car. She will now only travel by car if she must, but she is always very anxious throughout the journey. She is very vigilant of other drivers. She will comment on any car that looks to be too close. She is very stressed when she is in the car.

Mr Tyler is concerned that they do not have the name or address of the driver who caused the accident. He wants to speak to me about this before he comes in to the office for our meeting. He is going to phone me later today.

Meeting 2pm, Wednesday 30 May 2018 to discuss next steps.

End of Supporting Materials

