Working in the Law
Library update

• DVD loans – now 2 weeks

• Auto-renewals
  • All items will automatically be renewed, UNLESS:
  • The item is reserved by another borrower.
  • There is another issue with your library account (eg outstanding charges, or your account has expired.

The following items have been automatically renewed. Please see below for the new due date(s):

C++ for everyone
Horstmann, Cay S.,
005.133 HOR   Barcode: 30102009189760
Due date: Wednesday 26 June 2019  RENEWED

These items could not be renewed and are due on 19 June 2019:

Designing media
Moggridge, Bill.
006.7 MOG   Barcode: 30102009669407
Due date: Wednesday 19 June 2019
Library

Library and Learning Resources

Click here for the Library and Student IT Support
Law Section
4 East

• Textbooks
• Law reference books
• Law encyclopedias
• Kemp and Kemp
• Law Report series’
The aim of this session

- To explore the different information available on Personal Injury in:
  - Kemp & Kemp: Quantum of Damages
  - Kemp on Lawtel
Kemp & Kemp: Quantum of Damages

- **Volume 1**
  - Tables of cases, Legislation and Rules

- **Volume 2**
  - Medico-Legal material
  - Glossaries of Medical Terms
  - Awards tables

- **Volumes 3 & 4**
  - Table of awards and judgements, arranged by body part.

Can be found in the Law Reference section at 346.0323 KEM
Kemp and Kemp volumes 3 and 4
Judicial College (JC) Guidelines

- Provide an idea of the size of the damages a person can expect.

- Where can you find them?
  - Kemp & Kemp:
    - At the beginning of the volume for a particular injury
  - Kemp on Lawtel:
    - JC Guidelines in the Menu section.
Volume 3: Under Judicial College Guidelines
Volume 4: Under Judicial Studies Board Guidelines (printing accident?)
Group task

The **Judicial College Guidelines** in Volumes 3 and 4 which give the range of award (compensation, damages) possible

- Find the type of injury in the Contents
- Go to the appropriate section
- Gives the basic range of awards
Find the range of the award you could expect from the complete loss of sight in one eye with the 10% uplift.
Find the range of the award you could expect from the complete loss of sight in one eye with the 10% uplift.

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderately Severe</td>
<td>£18,450 to £47,720</td>
<td>£20,290 to £52,490</td>
</tr>
</tbody>
</table>

This category is distinct from (a) above because of the better prognosis which will be for some recovery with professional help. However, the effects are still likely to cause significant disability for the foreseeable future. While there are awards which support both extremes of this bracket, the majority are between £22,930 and £29,590 (£25,220 and £32,550 accounting for 10% uplift).

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderate</td>
<td>£6,520 to £18,450</td>
<td>£7,170 to £20,290</td>
</tr>
</tbody>
</table>

In these cases the injured person will have largely recovered and any continuing effects will not be grossly disabling.

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less Severe</td>
<td>£3,150 to £6,520</td>
<td>£3,460 to £7,170</td>
</tr>
</tbody>
</table>

In these cases a virtually full recovery will have been made within one to two years and only minor symptoms will persist over any longer period.

5. Injuries Affecting the Senses

(a) Injuries Affecting Sight

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Blindness and Deafness</td>
<td>In the region of £322,060</td>
<td>In the region of £354,260</td>
</tr>
</tbody>
</table>

Such cases must be considered as ranking with the most devastating injuries.

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Loss of One Eye</td>
<td>£39,270 to £43,710</td>
<td>£43,200 to £48,080</td>
</tr>
</tbody>
</table>

The level of the award within the bracket will depend on age, psychiatric consequences and cosmetic effect.

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete Loss of Sight in One Eye</td>
<td>£18,880 to £31,320</td>
<td>£20,760 to £34,460</td>
</tr>
</tbody>
</table>

This award takes account of some risk of sympathetic ophthalmia. The upper end of the bracket is appropriate where there is scarring in the region of the eye which is not sufficiently serious to merit a separate award.

(f) Cases of serious but incomplete loss of vision in one eye without significant risk of loss or reduction of vision in the remaining eye, or where there is constant double vision. A case of constant blurred vision and sensitivity to light in both eyes requiring constant wearing of dark glasses would be at the top of the bracket.

<table>
<thead>
<tr>
<th></th>
<th>Before Uplift</th>
<th>With 10% Uplift</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the region of £214,210</td>
<td>£235,630</td>
<td></td>
</tr>
</tbody>
</table>
Group task

At the start of volumes 3 & 4 of Kemp and Kemp you will find the Judicial College Guidelines.

What range of award could you expect if you lost one kidney but there was no damage to the other, with 10% uplift?
£26,980 - £39,360

What range of award could you expect if you suffered from severe post-traumatic stress disorder, before 10% uplift?
£47,720 - £80,250
10% Uplift

Simmons v Castle [2012] EWCA Civ 1288

10% increase in general damages, with effect from 1 April 2013
Find similar cases

- Where?
  - **Kemp & Kemp:**
    - Look up cases under each injury.
    - Awards Table in each section lists the main cases and settlements.
  - **Kemp on Lawtel:**
    - PI Quantum Reports in the Menu section.
  - **Lexis Library:**
    - Practice Areas > Personal Injury
  - **Westlaw:**
    - More > Personal Injury (linked to Kemp on Lawtel)
Allow for inflation

You can find the **Inflation Calculator** in Lawtel

**Specialist Areas** – Personal Injury – Practice Tools – Calculators and Tables – Inflation Calculator
Calculate other damages

- Future loss of earnings:
  - Find the Ogden actuarial tables in Lawtel:
    Specialist Areas – Personal Injury – Practice Tools – Special Damage Tools – Actuarial (Ogden) tables

- Loss of congenial employment
  - Smith v Manchester award

- Future medical expenses
Heil v Rankin [2000] 3 All ER 138

- Following the decision of the Court of Appeal in Heil v Rankin [2000] 3 All ER 138,
  - awards at the highest level should be increased by around one third
  - awards below £10,000 will remain at their present levels
  - awards in between will be subject to tapered increases
- Heil v Rankin must be considered after Kemp & Kemp, etc. consulted
- Lawtel’s inflation calculator can take Heil v Rankin into account
Accessing Kemp on Lawtel

Law Libguide – Legal Resources

https://libguides.lsbu.ac.uk/law/legalresources

Legal Resources

- Westlaw
  - New Westlaw UK introductory video
  
  Full text of cases and legislation for UK materials, some EU and International documentation plus considerable US resources. It incorporates the Legal Journals Index and the Case and Legislation Citators. Also includes the full text of Palmeers Company Law, and dedicated areas in Civil procedure, Crime, Landlord and Tenant, and Human Rights.  
  more...

- Lexis Library
  
  Main source for the All England Reports and for U.S. Journal articles (e.g. for Women and the Law titles). Newspaper reports go back c.20 years.  
  more...

- Kemp on Lawtel
  
  Kemp on Lawtel gives you direct access to a searchable database of over 5,200 quantum reports covering both court awards and out of court settlements. It provides guidance on all aspects of personal injury claims, drawn from Kemp & Kemp's commentary, and includes the Ogden Tables, JC (JSB) Guidelines and a Schedule of Damages Application and other useful calculators and tools.  
  more...
Quantum Reports

Searches for similar cases to yours so you can make comparisons

Can enter specific search criteria

Free text could bring back irrelevant results

PSLA - Pain, Suffering, Loss of Amenity
- Known as general damages
- Governed by the figures published annually by the Judicial Studies Board (JSB)
Your turn!

Quantum Reports – Advanced Search

Look for cases involving a 35 year old woman who has suffered chronic pain
Your turn!

Quantum Reports – Advanced Search

Look for cases involving a 35 year old woman who has suffered chronic pain
1:1 support

Book a 1:1 with an Information Skills Librarian

[link](go.lsbu.ac.uk/askalibrarian)

- Database Searching e.g. Journal articles
- Referencing
- Using RefWorks

Email queries: [askalibrarian@lsbu.ac.uk](mailto:askalibrarian@lsbu.ac.uk)

Research Helpdesk

3 Bridge

Mon-Fri 12.00-4pm
Any questions?