

Schedule School

Fingers on lips as leading personal injury practitioners walk you through all things schedules.

Webinar 5 – Loss of Earnings

With Demi Newlove, Jamie Hill and William Latimer Sayer QC



STEWARTS
THE LITIGATION SPECIALISTS



Penny Foster was born on 23 May 1983. On 17 March 2019, Penny was seriously injured in a road traffic accident when a negligent driver collided with her vehicle. Penny sustained multiple injuries, including a spinal cord injury which has rendered her paraplegic. Due to the accident, Penny is now a wheelchair user.

Following the accident, Penny was hospitalised and subsequently transferred to a spinal rehabilitation centre. Four months post-accident, Penny was discharged home. The two bedroomed terrace house which Penny owns was unsuitable for her needs. As a result, Penny is currently renting an accessible bungalow and continues to undergo intensive therapy.

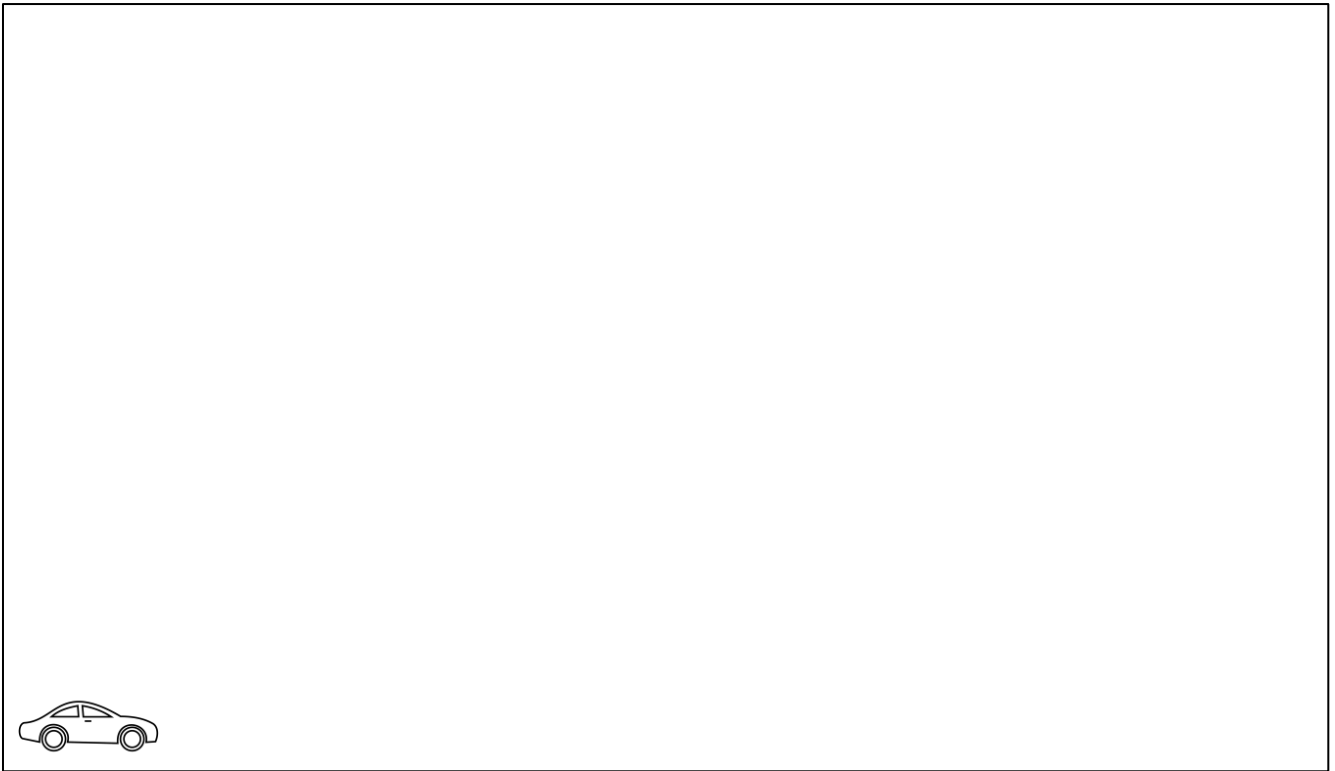
At the time of the accident, Penny was working as a primary school teacher and loved with her boyfriend, John, and their Labrador, Murphy.

Penny now has significant needs for care, rehabilitation, medical treatment, aids, equipment and accommodation.

Penny's life expectancy is not 75.

The date for the Joint Settlement Meeting ["JSM"] has been set as 17 March 2022.

Roadmap - General Principles



Documents

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

Annual Survey of Hours and Earnings (ASHE)



Perks & Benefits

Promotion



Selecting a comparator



OGDEN

Definition of Disability

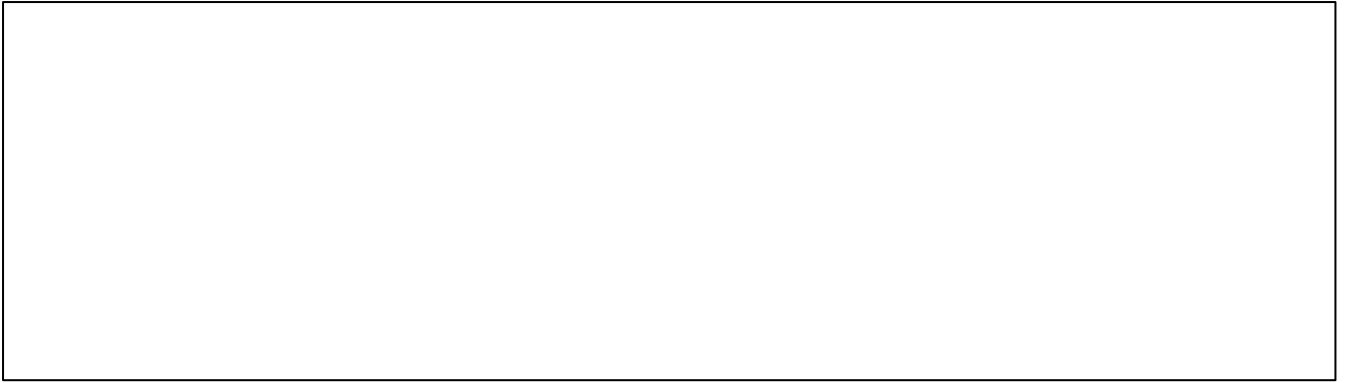
(i)

(ii)

(iii)



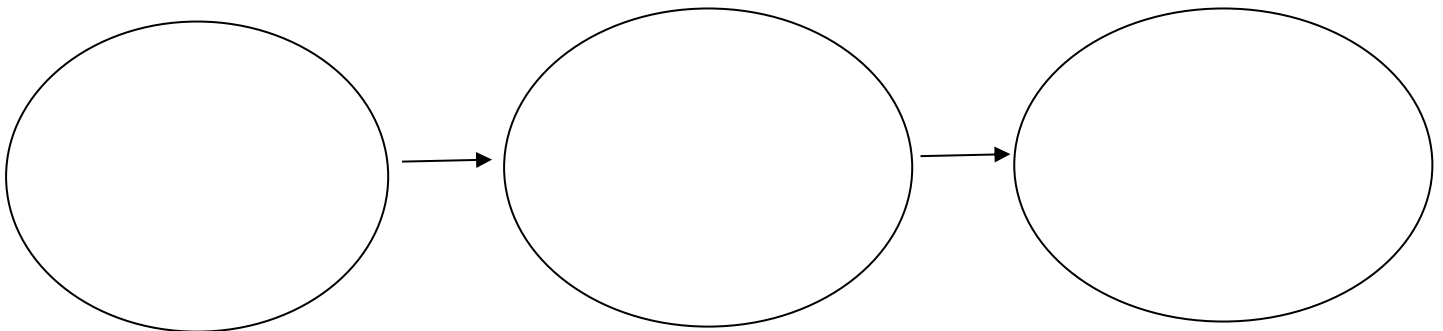
Discounts for contingencies



Lump sum awards

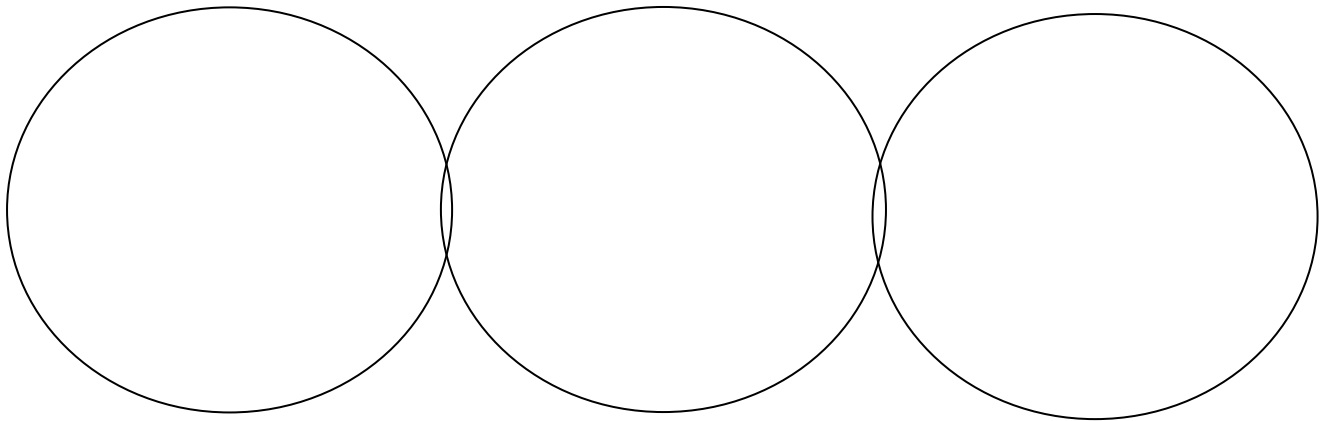


Process



Past loss of earnings

Retirement age =



(A) Earnings but for the injuries

1. Base loss of earnings claim
2. Additional loss of a chance claim
Total earnings but for the injuries (A):

(B) Credit for residual earnings

Credit for Residual Earnings



Key Principles

Section E: Ogden Guidance Notes

Additional Notes