

Judgment handed down in Hassam v Rabot [2024] UKSC 1 upholding whiplash injury claims

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The much anticipated mixed injuries decision in Hassam v Rabot [2024] UKSC 11 was handed down today, upholding the decision of the majority in the Court of Appeal that the tariff amount for whiplash injury should be added together with common law PSLA for the non-whiplash injury. A Sadler v Filipak [2011] EWCA Civ 1728 deduction for multiple injuries should then be applied to the common law element, not the tariff sum. The step-by-step approach enunciated at section 10 of the judgment is required reading for those practising in personal injury claims.

Lord Burrows SC's concise and clear judgment is essential reading for all injury practitioners as paras 10-18 contain a useful synopsis of the common law approach to assessment of PSLA, and para 36ff is a professorial demonstration of statutory interpretation.

Read the case in full here: <https://www.supremecourt.uk/cases/docs/uksc-2023-0025-judgment.pdf>

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