
PRESS RELEASE

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Statement in response to media coverage of Alex Darg

On 31st March 2009, High Court judge Sir Robert Nelson awarded Colemans-ctts client Mr Alex Darg £400,000 damages after he suffered injuries whilst working for a company contracted by the Metropolitan Police to carry out vehicle maintenance and repair. The case received wide spread media coverage and kick-started a new debate about complex regional pain syndrome (CRPS) as well as a number of accusations against Mr Darg himself.

On 20th September 2002, Mr. Alex Darg was working for Venson Public Sector Limited (a company contracted by the Metropolitan Police to carry out police vehicle maintenance and repair). He suffered lacerations to the left index and middle fingers from a concealed knife which had previously been wedged between the seats of the car by persons unknown. He required immediate hospital treatment and the ring on his uninjured ring finger had to be cut off due to swelling. Within a few weeks of the accident Mr. Darg returned to work and remained working until the day before his operation in September 2003. As a result of this he developed carpal tunnel syndrome (CTS) and underwent an operation to relieve this. Thereafter he developed complex regional pain syndrome ("CRPS") affecting the injured hand. This caused symptoms such as mottling of the skin, weakness of grip, stiffness, increased sweating, and lack of temperature control.

He was examined by a medical expert for the Metropolitan Police and referred by them to The Royal National Hospital for Rheumatic Diseases at Bath. He subsequently developed symptoms in his right hand and feet (this is a classical development that the condition can mirror in other limbs or spread to other parts of the body). The consultants at Bath hospital noted there was a gradual spread of this syndrome. It also spread into his back and his shoulders.

Mr. Darg's employer's occupational health doctor assessed him as permanently unfit for work in September 2005. His employment was terminated on 31st July 2006. All medical experts agreed that the lacerations caused the development of carpal tunnel syndrome and that CRPS developed as a consequence of the operation to release the carpal tunnel.

The Metropolitan Police agreed liability (fault) on 20th December 2002 (3 months after the accident). However by April 2006 they then began to partly blame Mr. Darg for the accident and instructed new medical experts (contrary to every other expert involved) who denied the lacerations caused Carpal Tunnel Syndrome. The Metropolitan police also subsequently agreed to split liability for the accident with Vensons on a 50-50 basis.

Both parties subjected Mr Darg and his family (including two young children aged 7 and 5 at the time) to eleven days of surveillance. Nothing within the surveillance was contrary to what the Mr. Darg had told experts and treating doctors he was capable of doing e.g. driving. Mr. Darg states “the symptoms fluctuate hour by hour and day by day and I have and continue to do as much as I can on a daily basis. I suffer the consequences of this. I need to remain as active as I can and I acknowledge that I push myself as much as I can in an attempt to have as a normal a life as possible” The Judge Sir Robert Nelson concluded “I do not find the claimant or his wife as being wholly dishonest in the presentation of his claim or that he has falsely pretended symptoms that do not exist. He has, and has suffered from a genuine disability”. The judge went on to say that “he was a highly valued employee, regarded as an ambassador for the company and extremely competent”.

Claire Roantree of Colemans-ctts solicitors says: “It is unfair to portray this case as a symptom of the so-called compensation culture. Mr Darg through no fault of his own suffered serious and life-changing injuries which in the absence of proper compensation would have deprived him and his family of the ability to maintain a proper standard of living. This case involved a technically difficult claim in which there were medical difficulties and it is great relief that Mr Darg can finally move on with his life. He received the correct amount of compensation for his past and future loss of earnings and for the injuries he suffered and will continue to suffer for the rest of his life. He can never return to full time work or to the job that he loved doing. A number of attempts were made to settle this case sooner without success. Mr. Darg was supported in his claim by eleven witnesses”.

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About Colemans-ctts

Colemans-ctts Solicitors LLP are a national law firm who specialise in Personal Injury claims and provide a wide range of legal service for both individuals and businesses.

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