

## PRESS RELEASE

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### **COURT AWARDS CRASH VICTIM £3.3M**

A motorist who suffered horrific injuries after a stolen van hit his car head-on has received £3.3m in damages in a Court of Session decision.

Sean Milligan, 44, will require constant care for the rest of his life after the crash in Carluke, Lanarkshire, five years ago.

Banned driver Mark Lynch was under the influence of alcohol and driving on the wrong side of the road when the accident happened.

He was later jailed for nine months for traffic offences.

Lord Woolman, at the Court of Session in Edinburgh, made an award of almost £2.2m to meet Mr Milligan's future care costs.

The judge also ruled he should receive a high amount, in excess of £200,000, for his pain and suffering.

The court heard that prior to the crash, Mr Milligan had been described as a quiet, gentle and caring man who enjoyed photography and playing the guitar.

However, after suffering injuries to his brain, legs and a punctured lung, he now suffers bouts of anger and aggression.

He spent 28 weeks in a brain injury rehabilitation unit but still finds it difficult to

concentrate, balance and walk.

He has also developed a low level of noise tolerance and finds it difficult to cope with any sudden sound, like a dog barking or a phone ringing.

Lord Woolman said: “The accident has had devastating consequences for Sean. That is demonstrated by the fact that he requires round-the-clock care, seven-days-a-week.”

Mr Milligan was driving a Nissan Micra in Carlisle on 16 May, 2004, when Mark Lynch crashed into him in a Ford Escort van.

Lynch had been disqualified from driving.

He was later jailed for nine months for road traffic offences.

**STATEMENT:** The following is a brief statement issued on behalf of Sean Milligan’s sister, Elizabeth Gordon, by Digby Brown Solicitors, who acted for Sean Milligan: She said : “It has been a long and harrowing five years for Sean and the family. We are delighted at the outcome and very relieved that this matter is at a conclusion.”

**ATTRIBUTABLE BACKGROUND COMMENT** - from Robert

Swanney, of Digby Brown Solicitors: “This case hinged on whether someone who requires 24 hour 7 days a week care should have a right to the best possible care regime or, as the defenders argued, the cheapest - in Sean's case this is whether they could employ a care agency or for Elizabeth, his sister, to have to employ carers directly. I am delighted the court ruled very much in favour of Sean’s interest.”

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