

Wright v Lodge & Shepherd [1993]

Evidence

Mr. Wright was a driver who was injured in a collision that occurred on a two-carriage highway. Miss Shepard, the second defendant, rode her Mini when it broke down and stopped at the nearest side lane of the motorway. Then she tried to start her car again. The defendant, Mr. Lodge, turned off at the central reservation, losing control of his truck, as a result of which he turned over on the opposite side of the roadway. Mr. Wright's car was shot down and another man was killed. Additionally, the truck hit Miss Shepard from the back side.

Problematics

It was established that Mr. Lodge was liable for the injuries of the applicant. But, he claimed on the grounds that Miss Shepard should pay compensation for the injuries of Mr. Wright and the representative of another man who died as a result of the collision, which was caused by the position of her car on the highway.

Resolution

The appeal was rejected. Mr. Lodge's careless and dangerous driving led to an accident. He was driving at 60 miles per hour in bad weather, and it was his sudden turn and breakdown that caused the truck to lose control. Despite Miss Shepard stopping in the east lane, Mr. Lodge was responsible for the accident, as well as for the applicant's injuries. However, the court held that Miss Shepard should pay 10 percent compensation to her passenger for the disregardful attitude of leaving her car on the highway.

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