



Intravenous news: The Court of Appeal recently made a judgment in the case *Fryers vs Belfast Health and Social Services Trust* on the issue of psychological harm following a needlestick injury in favour of the healthcare worker. An extract of the judgement explains the issue of psychological harm following a needlestick injury:

“We conclude that he was wrong in law in reaching the decision that it was so trivial that it could not lead to damages. As has been frequently said in many situations, context is everything. This was not a mere needlestick injury caused by a sterile needle. The plaintiff was injured by a non-sterile needle in a bag of other items for disposal. It constituted hospital waste and it may well have been contaminated by blood-borne organisms liable to cause serious infection. The existence of the Trusts protocol to deal with such a situation is clear evidence of the gravity of the risk presented to persons who are accidentally injected by such a needle. The wound itself bled for a short period of time. Following the penetration the plaintiff had to undergo assessment, treatment by prophylactic injections and follow up with blood tests and assessment. The risks generated by the accident required advice in relation to his intimate sexual relations and necessitated precautions in that regard. Lord Hope in paragraph [49] of his speech pointed out that while damages are not given for injuries that are harmless they are awarded for injuries that cause harm. As Mr Brangam QC on behalf of the Trust accepted in argument it cannot be said that the plaintiff sustained a harmless injury in the present context. The result of the injury necessitated various invasive procedures on his body: counselling and assessment over a significant period of time and interference with the amenities of life and its impact on his private life. We conclude accordingly that the evidence pointed inevitably to the conclusion that he suffered an injury that was not so

insignificant that the policy of law should deny him a remedy in damages.”

[Click here for full court judgement.](#)

