

\$3.5m compo 'falls short'

A WHEELCHAIR-BOUND man left severely brain damaged after falling out of his chair in a shopping centre has received a \$3.51 million compensation payout.

But what is believed to be the biggest payout by a shopping centre in Victoria will not compensate the man for the significant injuries and loss of enjoyment of life, according to his lawyers.

Philip Letch, 50, of Preston, was directed by security guards at the Sunshine Marketplace Shopping Centre to use one entrance ramp instead of another, according to the statement of claim lodged in the Supreme Court.

But there was a drop to the pavement at the bottom of the second ramp, causing Mr Letch to fall from his chair and suffer brain damage, the claim said.

Lawyer Larry Dent of Arnold Thomas & Becker said the injury had ruined Mr Letch's life.

"It is extremely sad. This man had a life; he was independent and able to enjoy himself," Mr Dent said.

"Now his life has been taken from him.

"He used to be on a committee for the rights of disabled people, he used to get around and lived on his own.

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"Now he is totally dependent on others for the basics of life, he has to be fed, put to bed and dressed. It's a tragedy."

Mr Dent said the ramp which caused the man's injury in 2004, was still at the shopping centre.

Mr Letch was a motor mechanic in his 20s when a car he was working under fell on him rendering him a paraplegic.

"Although he has received a significant payout, including the maximum \$450,000 for pain and suffering, the poor man would trade all this to have his old life back," Mr Dent said.

He said while \$3.51 million sounded like a lot of money, it would only cover his full-time care for the rest of his life, leaving him a modest weekly allowance.

Mr Letch sued the shopping centre owner, CPT Manager Limited, which is part of the Centro group of properties and the security firm which employed the guards who directed him down the allegedly dangerous ramp.

A spokesman for CPT Manager would not comment on why the ramp had not been fixed, while the security firm did not return calls. The case settled on Friday, but though the two firms paid compensation, they did not admit liability.