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Young boy wins compensation case after bunk bed fall

A young 10-year old Tweed Heads primary school student, who fractured his skull and claimed for brain damage and psychological problems after falling from an unsafe bunk bed while sleeping at a friend's home in April 2004, has been awarded \$853,396 in compensation.

The NSW Supreme Court today agreed Cameron Thomas, now 14, suffered brain damage after falling when climbing down from the top of a bunk bed that had no ladder or guardrail.

Marks on the bed indicated that the ladder had, at some point, been removed – in breach of now current national standards.

Mr Bill Madden, from national law firm Slater & Gordon, said before the accident Cameron was a normal, happy child.

“Cameron did well at school, he had many friends, loved sports and played the clarinet,” he said.

"Medical experts who gave evidence for Cameron and for the defendants agreed that Cameron's symptoms had been caused by the accident."

Justice Kirby in his judgment made clear that “There is nothing wrong with sleepovers. What is wrong is the failure to take reasonable precautions in the circumstances...”

Mr Madden said it is important parents understand that when looking after other people's children in their homes they must take reasonable care to ensure their safety.

“This is what every parent expects when their children go to school, to sport or to someone else's home. And this is what happens most of the time.

“While young kids are always going to have unavoidable accidents, this is a tragic case that should never have happened.

“This decision should have no impact on the thousands of sleepovers that happen across Australia every weekend in homes where parents provide safe and secure places for visitors and their own children,” Mr Madden said.

For media comment

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