

‘A Landmark Case in Maritime Injury Law’

Interview with Brian Porter, Diving Expert

Diving accidents occur in leisure and overseas tourism, in swimming pools, waterparks and at sea, including commercial diving. Some incidents can prove fatal. This particular case now settled, Brian Porter has kindly shared some details of his work as the main expert witness in the case. Brian Porter is a Diving Expert his expertise covers sports & recreational Scuba diving, commercial air diving and mixed gas/ saturation diving. His experience for this case was based upon previous work as a North Sea saturation diver involved in operations in the Norwegian and British sectors of the North Sea; responsible for marine engineering & construction projects. Diving in both sectors as a mixed gas / saturation diver on major marine engineering & construction projects; working to depths of 500 feet. His experience also covers commercial diving operations law and procedures. Risk assessments, surface conditions, and site evaluations, sea state, currents tides, underwater safety and operations at sea. Also, he was previously Managing Director at Dive School (UK), teaching PADI & NAUI scuba diving courses to students up to and including instructor training programmes. With experience of teaching the general public to scuba dive and as a diving Superintendent, based in Abu Dhabi. With total responsibility for Marine Vessels, its crew, dive team and associated equipment.

The case is about an English saturation diver who suffered an injury to his foot whilst working as a commercial diver out in India. The incident occured in 2011. Irwin Mitchell approached me to investigate and prepare a report (2014). I met with Alan Peacock and his wife at Irwin Mitchells Offices as part of the process of obtaining statements. I compiled a report from statements and documentation provided (2014).

Small extract from report :"Allan Peacock was air diving to release a section of pile at an approximate depth of 90 feet. During the dive on the 10th November 2011 Allan Peacock’s right foot was crushed by the movement of the follower or top pile. The top pile began moving up and down unexpectedly and his right foot was drawn into the gap. His injuries were considerable; the damage caused to his right foot resulted in the amputation of part of his right leg from the knee down".

Allan Peacock eventually found victory in the High Court after a catastrophic diving injury. This was or is a landmark case in maritime injury law. He returned to work as a commercial diver some 18 months after the incident (using a HSE aproved prosthetic.) He secured £915,000 in compensation. .

There has been an article published in the Independent Newspaper discussing the clients favorable outcome.

BRIAN PORTER is a Diving Expert
Association of Personal Injury Lawyers (APIL) - 1st Tier
'I have been trained and assessed by Bond Solon and therefore hold the core requisite competence to act as an expert witness’

Web: www.divingwitness.co.uk