



Can I seek compensation from a supermarket slip and fall?

We receive many enquiries from people who have slipped on banana peels, grapes or spilt milk in a supermarket or shopping centre. Quite often, a serious injury can result from such a fall, which is worth crying about, and you may be able to claim compensation for your injuries.

The question of whether a claim for damages will arise from such an accident is determined by the law of negligence. In South Australia we have a fault based system where the injured person needs to establish that the slip and fall occurred through the negligence of the shop owner or shopping centre owner.

Supermarkets and shopping centres owe customers a duty of care to provide a safe environment for customers. However, supermarkets are not expected to keep their floors in a perfect state at all times. They should however, have a cleaning system in place so that the floors are clean and inspected for trip hazards on a regular basis.

What steps should I take if I have a slip or fall?

1. Report the incident to a staff member and provide them with your details so that they complete an incident report;
2. Take photos of the scene as soon as possible after the fall occurs and your injuries;
3. Get contact details for any witnesses if you are able to;
4. Seek medical attention and report your injuries to your GP; and
5. Seek legal advice.

What do I need to prove?

To be successful, you must prove that:-

1. The owner/occupier of the premises was negligent;
2. The owner/occupier of the premises owed you a duty of care;
3. That duty of care was breached; and
4. That breach has caused you loss and damage.

How much time do I have to make a claim?

You need to issue proceedings in Court within 3 years of the date of the injury, otherwise you may lose your right to make a claim. However, there are a number of steps that must be done prior to this. It is therefore important to consult a lawyer as soon as possible after your injury to ensure the appropriate steps are undertaken.

How can Andersons help?

Andersons have a team of highly experienced personal injury lawyers. We also offer a free first 30 minute appointment to discuss your circumstances and provide you with initial advice. For more information about what to do next or to make a free first appointment please contact us on 8238 6666 or email enquiry@andersons.com.au