



Injured in an Accident? It Might Be Time to Log Off Social Media

If you've been hurt in a car accident and are making a personal injury claim, think twice before posting anything online. A recent Queensland court case shows how social media might be employed to work against your claim, even when your injuries are real.

What Happened in This Case?

In the case of *Jaksa v Sweeny & Anor* [2025] QDC 2 [[Jaksa v Sweeny \[2025\] QDC 2 - BarNet Jade - BarNet Jade](#)], Ms Jaksa was injured in a car accident and claimed around \$850,000 in damages. The insurer admitted fault for the crash but argued she should only get \$96,500.

Why the big difference? The insurer used photos and videos from Ms Jaksa's social media to argue that her injuries weren't as serious as she claimed.

What Did She Post?

The insurer showed the court:

- A photo of her smiling while sitting on a fence
- A photo of her holding a fish
- A video of her falling into water
- Holiday photos from the Whitsundays
- A photo of her drinking with her head tilted back
- Posts about dancing “like a psycho” at a concert
- Videos of her doing the splits and dancing at a staff party

The judge said that some of these posts made it hard to believe her injuries were as bad as she claimed. In the end, she was awarded \$148,826.49, much less than what she asked for.

What's the Lesson Here?

Even if you're genuinely hurt, social media can be used against you. A simple photo or comment can be twisted to suggest you're exaggerating your injuries.

What Should You Do?

- Avoid posting anything about your accident or recovery
- Don't share photos or videos of physical activity
- Be cautious with party or holiday posts
- Check your privacy settings – but remember, nothing online is truly private

Final Thought

If you're making a personal injury claim, it's safest to stay off social media until your case is resolved. What seems like a harmless post could cost you your credibility.