



# 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.

13-11-2025 2/2