

# Talking point

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**No justice for Garner's victims**

I was astonished after reading the summary and outcome of the legal proceedings against Stuart Garner, that has allowed him to walk free with paltry costs of some £20k for depleting the savings and investment funds of people who had faith in Norton and in Garner to deliver on their promises. This is a really bad day for the British motorcycle industry and the legal decision will do nothing to deter another opportunist from doing the same in future.  
**John Faulkner, email**

**STAR LETTER**



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## Common sense tech

I agree with Michael Scott's question: 'Is it belated common sense to ban shape-shifting as an irrelevant technology?' In this world of ever-reducing speed limits being more and more closely enforced, developing technologies that rely on illegal speeds to work (shape-shifting and downforce aero) are indeed utterly irrelevant and also use time, money and effort which could be used to come up with improvements which will benefit bikes on the road.

**Andrew Hayes, Isle of Wight**

## Amazing Aleix!

What a fantastic race for Aleix Espargaro and Aprilia in Argentina. Aleix did not give up and persevered to win against the might of Ducati and the talented Jorge Martin. What an early twist to the season. Mandalika was also an excellent race. Not unlike my home circuit of Knockhill in Scotland. The commentary tower on a rise in the middle of the circuit. On the periphery another hill with two communication masts and, of



Fair to say Brett's VFR needed love...

course, a fair amount of precipitation. Felt like a home race.  
**Alan McCulloch, email**

## Will £500 VFR make it?

I have been chosen as one of the entrants for the 10th running of the Longest Day Up Challenge which is run on the longest day of the year (June 21) and is a ride from Land's End to John O'Groats within 24 hours, not using motorways, on a bike that cost less than £600, to raise money for Cancer Research UK. Obviously it's not an easy

challenge and the bike I have chosen is a 1996 Honda VFR750 which I bought for £500 but clearly had not been loved or maintained in a long while! I bought the bike in September 2021 in hope that I could get a spot on the fundraiser and I have since been refurbishing it, reaching completion at the end of March. My Just Giving page, if you could print it, is <https://fundraise.cancerresearchuk.org/page/the-longest-day-challenge-2022>  
**Brett Coston, email**

## Corrosion is exhausting

Every bike you have on longterm test seems to have corrosion and rusty exhausts, even a £22,000 Ducati. This is totally unacceptable on bikes under a year old, no matter how many miles they have done. Rubbish quality, but accepted by motorcyclists as 'normal'. We shouldn't have to put up with it.  
**Graham Newman, email**

## Being pumped for cash

After reading your pressure at the pumps article (MCN, March 30), it infuriated me a bit because when

the price rises for fuel it's almost instant regardless of whether they've purchased the fuel at a lower cost, yet when the price decreases it seems they wait until their tanks are empty. Rant over.  
**Kelvin Dewbery, email**

## Training holds the key

The March 30 edition of MCN carried reminders that as motorcyclists we are vulnerable. How can we try and swing the odds in our favour? Take a BikeSafe course which are run by serving Police Officers and Advanced Motorcycle Instructors. I recently attended a course at the Malton Police Station and found the officers were not there to preach and were willing to discuss any topic raised. We were taken through a system of observation and coached on a number of traffic situations. This was followed by an observed ride and a debrief. Whatever your experience, sign up for a course and go with an open mind. You will learn some new riding techniques that will reduce your vulnerability.  
**Clive Titterton, email**

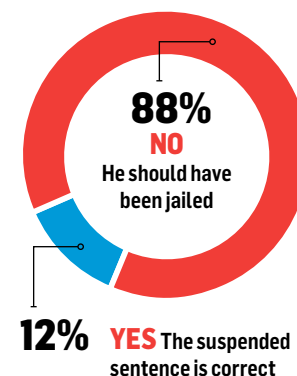
## Noise is an easy fix

While signing the petition against anti-tampering laws, I had a 'WTF' moment. All they need to do is tweak the existing MoT to include decatting and empower the testers with the ability to fail excessively noisy exhausts. No new laws needed. No clumsy laws that are made by people with no idea about anything practical so they cause more problems than they solve, just tweak the MoT test a little.

**Andrew Hayes, email**

## READER POLL

### Did Stuart Garner get the right sentence



**MCN LAW**  
Your tricky legal questions answered

## Q 'Can my firm reclaim my sick pay compensation?'

In August last year I was knocked off my bike by a car which pulled out of a side road and I was unable to work for four months. I have been sent the medical report from the other side and it says that only one month off work was reasonable. Now I am faced with having to repay my employer for four months' sick pay, yet I am only going to get one month's pay from my opponent. This doesn't seem fair. What can I do?  
**Elliot, Liverpool**

**A** I assume your employment contract contains a subrogated claim clause allowing your employer to recover sick pay paid to you from the compensation you receive. I also assume you have had your own medical expert's assessment so you need to check what your expert said. If this has not been dealt with by your expert he should be asked to comment on

## 'Get your own medical expert to comment'

the reasonableness of the time off work. You could also speak to your employer and explain the position in the hope that they only request the amount you actually receive for loss of earnings in your claim. I find that employers often agree.

This sort of thing often comes up in cases where liability is disputed and, for example, the claimant accepts 25% of the blame (therefore gets 75% compensation) yet is obliged to repay the employer the whole amount. Employers will often take what is actually recovered.

**Andrew Campbell**  
Solicitor and author of the MCN Law column for the last ten years  
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