



## **HAD AN ACCIDENT?**

### **IF YOU HAVE BEEN INJURED**

1. AT WORK
2. ON THE ROAD AS A DRIVER , PASSENGER, CYCLIST OR PEDESTRIAN
3. BY TRIPPING OVER ON THE PAVEMENT
4. IN A SHOP
5. FROM DEFECTIVE GOODS

**WE CAN HELP YOU** - you can contact us by e- mail at [db@thosflavell.co.uk](mailto:db@thosflavell.co.uk) or [law@thosflavell.co.uk](mailto:law@thosflavell.co.uk)

You may be entitled to compensation for your injuries, cost of repairs and earnings etc.

**DO NOT** risk losing compensation by dealing with an unregulated Claims Company.

**ALWAYS** deal direct with a qualified Solicitor.

The following summary outlines the broad principles governing awards of compensation, relates the basic steps we shall take, and suggests a few of the things you can do to help us present your case and minimise the cost to you.

### **Initial Steps**

You will be asked for information concerning the facts of your accident so that we can consider the issues relating to liability and undertake any further investigation that may be necessary.

You will be asked about your medical condition. We need to know about the effect the injury has had on you so that we can determine what type of medical evidence we need, and when. We shall take the steps necessary to obtain medical reports; you do not need to approach any doctor yourself for that purpose. You may of course continue seeing doctors for treatment.

### **General Principles**

We have to show that your injuries were caused by the negligence of another, which means showing that somebody else was at fault, or for, example, that the equipment you were using was defective. Your employer is usually liable for injury caused by a fellow employee, whilst at work.

Once we can establish your injuries were caused by another's fault we can usually recover damages to compensate you for the effects of the injury and for any financial loss.

We recover the compensation from the person or employer at fault or their insurer.

### **How Much?**

You can expect to receive compensation for financial losses arising out of your injuries, including extra travelling costs and other expenditure directly related to your injuries. The cost of private medical treatment may sometimes be recovered. You should keep expenditure reasonable – excessive expenditure may not be recoverable.

It will help if you keep a note of such expenses, preferably in diary form, specifying the amount, the date, and the nature of the expenditure, together with any relevant receipts. Loss of earnings, while off work, are usually recoverable. We will check with your employer when calculating these losses.

It is possible that you may be entitled to claim Social Security benefits. These may affect the amount you recover in compensation.

An important element of any compensation payment is the award to you for the injury itself and the effect it has on you and your lifestyle both today and in the future. Valuing this aspect of the claim is dependent on the medical evidence.

If you are likely to incur any losses in the future, for example if your injury is so serious that you are unable to continue in normal employment, then this will be reflected in the amount of your compensation.

### **Time Factor**

Each case will vary. Where you are fortunate to make a reasonably rapid recovery, or where your medical condition stabilises quickly, then we would hope to be able to conclude your case within twelve months of the accident. One cause of delay is in obtaining medical evidence. We will instruct appropriate doctors to provide medical reports. These doctors are busy and it can take time to arrange examinations.

The more serious your injuries, the longer your claim will take. We cannot normally proceed before your condition has sufficiently stabilised for us to be reasonably sure that no unforeseen deterioration may occur. Once your case is concluded you cannot, except in very rare instances return to seek further compensation.

### **Costs**

We will consider with you the best way to pay for your case. If your claim is successful and you win more than £1000 for your injuries, you will be entitled to recover most of your costs from the defendant. We will also investigate the possibility of your already having insurance to cover your legal costs.

### **Court Action**

Where we are unable to settle your claim by negotiation we will advise and where necessary will issue Court proceedings. Civil court proceedings can be slow. We will use every endeavour to bring your case to a rapid conclusion.