

I've been injured in an **ACCIDENT** and need some advice

H HINCHLIFFES SOLICITORS

Steven Hinchliffe of HINCHLIFFES SOLICITORS answers your questions about compensation claims. His firm has years of experience in helping injured lorry drivers, their families and members of the public get their lives back on track following accidents.

SHOULD I MAKE A CLAIM?

The basic aim of the process is to return the innocent party to the position they would have been in had the accident not happened. Even if your injuries were only minor, your life will have been disrupted and you have a legal right to be compensated for this. Do not feel awkward about asserting this right – most claims are settled by insurance companies.

WILL MY CLAIM BE SUCCESSFUL?

Not all claims are successful, but if you can show that the accident was caused by the negligence or fault of another party, then you will have a reasonable chance of recovering compensation.

HOW LONG DO I HAVE TO MAKE MY CLAIM?

For all accidents under the jurisdiction of the UK Courts, a formal claim must usually be issued against the other party by the Court within 3 years, otherwise it is not usually possible for any claim to be made.

HOW MUCH WILL I RECEIVE?

There are 2 elements that make up your claim – (1) compensation for your injuries (2) reimbursement for any losses suffered or expenses incurred.

To properly value your injuries, you will need a report from a medical expert setting out details of your injuries and when you are likely to recover.



Steven Hinchliffe

Your financial losses will depend upon your circumstances, eg – did you take any time off work? – were you paid sick pay? – have you paid for vehicle repairs? – have you paid for medical treatment? Anything directly related to the accident can potentially be claimed.

WHAT WILL MY SOLICITOR CHARGE?

Currently most accident claims are dealt with under a Conditional Fee Agreement (“no win no fee”). If you win the other party pays your solicitor’s costs, and if you lose your solicitor receives nothing. In either event, you do not normally need to pay your solicitor anything.

However, from spring 2012 the rules are changing. The Government wants you to pay part of your legal fees if you win, and if your claim is not a “dead cert” fewer solicitors will be willing to take it on.

WHAT SHOULD I DO NOW?

It is always best to speak directly to a specialist personal injury solicitor, who should be able to advise whether you can make a claim and what your options are.

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