

Personal injury FAQ's for website

I've been injured in an accident and want to make a claim for compensation – will I have to pay?

The vast majority of our personal injury cases are funded by 'No Win, No Fee' agreements. These mean that if you do not win your case, you will not have to pay your legal fees. If you win your case, our legal fees are recovered from the other side's insurance company.

For a small minority of cases there is no insurance company to claim legal costs from. These cases are primarily Criminal Injury Compensation cases, and hit and run road traffic accidents which are dealt with by the Motor Insurer's Bureau. As there is not an insurer to claim our legal fees from in these situations we would ask you for a percentage of your compensation to cover our costs if you win your case. This percentage is fixed at the start of your case and is generally 25% or less. If you lose the case you would not have to pay us anything.

How long do personal injury cases last?

This can vary considerably depending on the type of accident you had and how quickly you recover from your injuries. If you had a straightforward road traffic accident where liability is admitted and your injuries are relatively minor, we would aim to conclude your case within 6 months to a year. However, other types of accident such as trips and slips and accidents at work can take longer, and if your injuries are more serious you may need to wait for the prognosis for recovery to become clear before you can settle your case. In a serious injury case where the other side deny liability for your accident and your case goes all the way to trial, the claim could take up to four years. A personal injury award for damages is in final settlement and so needs to foresee and compensate for all future – as well as past – losses, which is why claims can take some time to resolve.

How will you know what my injuries are worth?

As part of your claim we will obtain your medical records from your GP and any hospitals you were treated at, to see exactly what your injuries were. We will then arrange for you to be examined by an independent doctor to prepare a report on your injuries. The doctor will be sent your medical records, so even if you have recovered by the time of the appointment, they will be able to see how your injuries were at the time. Once we receive the doctor's report we compare your injuries with judicial guidelines and reports of cases that have gone to court and can advise you on how much your injuries are worth.

I had an accident at work - will it affect my job if I make a claim?

Making a personal injury claim for an accident at work is essentially making a claim on your employers' insurance policy. Most employers are required by law to have insurance to cover their employees for injury at work, and it is there to compensate victims of accidents. Making a claim should not affect how your employer treats you at work, but if it does you may have an employment law claim and should therefore contact an employment lawyer.

How long do I have after an accident to make a claim?

You generally have a strict **three year** deadline from the date of an accident in which to settle the claim or issue court proceedings. For children, the three years runs from their eighteenth birthday rather than the date of the accident.

For accidents that happen during air and sea travel, the time limit is shorter at **two years**. Also, if your accident happened abroad the time limit is determined by the law of the foreign country, which can be as short as one year.