

“I’ve Had An Accident – What Do I Do?”

Whatever type of accident you’ve had, if you fear a bad injury you should attend your doctor or the local hospital as soon as possible to make sure that you receive appropriate treatment.

Whatever kind of accident it is – road traffic, slip, trip, accident at work – write down as many details as soon as you can. If it is a road traffic accident, it may be that the Police will attend. Details such as witnesses, location, position of vehicles, photographs will be vital later on in proving your case.

Let us take you through a typical road traffic accident case :

- You contact us and we allocate you to one of our claims solicitors (let’s call him “Adam” in this case) to look after your claim. Adam will take some initial instructions from you with details of any out of pocket expenses, lost earnings etc. to ensure your claim is protected. It’s a good idea to keep a diary of your losses, with receipts where possible and details of any ways in which your injuries are affecting your life, e.g. preventing you from playing sport.
- Our costs for acting in your case will usually be funded either by legal expense insurance (check your insurance policies for this – we will need to see them to confirm this for you) or by a Conditional Fee Arrangement (usually known as “no win, no fee”). We will explain all this to you when we meet. We offer a free initial interview for suitable cases.
- Adam will also draft a short statement confirming exactly what happened and contact any witnesses to the accident to support your claim. He will also obtain a copy of the police accident report if the police were called to the scene of the accident.
- He will write to the other driver asking him to pass details of your claim to his insurance company. They have three months within which to investigate your claim and 21 days after this period has expired they must either accept that their insured was to blame for your claim or deny it.
- Adam will request copies of your medical records and send them to a suitable medical expert (for example, an orthopaedic surgeon for any bony injuries) who will carry out a full medical examination of you and prepare a report detailing his findings and prognosis. If any treatment will help your recovery the surgeon will recommend this in his report.
- The medical report is sent to Adam, he will review the report and send you a copy for your comments. If any treatment has been recommended he will notify the Third Party’s insurers and if liability has been admitted, they often agree to fund that to speed up your recovery.

- Details of your losses and expenses are listed in a schedule of loss to send to the insurance company (or a firm of solicitors if they have instructed one too). If they have accepted liability for the accident and you have made a full recovery at this point you might now receive offers in settlement of your claim. Adam will advise you on this, when to make your own settlement offer and how much to ask for.
- If the insurers make no offers, or any offers are too low in Adam's opinion, he will issue court proceedings against the other driver using a Claim form and Particulars of Claim, usually in the local County Court. The other driver replies to this in a document called the Defence.
- Once all the evidence has been obtained by both sides and supporting documentation and witness statements are exchanged, a final court hearing will be arranged. Your legal representative (usually a Barrister) will present your case, you and the other driver will give evidence on oath and the judge will decide if you are entitled to compensation and if you are, how much.

If you require advice regarding your particular circumstances, please telephone us to speak to one of our specialists in this field.

Or REQUEST A CALL BACK at a time convenient to you.

Disclaimer

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Enfield:
020 8363 4444
enfield@curwens.co.uk

Cheshunt:
01992 631 461
cheshunt@curwens.co.uk

Hoddesdon:
01992 463 727
hoddesdon@curwens.co.uk

Royston:
01763 241 261
royston@curwens.co.uk