
PERSONAL INJURY

Your guide to accident and injury compensation

talbots
FOR LAW FOR LIFE

We are here to help you!

We know that an injury can cause a wide range of problems. More than just coping with your pain and discomfort. We're here to make things as simple and straightforward as possible. In this guide we've given you the key things we think you need to know when it comes to injury claims. Including a step by step guide to the process and information on how compensation is calculated.

Your injury claims specialist

We can help if you or someone you care about has been injured as the result of someone else (whether it is completely their fault or only partly). You are entitled to seek compensation for both the injury and any financial losses. We can help you make a claim to get the compensation and support you need and are entitled to. That's compensation which takes into account all aspects of how your injury has affected your work and loss of income, your family life and commitments and your social activities, both now and in the future. Whatever the circumstances, whoever was injured and however bad the injury was, come and see how we can help you.

We are local

Being local makes it easier to get to know you and for you to let us know just how your injury has impacted on your life. With us, you'll get a lawyer who fully understands your situation and is on your side, so you will be able to claim for the full compensation you're entitled to.

With us you get the reassurance of national expertise delivered locally. That means that as well as meetings at our office we can often arrange home or hospital visits where it is difficult for you to come to us.

A Guide to Talbots

Disclaimer: this guide is provided for information purposes only. We have done our best to ensure that the information contained in this guide is correct as of 04.04.2014. It applies only to England and Wales. However, the guide has no legal force and the information may become inaccurate over time, due to changes in the law.

It is not possible to cover every situation or point in this type of guide and some of the information is over-simplified. The information in this guide does not constitute legal advice and we will not be liable to you if you rely on this information. Before you take any action, you should find out how the law applies to you and your particular situation by taking legal advice as soon as possible (to avoid any deadlines that may apply). Please get in touch as we offer a range of affordable services and options.

Call free today on 0800 118 1500, or visit
www.talbotslaw.co.uk for more
information

Accident and Injury Compensation Claims

Steps involved.



Information gathering

We'll work with you to put together the documents, photos and other evidence needed to prove your claim, to help you gain the full compensation you're entitled to.



Claim notification

We'll provide details of your claim to the insurers of the person or company who was to blame for causing your injury.



Medical report

We'll arrange one or more independent medical examination by approved specialists to provide full medical evidence of all you've been through.



Negotiations

We'll present your full case and evidence to the insurers. Our aim is to negotiate the best 'out of court' settlement possible - saving you the worry of going to court.



Court assessment

If the insurers of your opponent do not offer a fair level of compensation we are not afraid of fighting hard on your behalf. We can request a court assessment. A judge will review the evidence to decide who was to blame and how much compensation you should be awarded, if this is needed then with us you'll find we support you every step of the way.



Compensation

When we help you win your claim, either by negotiations or through the court, then the final stage is that you receive your compensation.

How to win a personal injury claim

There are four main rules you need to follow to win a personal injury claim and receive compensation for an injury. Our lawyers are specialists in helping you comply to get compensation for an injury caused by the actions of someone else. We will help you with each of them:



Legal time limit

In most cases you have a maximum of **three years** from the date of the accident to settle your claim or to issue court proceedings. Shorter deadlines may apply to injuries incurred at sea or travelling by plane or overseas. However, injured children often have until their 21st birthday. The deadline rules can be complex. So it's always worth getting in touch with us, even if you think you may have left it too late. Always take advice as quickly as possible, to make sure there is enough time for your lawyer to gather any evidence or records needed to prove your claim.



Cause

Next you will need to show that your injuries and financial losses were the result of the incident (and would not have happened otherwise). Sometimes we will arrange for independent evidence to seek to prove this.



Blame

Your accident and injury has to be someone else's fault. Or at least they must be partly to blame (even if you or someone else was also partly to blame). This is usually shown in a common-sense way. That someone did something foolish (such as bad driving) or failed to do something sensible (like provide safety equipment for employees), whereas, if they had thought about it they would have realised that someone might get hurt. When needed we will arrange for independent evidence on this issue.



Reasonableness of losses

You will need to show the expenses you are claiming as a result of your injury are reasonable and not excessive. Our job is to argue your case and prove the figure being requested is reasonable, helping you support them with evidence such as receipts.

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Injury claims for children

Injury claims aren't just limited to adults. We're also experienced in helping families claim compensation, where someone else is partly or entirely to blame for the child's injury or suffering.

Speaking to us is unlikely to be your first thought. But once the emergency is over, we can help you do the following:

- Make sure your child receives all the medical treatment they need, if it is not available free through even the NHS.
- Take action against the person or organisation responsible. Prevent other children (or their families) having to go through what you've been through.
- Do the right thing for your child - ensure that your child gets all the equipment and extra help they need to make a full recovery and to lessen their suffering.
- Get compensation for your child for everything they have been through.

The law also recognises the huge burden often put on an injured child's family - such as having to take time off work to look after the child, plus the travel, treatment costs and other expenses involved. So, when it comes to making a claim, we'll ensure all of these types of expenses, costs and inconveniences are considered as part of the claim.

If your child has suffered an injury and you think you may have a claim, it's important to call us as soon as possible, so we can offer you the immediate support that you need.

How is compensation calculated?

The type and amount of compensation you can claim will depend on your injury and your personal circumstances. We've listed some of the types below with examples of what you might be able to claim for:

Losses and expenses

- This can include lost wages, medical treatment costs or damage to your property. We'll work with you to get proof of the cost and then claim it back.
- If you are left with a long-term injury or face the prospect of reduced future income, then we'll ensure your claim covers this, along with how your future expenses may increase with inflation over the coming years.

Injury Compensation

We use court guidelines and past court decisions to calculate what you're entitled to for your pain, suffering and the disruption to your life. This helps us to negotiate your compensation payment without the delays of a court hearing. The questions we'll consider are:

- How long you suffered?
- How bad the pain is or was?
- How long will it take before you make a full recovery?
- If you already had medical problems, made worse by the accident, then how long before you return to the position you were in before the incident?
- Whether you'll be left with permanent symptoms
- How visible any scarring is (and if it will be permanent)?
- How bad any long-term or permanent symptoms will be?
- The psychological consequences of your injury?
- How badly the injury has interfered with your ability to lead a normal life?

Other compensation or general damages

Along with your injury compensation, we'll help you claim for general damages - this covers other aspects of your suffering and is usually for the things where it's not always possible to put a precise compensation value on. This could include compensation for:

- Loss of enjoyment of a special event such as a holiday, Christmas or perhaps a family wedding.
- Compensation for a friend or family member caring for you and helping you with activities prevented by your injury.
- Having to change jobs to something far less enjoyable or less prestigious, or to a job with less sociable hours or more travel time.
- Potential future problems due to the injury.

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What we can do for you...

Find out how we can help you?

Call Talbots on **0800 118 1500** for advice on how we can help you.

Talbots' Expert Advice meeting

- 45 minutes expert advice from a specialist divorce lawyer.
- Usually a face to face meeting, but can be by phone if more convenient for you. Discuss anything worrying you – money, children and property.
- Find out how similar situations to yours have worked out.
- Suitable if you're still at the stage of thinking about separating or getting a divorce and want to know more.
- Also suitable for those doing their own divorce and who need some expert help.

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Who are Talbots Law?

We are lawyers, we are local and we are here to assist you!

Talbots Law Ltd are your local solicitors with 7 branches across the West Midlands and Worcestershire. We are always striving to offer our customers the most professional, likeable and valuable service that we possibly can for a price reasonable to you.

We promote a **Law for Life** service unlike any other and see our clients, not as customers but as life long friends we want to keep. We provide a service you can trust and hope that in return, you will choose us again.

We provide a variety of services ranging from:

- Crime
- Conveyancing
- Family Law
- Dispute Resolution
- Residential Services
- Business Services
- Wills and Probate
- Trusts and Estates
- Mediation
- Personal injury
- Medical Negligence

And many more... to find out more about other services that Talbots provides, please call 0800 118 1500 or email info@talbotslaw.co.uk and talk to one of our expert legal advisors.

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