

# Accidents and Illnesses Abroad

## A guide to making a claim

### Expert advice

With more and more people travelling or working abroad, an increasing number of us are having to deal with the consequence of being injured or suffering illness outside of England and Wales.

The law can be quite complex when it comes to accidents and illnesses abroad - other countries' laws may apply and time limits may differ. It's therefore extremely important that a lawyer who specialises in this area of law is sought.

Slater and Gordon's accidents and illnesses abroad team are experts in this field, with many years' experience, and understand how distressing this can be. It's our aim not only to help our clients access the rehabilitation and financial compensation they are entitled to, but also to make the claims process as easy as possible.



### Package holidays

If you travelled abroad on a package holiday you can benefit from the powerful consumer protection found within the Package Travel Regulations, which enables individuals to bring a claim for compensation against the tour operator in England and Wales.

If you had an accident that caused injury whilst on an excursion that was part of a package holiday, again the case can be pursued against the tour operator.

### Road traffic collisions abroad

Many holidaymakers drive whilst they're overseas, either taking their cars abroad or hiring a car, scooter or bike at their resort. Others will travel by taxi or by coach to get to and from their resort.

If you've suffered an injury when abroad, whether a driver, passenger or pedestrian, and you're not to blame, or only partly to blame, you may be entitled to compensation.

### Illnesses abroad

Becoming ill can completely ruin a holiday and can sometimes have long lasting implications on your health.

If you've contracted an illness overseas as a result of food poisoning, poor hygiene conditions or bacterial infections from poorly maintained swimming pools, you may be entitled to claim for compensation.

### Other accidents which can occur abroad

Unfortunately, many types of accidents can take place abroad. If someone else is partly or fully to blame, a claim for compensation may be pursued.

**Skiing or sporting accidents** - accidents whilst participating in sporting activities such as skiing, swimming, water sports, land sports and diving

**Accidents whilst working abroad** - accidents which occur whilst working abroad

**Aviation and airline accidents** - accidents involving air travel, from a trip or fall in the aisle, to a catastrophic disaster

**Falls / balcony accidents** - accidents causing injury from a slip or fall or injuries or fatalities as a result of falling from a defective balcony

**Cruise line accidents / accidents at sea** - injuries which occur whilst on a cruise liner or at sea

**Medical negligence** - medical treatment or surgery which goes wrong / a mistake or accident due to incompetence or lack of judgement by a doctor or healthcare professional

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It was a scary time when I was in hospital in Spain. I'm so glad I contacted Slater and Gordon.

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# Advice on making a claim for compensation

For those who don't have experience of the legal process, contacting a lawyer and making a claim for compensation can be a daunting prospect. However, we're with our clients every step of the way, ensuring they understand the claims process, and relieving the burden of having to deal with a variety of practical issues, at what can be a difficult time.



## What should you do if you think you have a claim?

Contact us. The place where the incident took place, the person or organisation to blame for the incident and the circumstances of the incident can affect which laws apply.

Our team of specialists have a vast amount of experience in dealing with accidents and illnesses abroad and understand the implications and the laws which apply.

Once we've taken details, we'll tell you whether or not you have a claim. If you're entitled to compensation, we can start work on your case straightaway and begin gathering evidence.

## What is the cost of making a claim?

We understand that the cost of legal advice can be a worry, but there are options available to fund personal injury cases.

You may have legal expenses insurance under an existing insurance policy which entitles you to free representation. If legal expenses insurance is not in place, we can conduct your case under a Conditional Fee Agreement, also known as a 'No Win, No Fee' Agreement. This means if the case fails, no payment is due.

Once we know the circumstances of your case, we'll be able to discuss your funding options in more detail.

## What is the amount of compensation likely to be?

Compensation will be based on the severity of the injury, and also on the personal circumstances of the injured person. For example, if they've been unable to work as a result of their injury, loss of earnings may be accounted for.

If the injured person requires rehabilitation, treatment, aids, equipment or adaptations, we'll also seek to recover these costs. Compensation levels will also depend on the law that applies to the claim.

## How long is the case likely to take?

Every case is different so it's difficult to estimate how long a case is likely to take without first reviewing the circumstances. However, the case will be dealt with by an expert from our accidents and illnesses abroad team who will deal with the case as quickly and efficiently as possible.

## Frequently asked questions

### Will I have to go to court?

A large majority of cases settle before a trial takes place. However, if the case doesn't settle before trial, attendance at court may be necessary.

### What if the injury requires rehabilitation or treatment?

We have many years' experience working on behalf of people who have suffered serious injuries and see it as an important part of our role to make sure that our clients get the best quality support to maximise their chances of recovery and future independence.

We work closely with case managers, medical experts and approved rehabilitation providers to ensure that a tailored programme is put in place as soon as possible so rehabilitation can begin without delay.

Where we've proved that the other side was fully or partly to blame, we can obtain interim payments to pay for treatment and other costs before the case reaches settlement.

### What if I need assistance in other areas?

We have expert lawyers in many areas of law such as family, employment, welfare benefits, trusts, Court of Protection and disability rights and work closely with those departments to ensure that you get the best possible outcome.