

# Road Traffic Collisions

## A guide to compensation

### Expert advice

When someone is involved in a road traffic collision, whether as a driver, a passenger or a pedestrian, even if the injury is minor and takes little time to recover, it can be incredibly disruptive and cause quite a lot of stress. However, when the injuries are serious, or even fatal, the impact can dramatically change their life and affect their family.

Having specialised in cases of road traffic collisions for many years, Slater and Gordon understand just how much life can change at this time and it's our aim to make the claims process as easy as possible for everyone concerned and ensure the best possible outcome is achieved.



### What is considered to be a road traffic collision?

A road traffic collision is an incident which occurs on the road, causing injury. Road traffic collisions can involve:

- Vehicles such as cars, vans, buses and coaches
- Motorbikes or scooters
- Bicycles
- Pedestrians or horse riders

### What sort of injuries can be caused by a road traffic collision?

Road traffic collisions happen daily all over the country. Most of these incidents result in injuries which, although painful and distressing, will resolve following treatment, such as physiotherapy.

There are however, road traffic collisions which can cause injuries which are much more serious. These can have permanent or long term effects on the injured person, such as brain injuries, spinal cord injuries and amputation injuries. There are also occasions when they can cause fatalities.

### When can a claim be made?

If the road traffic collision was caused due to the negligence of another, whether they were fully or only partly to blame, you may be able to claim compensation.

### Claims under the Motor Insurers Bureau (MIB)

#### What if the person to blame was an uninsured driver?

If the person who caused the collision was an uninsured driver, a claim can still be pursued. In this situation, the claim would be referred to the Motor Insurers Bureau (MIB) under the "Uninsured Drivers Agreement".

#### What if the person to blame failed to stop following the collision?

If the person who caused the collision failed to stop, even if the injured person was unable to obtain the registration number of the vehicle, a claim can still be pursued. The claim would be referred to the Motor Insurers Bureau (MIB) under the "Untraced Drivers Agreement".

A condition when making a claim under the Untraced Drivers Agreement is that it must be reported to the police within five days if the claim is for property damage or within 14 days if the claim is for personal injury. Failing to do this may jeopardise your claim.

Please note, MIB claims can often be complex and it's therefore important that advice is obtained from an expert in road traffic collisions.

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I found them to be very efficient and informative. I would definitely recommend to others.

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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. Our team of specialists have a vast amount of experience in dealing with road traffic collisions.

Once we've taken details, we'll confirm 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.

Time limits apply when making a claim for compensation, so don't delay in contacting us.

## 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 injury claims.

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 may be able to 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.

## 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?

As we have many years' experience working on behalf of people who have suffered serious injuries, we see it as an important part of our role to make sure that our clients get the best quality support to maximise the 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.

### How do I prevent financial difficulties before the case settles?

It's difficult to say how long a case may take to resolve, yet rehabilitation, aids and equipment, and adaptations to a property or buying a new property are needed as soon as possible in order to provide the necessary tools to assist recovery and future independence.

Where we've proved that the other side were to blame, whether partly to blame or fully, we can obtain financial assistance in the form of interim payments. These are compensation payments which can be made before a case reaches settlement. Interim payments can pay for lost earnings, treatment, adapted accommodation, equipment and professional care. In some cases they can also pay for rehabilitation.

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

We have expert lawyers in many area 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.