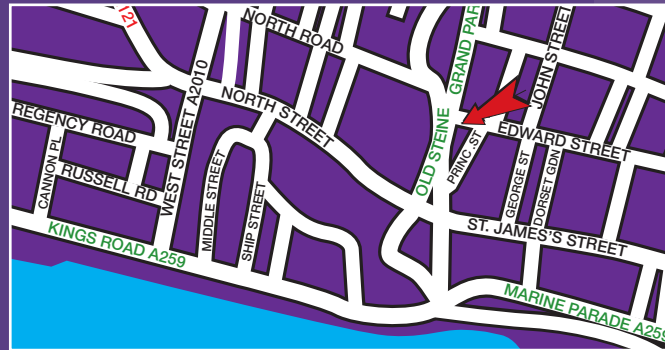


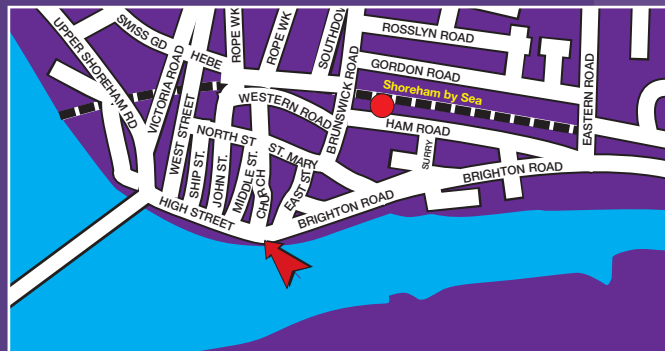
The difference is clear



Personal Injury



Brighton



Shoreham-By-Sea

For specialist advice
and FREE initial
consultation

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HAD AN ACCIDENT?

If you have had an accident or a personal injury that wasn't your fault, you could be entitled to make a claim for compensation.

At Fitzhugh Gates we have experienced personal injury lawyers who will help you to evaluate your compensation claim from start to finish. We aim to make the whole claim process as simple as possible.



The process of making a personal injury claim can be complex and there are a number of steps that need to be taken:

- We have to be able to prove that the organisation or person you think was responsible for your accident also had a responsibility for your safety.
- We also need to prove that because of some fault or negligence they failed in this duty of care.
- We will then need to prove that your injuries were caused by this accident.
- The personal injury claim will need to be made in writing to the person or organisation responsible, and a medical report may be needed to confirm your injuries and explain how long it is likely to be before you fully recover.
- If the insurers of the person responsible agree to deal with your claim, they will not want to pay any more than they have to in order to settle it so we need to find out what the right amount of compensation is for the injuries you have suffered.
- We will also need to determine if you can claim and recover all the other losses and expenses you have had as a result of the accident.

So even in a straightforward personal injury claim where liability is accepted by the insurer, help from our specialist solicitors will make the whole process easier for you.



HOW MUCH DOES IT COST?

We will advise you separately regarding costs. There are a number of insurance schemes available by which you can insure against costs. We also operate a no-win no-fee scheme in appropriate cases subject to payment of disbursements, and insurance. Usually, if we are successful with an action, either through negotiations or as a result of court proceedings, the insurers will pay your damages and, in addition, all or most of our costs, disbursements and success fee if appropriate. Please ask us for full details of all schemes available and how they apply in your particular circumstances.

HOW LONG WILL IT TAKE?

The length of time it takes to resolve a claim varies from case to case. There are numerous factors which can influence this and some of the main factors are as follows:-

- a. How long it takes to overcome the initial argument on liability and whether court proceedings have to be issued to break any deadlock.
- b. The injuries themselves. Even where there are no disputes on liability, final settlement may be delayed because of the injuries. Sometimes it can take some time before the injury settles down and all the symptoms or after effects are known. In order to properly assess damages one needs a fairly definite prognosis.
- c. The calculation of damages for injury (general damages) is based upon medical reports which we can obtain from a number of sources, including your GP, osteopath and consultants. Usually and by agreement with the other side, we arrange for you to see a consultant (possibly the one who has already been treating you). There is usually some delay before these reports are made available. The medical expert may advise us that the injuries are such that a final prognosis cannot be given at this stage and a further wait is required.
- d. Reports are often agreed but sometimes the insurers may ask you to see a medical expert nominated by themselves. There are strict rules governing such appointments and a request for you to go to see someone nominated by the insurers is not unusual nor detrimental to your case.

- e. New symptoms may develop which need investigation. An example is that in serious accident/injury cases, stress problems may become apparent, but not until some time after the accident itself.

Apart from the damages for the injury itself, you can claim damages for reasonable loss or expenses incurred because of the accident (special damages). These can include loss of earnings, prescription charges, travels cost to and from hospital. The potential list is endless and depends on the particular facts and circumstances of your case. Please keep a careful note of all expenses/losses incurred because of the accident and, where at all possible, receipts and invoices.

Again, depending on the facts of the case, you may have a case to claim for future loss of earnings or impairment on the job market. This depends on the severity of the injury and the conclusions of the medical reports.

IMPORTANT:

Please note that any State benefits paid to you because of the accident or injury itself may have to be recovered from any special damages paid to you and repaid to the DSS. The insurers are under a legal duty to make enquiries as to what benefits have been paid, if any. They are obliged to make an enquiry even if no benefits have been paid at all. In order for the enquiries to be made you must provide us with your National Insurance Number and date of birth. If a recovery has to be made, then the insurers will deduct these monies from the damages so that you receive a net figure. The enquiries can sometimes cause a delay in the eventual payment of damages, but usually no more than about 4 weeks.

