



# Have you suffered an injury that was not your fault?

## First things first...

- Obtain the details of the other party, the potential defendant.
- Write down your own statement and ask any witnesses to write down their version of events straight away.
- Photograph the scene of the accident if it's a public place.
- Draw a sketch plan of the scene of the accident.
- Obtain a copy of any accident report book or police report.
- For a tripping accident, measure the height of the step and photograph it.
- Keep details of the injury sustained, treatment received and current condition.

## Keep a note of...

- Any expenditure resulting from injury, including all prescriptions and any mileage by vehicle to the doctor, hospital or elsewhere.
- Any loss of earnings and any state benefits received.
- People caring for you, especially if they need time off.
- The number of hours and days that they help you and, if possible, their pay rate.
- Any activities or work you are unable to do.
- Your feelings and symptoms and how the injury progresses.

## Clinical Negligence

### Do you have a claim?

The law only enables you to claim compensation if “on the balance of probability” your medical treatment was carried out negligently and this caused your injury.

Claims must be made within three years from when you first realised you had suffered an injury.

In the case of children under 18, they can make a claim at anytime up to their 21<sup>st</sup> birthday.

### Negligence and Causation

For a successful claim you need to prove both Negligence and Causation.

**Negligence:** that the medical attention you received fell below acceptable standards.

**Causation:** that the negligence directly resulted in an injury to you.

It is not enough to prove negligence, you must also prove that you received an injury as a result.

### Instructing a Solicitor

Legal action can be costly, lengthy and very stressful. Your specialist solicitor will assess the strength of your case and possible value of the damages.

They will need the positive opinion of an independent medical expert. If a supportive report cannot be obtained, then your case will not succeed.

## Free 60 minute interview

Thomas Dunton Solicitors offer a one hour free interview to discuss the circumstances of your accident and to advise you as to the possibility of pursuing a potential claim.

We aim to support you through the difficult time which can follow a personal injury.

**THOMAS  
DUNTON**  
SOLICITORS

*A client guide to*

# Personal Injury Claims

LOCAL PROFESSIONAL TRUSTED

## Time Limits

Generally to pursue a claim the injury must have occurred within the last three years. However, there are exceptions, for instance, for children or where the consequences were not immediately apparent.

## Funding including 'No win, No fee'

If you wish to go ahead, we will discuss funding with you. There are various options open to you.

- **No win, no fee:** also known as a Conditional Fee Agreement.
- **Private funding:** you fund the claim yourself.
- **Legal Insurance:** found in many home and car insurance policies.
- **Trade Union:** members may receive legal services.
- **Legal Aid:** is only available in exceptional and rare cases, relating to birth related incidents.

For full details of funding options and more information on personal injuries, please visit our website [www.injuryadvicelawyer.co.uk](http://www.injuryadvicelawyer.co.uk).

## Insurance

Gather together any motor, household and legal expenses insurance policies you may have.

If you were the passenger in a motor accident, if possible, ask the driver for a copy of his/her motor insurance policy. We will need to check the policies to see if you have the benefit of any legal expenses insurance cover.

Providing this information will help us to progress your case as quickly as possible.

For more information please call Freephone 0800 146340 or visit our dedicated personal injury website at [www.injuryadvicelawyer.co.uk](http://www.injuryadvicelawyer.co.uk)

## Why choose us?

**Specialist Personal Injury Team:** our specialist team is headed by Robert Sardo who has Senior Litigator Approved Status with the Association of Personal Injury Lawyers (APIL) and is an Approved Member of the Law Society's Specialist Personal Injury Panel.

**Qualified solicitor:** When you speak to us you will be talking to a qualified lawyer, not a legal advisor at a call centre.

**Free one hour face to face interview:** We offer you a free one hour interview without any obligation. This puts us in the best possible position to judge the merits of your case and provide the best advice.

**Home & hospital appointments:** should you be unable to attend our offices, we will be pleased to meet you at your home or hospital.

**Maximum compensation:** We will strive to achieve the maximum compensation for your injuries. Accident victims who turn down an insurer's initial offer and seek legal advice get on average 2–3 times more compensation. (Source: *The Law Society 2013*)

**No win, no fee:** We can offer you a full range of funding options including "No win, No fee". There will be no hidden costs or extra fees.

**Rehabilitation:** Apart from striving for the maximum compensation, we will be actively pursuing the defendant to fund additional medical treatment to enable you to get back to full health as quickly as possible.



*This guide is not a full statement of the law. Individual advice should be taken before taking any action. The information in this leaflet is of a general nature and may not reflect your individual circumstances. Please also note that details may change.*

**Don't leave legal issues too late:  
seek advice at the earliest stage.**

[www.injuryadvicelawyer.co.uk](http://www.injuryadvicelawyer.co.uk)

**THOMAS  
DUNTON  
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Here at Thomas Dunton Solicitors, we have been serving the community for over 40 years.

Our reputation as a competent, professional and compassionate law firm is echoed in our recent annual client survey:

**93%** of our clients said they would recommend us to their friends and family.

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**Solicitors  
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