

What compensation could you claim?

Results count!

There are many lawyers who work in the area of compensation claims. Unfortunately, the results they achieve for their clients vary considerably.

At the Accident Victims Association we know of numerous cases where our clients have swapped over to one of our lawyers and achieved far better results than what they were previously expecting. For example, in a severe brain injury case, our client's first lawyer advised her to accept \$2 million for her claim. We helped the client to find a new lawyer and she got over \$10 million in compensation. We have focused on identifying a number of expert lawyers who work hard to make sure their clients get every cent they deserve.

Non-economic loss / General damages

You may receive what is called "non-economic" loss. This is compensation for general damages such as pain and suffering, loss of enjoyment of life, and so on. Currently under New South Wales laws you will only get compensation for non-economic loss if your injuries are medically assessed as resulting in at least a 10% whole person impairment (see paragraph headed "other states"). The Accident Victims Association does not consider this law to be fair and would like to see it changed. Even someone with less than a 0% whole person impairment feels pain and suffers from their injuries, yet this law prevents them from claiming for non-economic loss. In any event, you can still claim for other areas of compensation even without a 0% whole person impairment.

Australian Capital Territory

The laws of the Australian Capital Territory do not have any restrictions on non-economic loss; that is, money for pain and suffering.

Other States

The laws of other states vary significantly. There is no uniform law. We have or can find lawyers in every state who can advise you.

Past and future medical expenses

If you have paid medical expenses or you will need to pay them in the future, you can claim compensation for these expenses. This may include hospital bills, ambulance fees, or the expense of treatment from a General Practitioner, physiotherapist, chiropractor, counsellor, or rehabilitation specialist. Insurance companies can make this difficult for some people but don't worry, our expert panel lawyers can deal with them.

Loss of income and earning capacity

This is the area where people who are seriously injured can be badly affected. If you were working at the time of an accident and you had to stop work because of your injuries, then you may be entitled to claim compensation for your loss of income.

Alternatively, if you were not working when you were injured but you had the potential to work then you might claim compensation for loss of earning capacity. Some people find themselves out of work for various reasons but are still able to make a claim for compensation in this area.

Usually the biggest part of any claim for compensation is for future loss of earnings. What if you were injured so badly that you could work for the rest of your life? You should be compensated for the amount of income you could have earned over the rest of your working life. Each person's circumstances are different and you would need to see one of our lawyers to find out what you may be able to claim. The lawyer you choose will make a huge difference. We have seen claims for future wage loss vary by hundreds of thousands of dollars depending upon the lawyer.

Nursing and domestic care

Many people who are injured often need their family and friends to help them with day-to-day chores like cleaning, preparing meals, moving around the house, travelling to different places, and so on. This domestic care and assistance can be compensated at varying rates from anywhere between \$18 to \$30 per hour. Under New South Wales laws such care must be needed for at least six months and for at least six hours per week. For people who are seriously injured this could be a very substantial amount of money if the care is needed for the rest of their lives.

House and transport expenses

In serious cases where people need to be transported to a special facility or alternatively have their houses changed to suit their injuries and disabilities, they may be entitled to compensation for such expenses.

Other areas

There are many other things for which you might claim compensation. You should talk to your lawyer about what things you are entitled to claim.

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Free call: 1800 LAW 000 (1800 529 000)

Website: www.lawfinders.net.au

Email: admin@lawfinders.net.au