

## Had an accident? Here's what to do.

If you or a friend has had an accident and you are sitting at this computer screen the person involved in the accident may well be over the worst of it. The action that you now take can critically affect a range of things in your life, both personal and financial. We set out below a brief list of things that you should be doing.

The law, however, relating to accidents is now so complex with so many different laws in states and so many restrictions to entitlements, notices that are required to be given, and so on that in short you cannot really afford not to get some advice. You will see that our panel lawyers will offer this advice free of charge. We urge you in the strongest terms to make a call to us. It will cost you nothing and whilst you may think what to do after an accident can be fairly simple believe us when we say that we have seen hundreds of people and are aware of thousands that have acted to their detriment in not obtaining further advice about what to do after an accident.

For example, did you know that depending on whether or not you have had a work accident, a motor vehicle accident, or a public liability accident there are different time limits for filing of notices, different parties that they have to be given to depending upon when you had your accident. If you have had a motor vehicle accident before a certain date you have to give it to both the motor vehicle insurer and the driver at fault. If it is after a certain date you only have to give it to the third party motor vehicle insurer. If, however, you have had an accident on the way to work you will probably need to fill out a workers compensation claim form as well as a motor vehicle accidents claim form and in some cases other notification forms. Failure to fill out the forms correctly or in time or to provide certain critical information can completely defeat your claim.

### **Motor vehicle accidents**

- 1 Make sure you call and report the accident to the Police. Record the details of the police officer involved and we urge you to keep some record of what you actually told the police about the matter. They will provide you an identification number and you should keep that for future reference. If the accident is one that involves you making any form of statement to the police you should not make it until you have a solicitor present. We are not suggesting to you that you may have committed a crime but we have seen accidents where people have been, for example in hospital, under the effects of medication and given answers that they haven't properly thought about that have later resulted in them experiencing extreme difficulty in making a claim.
- 2 Get the names, addresses, telephone numbers, and licence numbers of all people involved in the accident, all people in any motor vehicles, and also any nearby witnesses. This information may become critical later. People at fault in motor vehicle accidents often lie. One of the sad things about our justice system is that whilst Judges do their best to make sure that they detect liars and lawyers do their best to expose them at times liars do succeed with their lies in Court, much to the detriment of an injured or innocent party.
- 3 Get details of the other driver, or drivers involved in the accident including licence numbers, registration numbers, telephone numbers, email addresses, street addresses,

property damage insurers, third party motor vehicle insurers. The more information you can collect the better you will ensure your ability to make a claim or to protect your position in the future.

- 4 Make no admissions. You should not discuss the circumstances of the accident with either any other driver, witness, or police until you have called us and had a solicitor present to assist you. You are obliged to give certain information to the police including your name, address, telephone numbers, and licence numbers. Otherwise you are entitled to remain silent and to arrange to have a solicitor present. By doing so you are not informing the police officer that you will not co-operate you are simply saying you would like one of our panel lawyers to be present to assist you.
- 5 Fill out a claim form. You will need make contact with the Motor Accidents Authority once you have the registration number of the vehicle at fault. Again you should seek the assistance of a lawyer when filling out a claim form but you should make sure that you fill one out within six (6) months of the accident.
- 6 Call us, call us, call us. As we have said above it costs you nothing to call us. We can get you free advice. It really makes us sad to think of the number of times that we tell people they can get free advice, they are aware of it, still don't call us, and then find themselves in a position where they have acted very much to their detriment and have either extinguished their right to make a claim or alternatively reduced the amount they can claim, or left themselves open to a long and hard Court battle simply because they didn't call us and have us arrange a solicitor to act for them.

### **Work accident**

- 1 Report the accident to your employer.
- 2 Fill out a workers compensation claim form and an incident form.
- 3 Get details of all the people involved in the accident, or witnesses to the accident including licence numbers, telephone numbers, email addresses, street addresses, workers compensation insurers and property damage insurers. The more information you can collect the better you will ensure your ability to make a claim or to protect your position in the future.
- 4 Call us, call us, call us. As we have said above it costs you nothing to call us. We can get you free advice. It really makes us sad to think of the number of times that we tell people they can get free advice, they are aware of it, still don't call us, and then find themselves in a position where they have acted very much to their detriment and have either extinguished their right to make a claim or alternatively reduced the amount they can claim, or left themselves open to a long and hard Court battle simply because they didn't call us and have us arrange a solicitor to act for them

### **Other accidents**

In this section there are a number of other accidents that we refer to. Their can be accidents in shopping centres, playgrounds, sporting fields or sporting events, or a number of other accidents. From state to state the requirements to give notice and the steps that you have to take vary tremendously. It is not possible here to set out or to give you any indication of what you should

do in those circumstances other than to repeat the advice that you really should be speaking to a lawyer. Call us and we will arrange it.

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