

Video: Should I see a lawyer if I've been injured in a car accident?

In this video, Sarah Vinall, Partner in Andersons' Personal Injury team explains what you should do if you've been injured in a car accident.

Watch YouTube video here.

TRANSCRIPT:

If you've suffered injuries in a motor vehicle accident that was caused in full or in part by somebody else, you should consider making a claim for compensation for your injuries.

Who pays the compensation?

When you register your car in South Australia, part of that registration fee is for insurance for compulsory third party injury. This is separate to comprehensive insurance or third party property, which covers the damage to the vehicle. Compulsory third party insurance covers insurance when you injure somebody in a car accident.

What should you do if you've been injured in a car accident?

When you have a car accident, you should immediately stop and if you're able to, take down the name of the other driver, the registration details and the details of any witnesses who saw the accident. If you're not able to do that due to your injuries and the police attended the scene, you can obtain a copy of the police report which will have those details on there. If the police do not attend the scene, then you should report the accident to the police as soon as possible.

You should attend your GP as soon as possible after the accident so that they can assess all of your injuries. You should also keep copies of all receipts for expenses that you've incurred which relate to your accident.

Your GP can fill in a CTP claim form so that you can lodge a claim for your injuries.

What exactly can you be compensated for?

The type of compensation you can seek includes:

- Pain and suffering and loss of enjoyment of life
- Past and future care
- Past and future economic loss and associated loss of a superannuation
- Past and future medical expenses including medication and travel.

The worth of the claim will be dependent on the extent of your injuries and on your ability to undertake work and daily tasks.

How much will it cost to see a lawyer?

The cost to have a lawyer act for you will depend on the complexity of your case. At Andersons we offer a free 30 minute interview so that we can discuss your claim and run through costs with you at this time. All lawyers are required to set out a cost estimate and retainer, so that you're aware of what your legal costs are likely to be and you understand how they are charged.

Why should someone see a lawyer if they've

had an accident?

The assessment of damages for a motor vehicle accident is complex and complicated. It is the insurer's job to act for the other party and in the best interest to pay out as little compensation as possible. You need to have somebody that is acting for you, he understands the law, and who can ask the right questions and get the right medical evidence needed to maximise your claim as much as possible. There's also situations where the circumstances of the accident aren't clear and the insurer seeks a reduction for contributory negligence.

Your lawyer will help investigate the circumstances of the accident and speak to the necessary witnesses. It's a complex area of law so it's important to have a lawyer acting for you.

If you'd like to make an appointment to see a lawyer at Andersons, please contact us on 8238 6666 or email enquiry@andersons.com.au