



A helpful guide to claiming  
compensation for accidents



# Personal Injury

Information Booklet

**AREA**

# PERSONAL INJURY SPECIALISTS

WE SPECIALISE IN ALL TYPES OF ACCIDENTS

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  - *Road traffic accidents*
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# What Is A Personal Injury?

Personal injury can result from a range of circumstances, such as accidents at work, criminal injuries, accidents abroad, road traffic accidents or work-related illnesses, for example. It may be possible to claim compensation for a personal injury when you are able to show that a person, company or some other organisation is at least partly to blame for your injuries through something that was either done, not done (when it should have been), made or repaired by them. Personal injuries can be psychological as well as physical - for example, depression resulting from the trauma of an accident.

Accidents that cause injury to someone (a 'third party') are covered by a section of the law known as negligence. To explain this, under the law, each of us owes a duty of

care to our fellow human beings. This means that as we go about our daily lives, we must take care that our actions are not harmful to others. Therefore, when we drive our cars, for instance, we must do so in a way that does not put other drivers and pedestrians at risk. Parliament also passes legislation placing a responsibility on all of us to act in such a way as to avoid harming others.

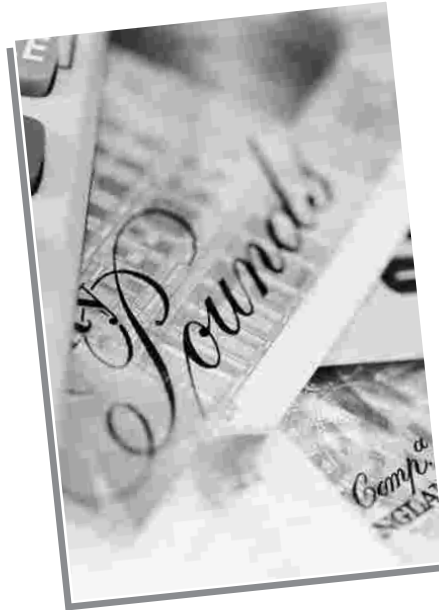




# What Is Compensation?

given in recognition of any injury – either physical or mental; for loss of past and future earnings; a broken contract or something that has ruined your enjoyment of your property, for example.

Compensation claims can be long-winded and stressful and you are not guaranteed a successful outcome. Therefore, you are advised to think about whether you would be happy with a different resolution to your claim, such as an apology, the offer of counselling or a change in policy from the organisation concerned, as just a few examples.



# Related Matters

In certain instances, compensation under this duty of care is enforced by the law and insurance is required to meet claims. A car driver, for instance, must have current insurance cover which will compensate a third party for any damage or injury. Employers also carry insurance to cover them for any liability to their employees and failure by an employer to comply with written law is known as a statutory breach of duty. Under some circumstances, an ordinary house contents policy will insure the householder against accidents which occur on his or her property.

In some cases, it may not even be necessary to prove that another party was actually negligent. There are a number of cases where the event itself is sufficient to establish liability. Such cases might include food poisoning or injury caused by a faulty product.



## Claiming damages

Claims for damages are made directly against the person or organisation that is considered to be at fault. While this may include, say, another driver, your employer, a local council, or a property owner, it is also possible to sue members of your own family through any relevant insurance policy they may hold. For example, if you are a passenger in a car driven by your partner that is involved in an accident, you can claim against their motor insurance policy for any injury you have suffered.

In England, damages may be classified as General Damages or Special Damages.

## General damages

General damages include compensation for the pain and suffering you have had to cope with after an injury, as well as your inability to carry out day to day tasks and loss of quality of life (e.g. if you are no longer able to carry out your usual sports or hobbies).

## Special damages

This may include compensation for money you have had to pay out, or have lost, because of an accident or injury. It may, therefore, cover such things as loss of earnings, travelling expenses, prescriptions, or the cost of any special equipment that you have had to buy (e.g. rehabilitation products or a hire car). You should keep any receipts for any costs relating to your injury as this will make it much easier to claim the money back as part of special damages.



## Future losses and expenses

You may be able to claim for loss of future earnings if, for example, you have been unable to return to work or have had to return to a lesser paid job as a result of your injuries. Any future losses and expenses which may be incurred will be awarded for the likely period of loss.

## Interim payments

Cases can take many months to settle and, in some circumstances, a court may agree that part of the likely total of damages can be paid before a case is finalised.

## Reduction in damages

Even if an injury to yourself was partly your own fault, a claim may still be successfully pursued. In these circumstances, there may be a reduction in the amount of damages awarded. For example, if you are injured in a car accident and you were not wearing a seat belt, then your compensation might be cut. The level of any reduction in damages will depend on what extent an injured person is considered to be at fault (this is known as 'contributory negligence').

You may also get less compensation if the other side can prove that you did not mitigate your losses – that is, you did not do what you could to keep them to a minimum.

If you have been receiving some types of benefit payments because of a personal injury, you may have to pay them back from any compensation you receive. The rules are complicated and a personal injury solicitor will be able to advise you accordingly. You may also wish to read Leaflet 9, 'Welfare Benefits', published by the Community Legal Service for more information (see also page 11 – under the 'Suing your employer' section).



## Accidents at work

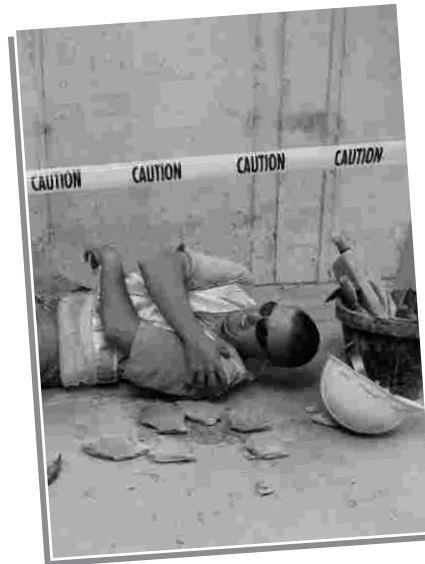
According to the Health and Safety Executive more than 25,000 serious accidents occur at work in the UK every year. In a great many cases, the employer (or his or her insurers) has to pay compensation.

If you have an accident at work, you may be entitled to compensation on one of three grounds:

1. Your employer's negligence.
2. Your employer's failure (or that of someone for whom he or she is responsible) to carry out safety measures ordered by Parliament, e.g. Breach of Statutory Duty.
3. A colleague's negligence.

Any employer who is found breaking a safety law is potentially liable to criminal prosecution as well as to pay compensation to anyone injured because of his or her neglect.

New regulations were introduced by the Government in April 2007. Consult a solicitor for detailed information.



## Claiming benefits

When an accident forces you to stay away from work, you are initially likely to receive Statutory Sick Pay from your employer, who may ask for evidence of your illness, such as a self-certificate or a doctor's certificate.

However, after you have been disabled by the accident for two months and, once your absence has been accepted to be the result of an industrial accident, you can claim Industrial Injuries Disablement Benefit (this is done by completing the 'Declaration of an accident at work' form B195 - available from your local Jobcentre Plus/Social Security Office - and form BI100A, 'Industrial Injuries Disablement Benefit for an accident at work'). You must claim no later than six months after the date of your accident.

Alternatively, you may be entitled to benefits such as Industrial Disability Benefit or Incapacity Benefit. For further details, please see our booklet 'Work-Related Injuries and Disease' or the Department of Work and Pensions leaflet SD7, 'Disabled because of an accident at work?',

available from your local Jobcentre Plus/Social Security Office or available to download from the Department of Work and Pensions website.



## What you should do first

When an accident occurs, whether at work or elsewhere, it is a good idea to keep a diary of events – not only the circumstances of the accident but also a detailed note of visits to your GP or to hospital, and the progress of your recovery from the injury. In addition, keep a note of any expenses you may incur in relation to the injury (e.g. loss of earnings and the cost of travelling to and from hospital) and hold on to any receipts. You will need to be able to prove every aspect of your claim should you decide to seek compensation.

If your accident is the result of falling over, such as through tripping on a paving slab or a manhole cover, ensure you get a photograph as quickly as possible of whatever caused your accident and make sure that you date this photograph. You should also try and get the name and addresses of anyone who saw you fall, as you might need independent witnesses to back up your claim. If you are aware of other people having experienced accidents in the same place, make a note of the circumstances and who these individuals were (if applicable).

If your accident took place at work, be sure to report it immediately through the appropriate avenues. By law, employers must keep a record of most types of accidents. If you are self-employed, record the accident yourself (self-employed people are not entitled to the Industrial Injuries Disablement Benefit). Keep the report factual and avoid placing blame – it is also helpful to write a signed and dated report for your own records.

You or your employer should also report the accident to the Health and Safety Executive or the local authority environmental health department, if applicable.

If you are hurt in a road accident, you must tell the police and, if your car was involved, your insurance company. The insurance company may refuse to pay out if you do not report the accident.

You may decide to pursue a claim for compensation as the result of an injury under the care of a doctor or hospital. In that case, different rules apply to personal injury claims – see the Community Legal Service Direct leaflet 14 (which can be downloaded from their website) entitled, 'Medical Accidents'.

## Suing your employer

Your employer is legally bound to insure against the risk of an unlawful accident to an employee. Therefore, always take legal advice about the possibility of suing your employer for direct or indirect negligence, or breach of duty under the Health and Safety laws. You can do this by consulting a solicitor or via your trade union, if you belong to one.

If your claim succeeds, the damages awarded are likely to be much more than the amount of any Industrial Injuries Benefit – although you could still claim for that (see note above).

The insurance company may deduct from your claim for Special Damages, the amount of any State benefits you have received as a result of the accident and will refund them to the Government. You can find more information about this in the Department of Work and Pension's leaflet GL27, 'Compensation and Social Security Benefits'.

You may be concerned about the repercussions of suing your employer in terms of returning to work and potential victimisation. However, rest assured that various Health and Safety laws are in place to protect the rights of employees and many employers accept that accidents and compensation claims will occur from time to time and are covered by their insurance.



## Taking legal advice

The rules governing compensation claims are extremely complicated and, of course, insurance companies are in business to make money and not to pay it out. So, while it is certainly possible to make a claim on your own behalf, the result is likely to be better if you use the services of a specialised solicitor.

Many firms of solicitors will be glad to take a look at your case and advise upon its chances of success, particularly those solicitors who are members of the Law Society Personal Injury Panel. Many solicitors now also operate on a 'No win – no fee' basis and the vast majority will offer a free initial consultation to see whether you have a viable personal injury claim to pursue. Insurance cover against the possibility of having to pay your opponent's costs should you lose the case should be discussed with your solicitor. (Specialists dealing in this area of work are identified under the 'Useful Contact Addresses' section at the back of this publication).

## The three-year time limit

If your injury was caused by someone's negligence, you must start Court proceedings within three

years of when you were injured, or of when you knew you were injured and believed it was due to someone's negligence (e.g. if you are suffering as a result of exposure to asbestos, your illness may have taken years to manifest itself and the three-year limit would apply to when you found out you had been injured).

If Court proceedings in respect of your claim are not started within three years of your accident, the Courts are likely to hold that your claim is out of time. The three-year rule applies in different ways in different circumstances – with some variation in the case of criminal injuries (you must start court proceedings within six years of the assault unless you are applying for Criminal Injuries Compensation, which has a two- year time limit) and injuries abroad - so it is safer not to wait too long before seeking legal advice. There are some exceptions where judges can override the three-year time limit. Consult a solicitor for further information.

If the case is about a child who has been injured, the time limit does not normally start until they turn 18 (16 in Scotland).

## Choosing a solicitor

If you want to consult a solicitor to claim compensation, you should seek advice from one who specialises in personal injury cases. Choose a Solicitor who is a member of one of the following:

- 1- The Law Society Personal Injury Panel
- 2- APIL - Association of Personal Injury Lawyers
- 3- MASS - Motor Accident Solicitors Society
- 4- HEADWAY - Specialists in Head / Spinal / Catastrophic Accidents

Organisations such as the Community Legal Service, APIL, The Law Society, the Citizen's Advice Bureau or your trade union can help you identify a suitable solicitor.

If you have legal expenses insurance, your insurers may want to appoint a solicitor to handle your case. If you want to use another solicitor, ask them to speak to the insurance company.

When choosing a solicitor, it is a good idea to find out how many personal injury claims they have handled in the past 12 months; the biggest claim they have ever settled;

how many cases of this type has the solicitor had to settle in Court over the past five years; the results; and whether members of any of the above mentioned organisations will be involved in handling or supervising the claim. You should also ask how much time they will provide you free of charge to carry out an initial assessment of your case.

At the initial assessment stage, you are recommended to try and get clear answers in writing to the following questions:

- How much is your claim really worth?
- What are your chances of making a successful claim?
- What risks are involved?
- What costs could you face?
- Do the likely benefits outweigh the costs?
- How long will the case take?
- Can you pull out of the compensation claim if you change your mind?
- What would the repercussions of pulling out be in terms of costs, etc.?

## Claims assessors and management companies

Some people choose to pursue compensation claims via a claims assessor or claims management company. Claims assessors normally operate on a 'contingency fee' basis, which means the company will take a percentage of the amount you win as their fee. If you lose, they will normally get nothing but you should check their terms very carefully if you choose this avenue of support.

Some claims assessors do not use solicitors and can negotiate directly only with the organisation you believe is responsible for your injury. Claims assessors cannot take court action for you or represent you in court. This means that if they are unable to negotiate compensation for you, you must begin your claim through the Court by using a solicitor. This duplication of effort can lead to substantial delays and may put your claim outside the three-year time frame.

Claims management companies work in different ways, so how you pay them depends on how they work. You may have to pay an upfront fee, the company may make you take out an insurance policy to

cover costs (via a loan from them) or they may simply refer you to a solicitor.

Generally, claims assessors and claims management companies act as a go between for you and the solicitor, and may have additional terms and conditions which may not apply if you go direct to a solicitor. You should be aware that there are no specific rules or regulations covering how claims assessors and claim management companies must work, whereas solicitors must follow the Law Society code of practice and have their own insurance against negligence.



The Compensation Act 2006 provides the statutory framework for the regulation of claims management activities. Since April 2007, all companies providing claims management services without authorisation or exemption are committing a criminal offence. Companies offering services in respect of personal injury, criminal injuries compensation, employment matters and industrial injury disablement benefits must be registered with the regulator and are required to meet certain standards.

Consumers can check if companies are registered on [www.claimsregulation.gov.uk](http://www.claimsregulation.gov.uk). Authorisation and regulation is carried out by the Department of Constitutional Affairs. For more detailed advice please consult a solicitor or Consumer Direct at [www.consumerdirect.gov.uk](http://www.consumerdirect.gov.uk)

## Legal fees

Legal cases can be expensive as you must pay your solicitor's fees and other expenses (called 'disbursements'). If you lose, you must also pay the costs of the person or organisation you claimed against. If you have a small claim of £1000 or less for a personal injury, you would have to pay your own costs even if you won the case.

The Community Legal Service Fund has replaced Legal Aid and financial assistance is no longer available for most personal injury claims. You may, however, qualify for help in certain circumstances (e.g. a medical accident, an assault by the police, or deliberate harm, such as child abuse). Solicitors who take part in the Community Legal Service scheme display the CLS logo. They will be able to advise you if you qualify.

If you do not qualify for help through the Fund, then there are other ways in which a solicitor can be supported to pursue your case without causing you any financial problems. For example, as stated above, a conditional fees agreement often known as a 'No win-no fee' agreement is frequently available.

If you win your case, you can claim your legal fees from the losing side. But if you lose, then you will have to pay your own fees and those of the other side. You might want to consider taking out legal expenses insurance known as 'After the Event' Insurance, which will cover all of the fees and other costs if you do not win your case, or if you win but do not get the fees paid by the other side.



Apart from advising you about this, your solicitor will also discuss with you the possibility of getting support from a legal expenses scheme through your car or house insurance policy, or perhaps from other insurance you may have. All these matters can be dealt with by your solicitor to ensure that you know what the financial position is and are not necessarily out of pocket.

If your injury occurred at work and you are a member of a trade union, you may be able to seek their support for legal costs and help finding a solicitor. If you wish to, you may fund your case using your own resources.

### What your solicitor does

Your solicitor will carry out the following steps to handle your claim:

1. Obtain full and detailed instructions from you.
2. Make an assessment of the chances of success and the possible value of the claim.
3. Submit details of the claim in accordance with the Court's Rules to the Defendants.
4. Make further investigations into the claim and obtain all relevant and supporting evidence, such as witness statements, medical reports and other experts' reports.

5. Negotiate a settlement without going to Court or, if necessary, issue proceedings in Court – in fact, most personal injury claims are settled through negotiation without a Court hearing.
6. Normally with the assistance of a barrister, prepare all legal documentation for the issue of proceedings and advise on all procedural matters until the matter comes to trial.
7. If the defendants do not accept responsibility for the accident, they have to file a formal document known as a Defence, which sets out the reasons why the claim is being defended.
8. If the matter still cannot be resolved, then both sides through their barristers present the case before a Judge who will then decide who is responsible for the accident and, if necessary, how much compensation or other damages should be awarded.



### Alternative Dispute Resolution (ADR)

ADR looks at options for resolving disputes without going to court and encourages people to negotiate a settle before starting court proceedings. Visit [www.adrnow.org.uk](http://www.adrnow.org.uk) for more information about possible solutions to your personal injury claim.

### Motor Insurance / Road Accident

Every year, hundreds of people suffer injury through road accidents. Some drivers break the law by not taking out motor insurance and this can present a serious problem in case of an accident.

The Motor Insurers' Bureau (see page 23 for contact details, which is funded by the motor insurance companies, has a scheme to help people who are injured in 'hit and run' accidents or in accidents involving drivers who are not insured. There are, however, strict rules that apply to making claims under the scheme.

### Faulty products or services

It is possible to make a personal injury claim as a result of an injury caused by a faulty product or service

(e.g. a faulty car or power tool, or an injury sustained at the hairdressers for example). More information about such claims is available from the Community Legal Service Direct in their leaflet entitled, '13. Problems with Goods and Services'.

### Accidents abroad

If you were injured outside the UK, you usually have to make a claim under the law of the country where your injury occurred, although this may not be the case if the person or organisation responsible is based in the UK (e.g. a package tour operator).

Claiming under foreign law can be difficult and expensive and you should seek expert legal advice. Some personal injury lawyers specialise in claims for people injured abroad.

### The damages award

Damages are tax-free in all instances. Where the award is a sizeable one, allocated on the basis of long-term future loss, it will be most advisable to seek expert advice about investing the money and gaining interest on the capital. Your solicitor and your bank manager will be pleased to recommend help with this.

# Jargon Buster



**ATE insurance** - ATE is short for 'after-the-event' insurance. This is an insurance policy you can take out after an accident has happened and you have decided to make a claim. If you lose your claim the insurance company will pay your opponent's legal costs and disbursements (expenses).

**Basic charges** - The amount a solicitor charges for the legal work involved in handling your claim. They are calculated using an hourly rate. These rates may vary depending on the experience of the person doing the work. Your solicitor should explain to you how their basic charges are calculated and put it in writing.

**BTE insurance** - BTE is short for 'before-the-event' insurance. It is also known as legal expenses insurance and is often added to car and household contents insurance either free or for a small fee. Some credit cards have BTE insurance, but it can be taken out as separate insurance, too. BTE insurance may pay for the legal costs of making a claim for compensation, whether you win or lose. Your solicitor will be able to check the terms and conditions of any BTE insurance you have and tell you what it will and will not cover.

**Breach of contract** - A contract is 'breached' if it has been broken or ignored in some way, for example, if your car comes back from the garage after a service and it doesn't work, the garage will have breached its contract with you.

**Clinical negligence** - The legal term used to describe a medical accident where someone has been harmed because a doctor or other healthcare professional has not given the proper standard of care. But not all complications or medical procedures that don't work are clinical negligence, because sometimes what happened could not have been avoided.

**Conditional Fee** - This is a contract between you and your solicitor under which your solicitor will not get paid for their work unless you win your case. But you must still work out how to pay your or 'no win, no fee' opponent's costs if you lose.

**Damages** - The money you win as compensation, either after a court hearing or by reaching an agreement before getting to court.

**Disbursements** - Disbursements are expenses, such as court fees, medical reports, police accident reports and after-the-event insurance premiums. Your solicitor may pay these for you at the start of your claim and get repaid by your opponent if your claim is successful. If you don't win your claim, under some after-the-event policies you will have to find a way of paying these costs.

**Limitation period** - This is the period of time within which you must make a claim for compensation. It is usually three years for personal injury cases and six years for other claims. After this time, you are very unlikely to be able to make a claim, although there are exceptions to this. Your solicitor will advise you about the limitation period that applies in your particular case. This is a good reason for seeing a solicitor as soon as you think you may have a possible claim for compensation.

**Negligence** - Negligence is when a person or organisation doesn't take reasonable care over something where they have a duty to do so, for example, failing to drive carefully. If you are injured because someone was negligent (they did something they shouldn't, or didn't do something they should), you may be able to claim compensation.

## Jargon Buster continued...

**Other side, opponent** - These are the different terms you may hear used to describe the organisation or person from or defendant whom you are claiming compensation.

**Personal injury** - Any injury you suffer is personal, but in legal terms, a personal injury for which you can claim compensation is where a person, company or some other organisation is to blame (at least partly) for your injuries. An injury need not be physical – you may be able to claim compensation for psychological injury such as shock or upset.



**Statutory duty** - This is a legal responsibility to do something set out in an Act of Parliament. So, for example, employers are under a statutory duty to protect the health and safety of their employees. If an employer fails to do this they are said to be 'in breach of their statutory duty'.

**Success fee** - Solicitors who act under a Conditional Fee Agreement will charge you an extra fee on top of their basic charges if you win your case. This is called a success fee. It is a proportion of your solicitor's basic charges and cannot be more than 100 per cent (in other words, it must be no more than the basic fee itself). Your solicitor should explain their success fee before you start your claim. If you win your case, the other side will usually pay most of the success fee but you may have to pay the rest of it out of your compensation.



# Useful Contact Addresses

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**Action against Medical Accidents (AvMA)**

Tel: 0845 123 23 52  
[www.avma.org.uk](http://www.avma.org.uk)

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**Advice Services Alliance**

Bramah House, 65-71 Bermondsey St.,  
London SE1 3XF

[www.advicenow.org.uk/compensation](http://www.advicenow.org.uk/compensation)

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**Association of Personal Injury Lawyers**

Call APIL for a list of  
APIL members in your area  
11 Castle Quay, Nottingham, NG7 1FW

Tel: 0115 958 0585  
Email: via online enquiry form  
[www.apil.com](http://www.apil.com)

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**Benefit Enquiry Line**

Tel: 0800 88 22 00  
Email:  
BEL-Customer-Services@dwp.gsi.gov.uk  
[www.dwp.gov.uk](http://www.dwp.gov.uk), [www.direct.gov.uk](http://www.direct.gov.uk) or  
[www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

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**Claims Management Regulation Monitoring and Compliance Unit**

57-60 High Street, Burton upon Trent,  
Staffordshire, DE14 1JS

Tel: 0845 450 6858  
Email: [info@claimsregulation.gov.uk](mailto:info@claimsregulation.gov.uk)  
[www.claimsregulation.gov.uk](http://www.claimsregulation.gov.uk)

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**Claims Standards Council**

Body aiming to regulate claims management  
companies  
69 Wigmore Street, London W1U 1PZ

Tel: 0870 444 6454  
Email: [info@claimscouncil.org](mailto:info@claimscouncil.org)  
[www.claimscouncil.org](http://www.claimscouncil.org)

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**The Community Legal Service**  
(run by Legal Services Commission)

Tel: 0845 345 4 345  
(some free legal advice available)  
[www.justask.org.uk](http://www.justask.org.uk) or [www.clsdirect.org.uk](http://www.clsdirect.org.uk)  
See *CLS Direct Information Leaflet 17, 'Personal Injury: Complaining and claiming compensation'*  
The CLS also provides a directory of approved solicitors

## Useful contact addresses continued...

### **Criminal Injuries Compensation Authority (CICA)**

Working with victims of violent crime  
Tay House, 300 Bath Street, Glasgow, G2 4LN

Tel: 0800 358 3601 (freephone)  
Email: via online enquiry form  
[www.cica.gov.uk](http://www.cica.gov.uk)

### **Department of Constitutional Affairs**

Selbourne House, 54 Victoria Street,  
London, SW1E 6QW

Tel: 020 7210 8500  
[www.dca.gov.uk](http://www.dca.gov.uk)

### **Headway**

The Brain Injury Association  
4 King Edward Court  
King Edward Street  
Nottingham NG1 1EW

Tel: 0115 924 0800  
Helpline: 0808 800 2244  
Email: via online enquiry form  
[www.headway.org.uk](http://www.headway.org.uk)

### **The Law Society**

The Law Society's Hall, 113 Chancery Lane,  
London, WC2A 1PL

Tel: 020 7242 1222  
Tel: 0870 606 2555 (to identify a solicitor by their area of legal specialism)  
Tel: 0845 608 6565 (helpline for complaints about solicitors)  
Textphone: 0870 600 1560  
Email: [info.services@lawsociety.org.uk](mailto:info.services@lawsociety.org.uk)  
[www.lawsociety.org.uk](http://www.lawsociety.org.uk) or  
[www.solicitors-online.com](http://www.solicitors-online.com)  
*See leaflet 'Your guide to making a personal injury claim', which can be downloaded from the Law Society website*

### **Legal Services Commission**

The Commission administers the  
Community Legal Service  
85 Grays Inn Road, London, WC1X 8TX

Tel: 020 7759 0000  
CLS Directory Line: 0845 608 1122  
[www.legalservices.gov.uk](http://www.legalservices.gov.uk)

### **Motor Accident Solicitors Society**

54 Baldwin Street, Bristol, BS1 1QW

Tel: 0117 929 2560  
Email: [office@mass.org.uk](mailto:office@mass.org.uk) or via online enquiry form  
[www.mass.org.uk](http://www.mass.org.uk)

## Useful contact addresses continued...

### **Motor Insurers' Bureau**

Linford Wood House, 6-12 Capital Drive,  
Linford Wood, Milton Keynes, MK14 6XT

Tel: 01908 830 001  
Email: [Enquiries@MIB.org.uk](mailto:Enquiries@MIB.org.uk)  
[www.mib.org.uk](http://www.mib.org.uk)

The information in this Guide is given in good faith for guidance purposes only and was correct as of April 2008. If you have suffered a personal injury of any kind, then you are advised to seek appropriate professional advice. This Guide is not intended to replace the advice of a legal expert and the law may be subject to change. The law in England and Wales differs to that in Scotland; therefore, if you are located in Scotland, you are advised to read our Scottish edition of this publication.