

Accidents at Work

-List of items to be attended by you

GET INSURANCE DETAILS!

It is helpful to know whether the party against whom you *are* taking the action is insured. I~ we know who they are we can involve them immediately and reduce the risk of then refusing to deal with the claim. You should try to get these details!

GET NAMES AND TALK TO ALL WITNESSES!

If there were any witnesses to the accident be sure to obtain their names and addresses and, if possible, their telephone numbers. Talk to them and see if they will talk to us. Try to secure their attendance at our office, and eventually at court. If you can obtain a witness statement from the witness, do so an independent witness is always valuable to your case.

If witnesses are reluctant to come to our office you should ask us to go and see them.

REMEMBER THE LOCATION!

It is extremely important in accidents on footpaths, roads or other locations that you are in a position to identify precisely where the accident occurred. You should ensure that you have some way of pointing out the accident scene to us and any engineer retained by us to inspect the scene.

DO A DETAILED STATEMENT OF HOW THE ACCIDENT HAPPENED!

It is most important that you write down in the fullest detail how the accident happened and what injuries you suffered. You should set out the time, date, working ~ safety conditions and the mechanics of the accident and why you consider the other party is at fault.

We have a standard form which includes questions which should assist you in completing this statement. It is important that you complete this statement at the earliest date You should include as much detail as you can remember, no matter how trivial. You have no way of knowing at an early stage what will prove to be important as the case progresses. You should make sure that you keep a copy of this statement in your own file when you have given us the original.

RECORD YOUR INJURIES!

After the accident even if it has only been a minor one you should always see your doctor for a check up. It is not recommended for you to ignore this as it may cause difficulty at a later stage if you fail to attend your doctor. Make sure that you tell the doctor that you were involved in an accident and also detail all injuries .no matter how trivial. Make sure that he makes a note of these details. It may be advisable for this reason to have someone present with you at this initial attendance.

It is very difficult to remember some months or years after the accident how you felt in the “early days.” Buy a DIARY and keep a record of present symptoms and thereafter record your condition on a regular basis. You should also record all your medical examinations .you should make a note of what they said and what examinations they carried out and what opinions

they offered.

Sometimes an injury is exclusively psychological. The sort of warning sign which might indicate a problem is difficulty with sleeping, headaches, problems coping with simple everyday situations, constant tiredness and loss of memory. If any of these become obvious then you should bring them to our attention and to the attention of your doctor. Ask him to refer you to a specialist who will be able to give us a full report.

TAKE A PICTURE!

It is also a good idea to have photographs taken of (by a professional photographer) both the scene of the accident and of any equipment involved in the accident. You need evidence as to what the place looked like at the time of the accident and this must be done immediately.

You should also arrange to have photographs taken of any visible injuries you have suffered. This provides a useful historical record if the case is to be settled or heard at a later stage when you have made a recovery from these particular injuries.

RECORD YOUR OUT OF POCKET EXPENSES!

You are going to have expenses such as doctors fees, travelling expenses, prescriptions, hospital fees, as a result of your accident. Make sure that you keep all receipts and record all such expenses in your diary. If you have a loss in wages, furnish our office with your social welfare number and any P60's/P45's in your possession, together with a letter from your employer setting out your weekly loss, net and gross.

You should use a diary to record details of all these expenses. You should keep copies of all invoices or receipts received. You could use your diary for this purpose.

KEEP AN EYE FOR A P.1.!

It is becoming increasingly the practice of Insurance Companies to employ private investigators to keep an eye on people taking cases.

If you are saying that because you have a bad back you cannot clean windows they would be happy to have a photo of you out cleaning your front window! It is important therefore that we are told accurately how your injury affects you. Such investigation by the Insurance Company will be to no effect if we disclose full and accurate details to the other side.

THE OTHER SIDE WILL WANT TO HAVE YOU MEDICALLY EXAMINED'!

The Defendant's Solicitors may request you to attend a medical examination arranged by them. You should make sure that you are paid your expenses from the other side prior to attending such medicals.

Prior to attending any medical you may wish to discuss with us the format of the medical and what questions you are obliged to answer. As a general rule the other doctor is not entitled to Enquire into how the accident happened but is simply entitled to enquire into what injuries you received as a result of the accident.

Make sure that you give the doctor details of all injuries. No matter how trivial. It may be advisable to have someone present with you at these medical examinations.

VISIT THE COURT VENUE!

Preparation and experience are two key elements to the successful presentation of any court case, however, experience of court is something very few lay people have. This is why it is a good idea to visit the court a week or two before the case and watch how other cases are presented. Visiting a court before your case allows you to see what happens and will help you to be less nervous when your day in court comes.

You should remember that the day you attend the Court for your case is the only chance of seeing you that the judge will have and hearing your evidence. It is essential therefore that you create a good impression.

you dress in a manner which shows proper respect for the court; you behave in a respectful manner at all times. In giving your evidence you should make sure that the judge can hear you properly and understand what you are saying. You should answer to the best of your ability any question put to you but remember not to give any hasty or confused replies as these may only prejudice your case.

We would also suggest that you bring along someone to give you moral support on the day .a member of your family or a good friend.

Lynch & Partners Solicitors

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