

THE TIPS AND TRAPS WHEN BRINGING A CLAIM TO THE INJURIES BOARD

WHAT IS THE INJURIES BOARD?

The Injuries Board is an independent body set up by law to assess personal injuries claims– be it a road traffic accident, a workplace accident or slip and falls or any other kind of injury before any legal claim can be taken through the Courts.

Because they are independently mandated by law they do not represent someone who is involved in an accident, nor do they deal in any way with attributing blame – they will simply make a determination about what level of compensation (if any) may be appropriate based on the evidence.

ARE THERE SOME TYPES OF INJURIES THE BOARD WILL NOT CONSIDER?

The Injuries Board is not required to make an assessment if they are of the opinion that it is too complex a matter for them and should be put to the courts directly.

If the injury is wholly or in part psychological, if aggravated damages are being sought or if the claim comes out of surgical treatment then the Board is also not required to make an assessment.

HIDDEN PROBLEMS

Difficulties can arise in even what may seem the most straight forward injury claim so we would always recommend that you would seek legal advice before making any application to the Injuries Board.

ARE SOLICITORS NEEDED OR CAN THE INJURED PARTY DEAL WITH THE INJURIES BOARD DIRECTLY?

Solicitors act for the injured person, not the insurance company and we represent the interests of the injured person alone. If someone suffers an

accident or injury through no fault of their own they have a right to a solicitor and to compensation.

The Injuries Board will try to keep claims low – both in numbers and cost so anyone who suffers an injury should contact their solicitor who will put the best case possible forward for them and ensure they are entitled to an amount of compensation that fully reflects the injury suffered.

HOW LONG DOES IT TAKE?

The Board state that they have significantly reduced the amount of time it takes to resolve a claim from three years to seven or nine months, in most cases.

WHAT HAPPENS IF THE CLAIM IS ALREADY SETTLED AND NEW SYMPTOMS ARISE?

In the majority of cases it can take – at a very minimum – twelve months for symptoms to fully settle down and in a lot of cases the symptoms may take a lot longer, or worse, have permanent effects.

If you accept an assessment of compensation in the months after your accident without the proper advice you risk being hugely under compensated should your symptoms continue or even get worse afterwards.

The assessment process with the Injuries Board is rigid. When a personal injuries claim is taken before the Courts instead, you submit your claim at the outset and can then update details and particulars of the injuries and wrongs before the hearing of the case. The Injuries Board does not allow this.

Once your application is submitted that is that and you cannot update or change your claim at a later stage. This is particularly risky where a claim is submitted before your injuries have settled down as the situation can change very quickly leaving the Board assessing what is not really the full extent of your injuries.

FOR MORE INFORMATION

Tel: 052- 612 43 44

Address: Jervis House,
Parnell Street,
Clonmel,
Co Tipperary

Email: info@lynchsolicitors.ie

Website: www.lynchsolicitors.ie



www.twitter.com/LynchSolicitors



www.facebook.com/LynchSolicitors



www.linkedin.com/company/

ATTENTION

The material contained in this article is provided for general information purposes only. We advise you to seek specific advice from us about any legal decision or course of action.