

## **Your rights after a road traffic accident which was not your fault.**

*This summary is adapted from Information for Consumers, The Competition and Markets Authority Report – 24 September 2014.*

*With thanks to Ronnie Conway, Solicitor Advocate, for drawing our attention to this resource.*

Where the accident you were involved in was another person's fault, the law entitles you to be returned to the position you would have been had the accident never happened.

In doing that, you are entitled to get back the reasonable costs you incur.

Breaking that down, these are the most common heads of claim and your rights under each one:

1. Personal Injury

Where you've been injured in the accident, you can claim against the insurers of the at-fault driver. A lawyer will be able to help you make a proper assessment of what this part of the claim is worth.

2. Loss of Wages

If the accident caused you to have to take time off work, you can claim for any resultant loss of earnings.

3. Legal Costs

You are entitled to claim back your legal costs.

4. Your vehicle is written off

Your entitlement is to receive payment of the market value of an equivalent vehicle to the one you've lost in the accident – i.e. based on similar age and condition immediately pre-accident. The assessment of market value should be done by reference to publicly-available information.

5. Courtesy or Temporary Replacement Vehicle

You're entitled to hire a type and size of car equivalent to your own one, with a zero excess on insurance for the hire.

6. Repairs to your vehicle

You are allowed to have your vehicle repaired by a repairer of your own choosing. The repair should be good enough to return your vehicle to its pre-accident condition.

7. Miscellaneous

You can claim back various other losses including damage to personal belongings like clothing or glasses. You can also claim an amount for the inconvenience and hassle caused to you by the accident.