

Know Your Rights



WITH LEGAL EXPERT JONATHAN WHITE

Each year thousands of people suffer accidents that should and could have been avoided.

Too often, these victims suffer serious consequences from their injuries such as health complications and financial problems from being out of work. They do so without receiving any support which could help them get back on their feet.

Why? Because too many people do not understand their legal rights and are intimidated by a system designed to help them. Jonathan White is an expert specialising in personal injury. Each month, he'll answer readers' queries about their legal rights.

Shop till sliced finger

Q One of the tills at work wasn't working properly and one day I badly sliced my finger. I had to take time off and lost money.

My employer has been very sympathetic but I simply can't afford to be without an income so I'm thinking of claiming. I'm worried that as a small company, my employer can't afford to pay for any damages.

Mr P Brooks

A Any concerns you have about your employer being out of pocket should be pushed to one side as, by law, all employers must have insurance in place to cover accidents at work and any personal injury claims brought by employees.

This has been compulsory for over 40 years and means that any compensation awarded to you would be paid by your employer's insurance company rather than your employer.

Work equipment should be kept in good working order so that you can fulfil your job safely and effectively. You are entitled to compensation for your loss of earnings, along with your injury and any medical expenses.

Knocked off bicycle

Q As I was cycling along the road a driver opened their car door into my path without looking and knocked me off my bike.

I suffered various injuries and my bike was damaged beyond repair. I need my bike for work so I'm looking into how I can replace it and get some physio to help me. I'm insured but don't know what my insurance does and doesn't cover and whether I'll have to pay out myself.

Mr D Hobson

A There is a possibility that household insurance might cover the damage to your bike and I would recommend that you check with your insurer.

Physiotherapy costs are unlikely to be covered by your own insurance and there is frequently a lengthy delay for this type of treatment on the NHS.

In these circumstances you should be able to recover the costs of any treatment from the driver's insurance company provided that the treatment is reasonable and you keep the receipts. I recommend you seek help from a solicitor who may be able to persuade the driver's insurance company to fund the physiotherapy costs up front without you having to pay them.

■ If you have suffered a personal injury and are confused about your rights, email Jonathan at knowmyrights@nahl.co.uk or visit www.national-accident-helpline.co.uk/knowyourrights for more information.



