

Your guide to making a Personal Injury Claim

Valuing Clients. Delivering Results.



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across South Wales

Merthyr Tydfil | Nelson | Cardiff | Pontyclun

Welcome

Your guide to making a Personal Injury Claim

This document is designed to guide you through the process of making a Personal Injury Claim, and highlights points for you to consider, such as:

1. Types of accidents and injuries you can claim for
2. Criminal Injury Compensation Authority (CICA) claims
3. Funding your claim
4. What to expect during the claim
5. Types of compensation.

Elements of a Personal Injury Claim

To succeed in a claim, two elements must be established:

1. Liability: Establish that the Defendant is legally responsible by proving that they owed a duty of care, breached it, and caused your injury.

2. Quantum: Assess the impact of your injuries and losses to determine the compensation payable once liability is agreed.

The claim must be either settled or proceedings issued at Court within three years of the date of your accident, or for children, within three years of them turning 18. Protected parties may have no time limit. If you believe you have a claim it is important to seek legal advice as soon as possible.

When pursuing a claim with JNP Legal, you will have an initial appointment with a member of our team who will discuss with you what happened and the impact it had upon you, and provide you with detailed advice regarding the process. They will then draft a statement for you and send it to you with other initial claim documents for you to approve.



Our Personal Injury Team

Initial appointments can be conducted in person, over the telephone, or via video link. We offer home and hospital appointments in certain cases.

Once you have completed all initial documentation and funding is arranged, the

Defendant will be notified of your claim.

At JNP Legal, we appreciate that pursuing a claim may give rise to challenges, but our experienced and approachable team will advise and guide you through every step of the process.



Rebecca Rees
Head of Department/Director



Kate Morey
Partner



Danielle Hart
Associate Solicitor



Natasha Bolton
Trainee Solicitor



Joanne Williams
Legal Assistant

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1. Types of accidents and injuries you can claim for

At JNP Legal, we can assist with claims relating to the following:

- Accidents in the workplace
- Road traffic accidents
- Accidents in a public place
- Injuries sustained in prison or while in police custody
- Brain injuries
- Spinal cord injuries
- Injuries caused by criminal acts (CICA claims).

Unfortunately, we are unable to assist with claims relating to road traffic accidents whereby the sole injury sustained is whiplash or whiplash-related injuries. To make a claim of this nature, please visit the Official Injury Claim website.

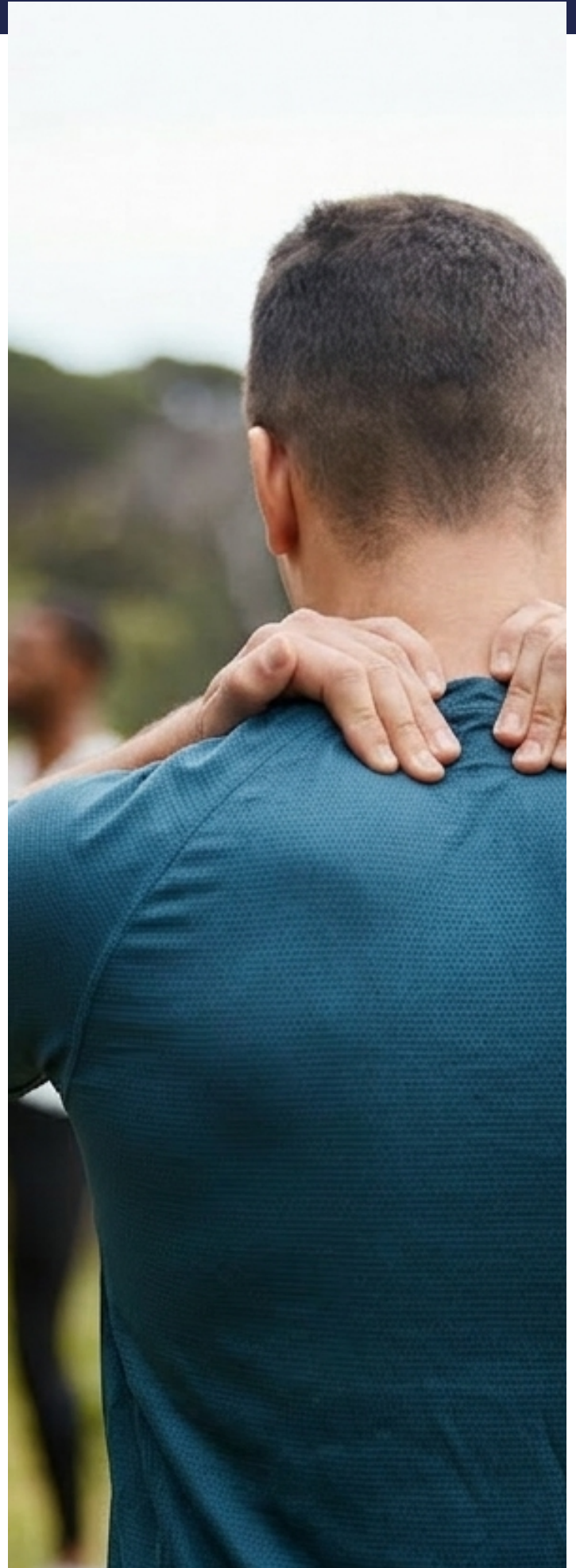
JNP Legal has team members accredited by the Association of Personal Injury Lawyers (APIL), a not-for-profit organisation committed to helping injured people secure the justice they need to rebuild their lives. All APIL members adhere to a strict code of conduct, ensuring high standards of client care.



2. Criminal Injury Compensation Authority (CICA) Claims

If you have been injured as a result of another person's criminal act, you may be eligible to bring a Criminal Injury Compensation Authority (CICA) claim.

These claims provide tariffs of compensation depending on the injury sustained. Please note that CICA claims are subject to a strict 2-year time limit to notify CICA of a claim, which is shorter than the usual 3-year limitation period that applies to most other personal injury claims. If you think you may be entitled to compensation because of a criminal act, please contact us so that we can assess your eligibility.



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3. Funding your claim

The options for funding your claim are:

1. **Conditional Fee Agreement (“No Win-No Fee” basis)** – this is the most common method. If your claim is unsuccessful, you do not pay our costs. If successful, the Defendant pays our costs and disbursements, and you pay a capped success fee (this is usually a maximum of 25% of damages for your injury and past losses and is never more than 100% of our basic charges). Conditional fee agreements are often accompanied by an insurance policy which provides disbursement cover in an unsuccessful claim, and where the premium is only payable on a successful claim.

2. **Private funding** – you pay our costs directly.
3. **Damages Based Agreement** – available in limited circumstances.
4. **Legal expenses insurance** – you may have applicable legal expenses cover on an existing policy.

Qualified One-Way Costs Shifting (QOCS) protection also applies to personal injury claims. This means that, in most cases, you will not be required to pay the Defendant's legal costs if your claim is unsuccessful.

The above information is a general guide only and we will provide specific and detailed funding information specific to the circumstances of your claim.



“Kate is an amazing solicitor. She handled my MIB claim over a two-year period and secured an excellent payout. A truly professional service — 10/10”

Mr Stanczyk

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4. What to expect during the claim

Our team will follow the relevant protocols and procedural rules to progress your claim efficiently, tailoring the process to your needs.

After notification of the claim, the Defendant will have a limited time to investigate and confirm whether they admit liability. They must also provide any relevant documents if liability is not admitted. We will then review their response with you and advise on next steps.

We will obtain medical records and instruct appropriate medical experts to prepare reports. Depending on the nature of your injuries, multiple experts may be needed.

We will also gather evidence to assess your losses, such as wages information, receipts or statements from those providing care.

Once liability has been established and the likely value of your claim (known as quantum) has been assessed, we can begin settlement negotiations.

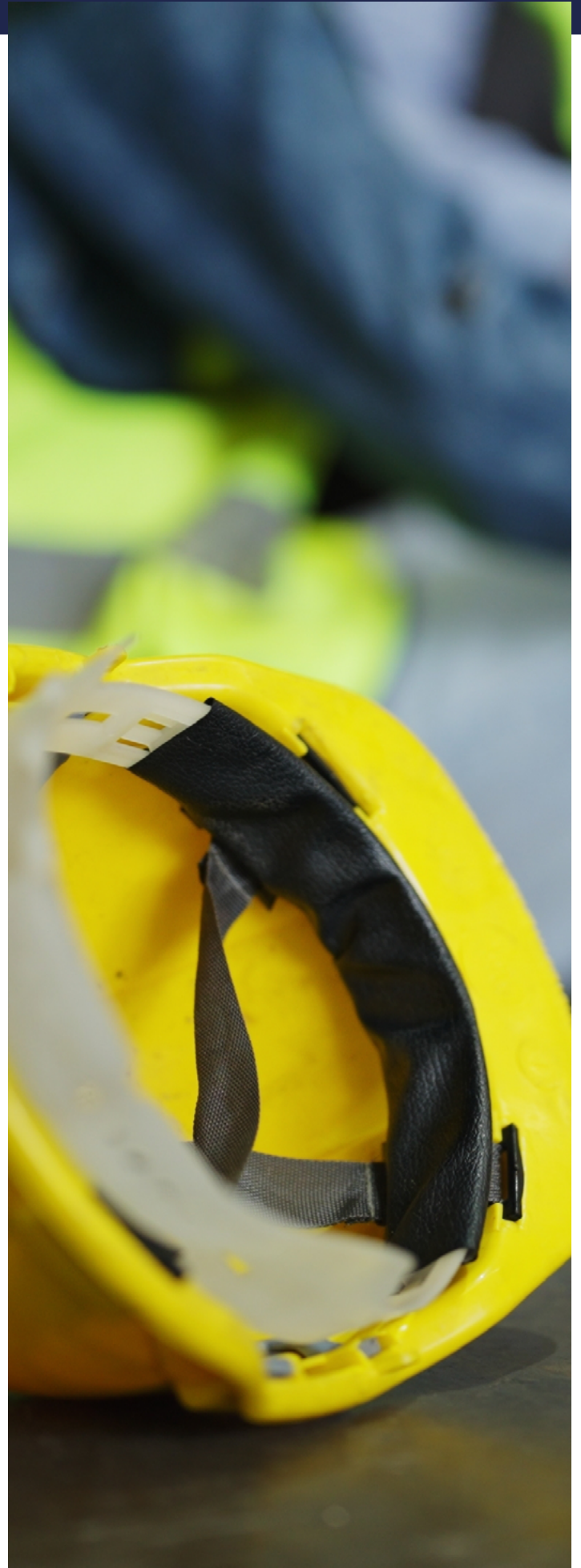
Our team will support you throughout the process.

5. Types of Compensation

Compensation in a successful claim is divided into two categories:

- **General damages** – cover pain, suffering, and loss of enjoyment, evidenced using medical reports and calculated using Judicial College Guidelines and previous case reports.
- **Special damages** – cover financial losses from your accident, such as lost earnings, travel costs, costs for care, and other expenses. These are detailed in a Schedule of Loss.

Your total claim combines both general and special damages.



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Other Civil Litigation Services

Our Civil Litigation Services

- **Clinical & Dental Negligence** – We assess claims for injuries caused by clinical or dental negligence. Most NHS claims follow the Putting Things Right Scheme, starting with a Letter of Concern to the Defendant.
- **Contentious Probate** – We help resolve disputes over estates or Wills.
- **Claims Against the Police** – We handle claims for wrongful arrest or detention, advising on compensation and process.
- **Dispute Resolution** – We guide you through disputes, helping achieve a fair resolution.

Our Services

- Care Proceedings
- Commercial Property
- Criminal Defence (including Motor Offences)
- Debt Recovery
- Dispute Resolution
- Family Law
- Medical Negligence
- Professional Discipline
- Residential Conveyancing
- Wills, Trusts & Probate





If you require any further information, please do not hesitate to contact a member of our Civil Litigation Department.

Visit us online:

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Scan the QR code to schedule a consultation or download a digital brochure.



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