



Personal Injuries Claims – Initial Steps

If you have been involved in an accident or suffered a personal injury that may entitle you to compensation, the following is a summary of the initial steps:

1. If you are involved in a motor accident, you should endeavour to obtain the other driver's insurance details, notify the Gardaí if necessary, obtain witness details and notify your own insurer.
2. You should ensure that you seek appropriate medical assistance and treatment. Details of your treating medical practitioner should be passed to your solicitor.
3. You should retain all receipts for out of pocket expenses which will form part of your claim.
4. You should contact a solicitor as soon as possible with a view to providing instructions and your solicitor can write to the other party regarding the claim.
5. It may be necessary to request that evidence (such as CCTV) be retained by the other party and your solicitor will seek such confirmation in the initial correspondence.
6. All personal injuries actions must be submitted to the Injuries Board (save for limited exceptions). The application is submitted by completing and signing a Form A which must be accompanied by a medical report from your medical practitioner and a fee of €45.
7. The other party can consent to the Injuries Board process in which case the Injuries Board will arrange for an independent medical assessment and eventually they will issue a financial assessment of damages which can be accepted or declined by either party.
8. If the other party declines the Injuries Board award when made (or does not consent to the Injuries Board process at the beginning – see No. 7), an Authorisation will issue allowing you to initiate formal Court proceedings.
9. Medical negligence claims do not need to be submitted to the Injuries Board under current legislation.

If you have suffered an injury due to the negligence of another party, you should contact a solicitor as soon as it practicable to initiate the process. The statute of limitations allows for a period of two years from the date of injury within which to initiate your claim. This statute is suspended when an application is acknowledged by the Injuries Board and time starts again six months from the date an Authorisation issues (as above).

If you have any questions queries in respect of the foregoing please do not hesitate to contact Niall MacCarthy on 01 2960666