

# The SECRET INSIDER'S NEWSLETTER

No. 2



## NOT YOUR FAULT FACT SHEET



by **Ronnie Conway**  
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### Your rights after a road traffic accident

**In 2014, the Competition Commission found that there was a general lack of awareness as to your rights after an accident which was not your fault.**

If the accident is another person's fault, you are entitled by law to be put back in the position you would have been in had the accident never occurred. You are entitled to recover the reasonable costs of doing so and in particular, you can claim:

#### 1 PERSONAL INJURY

If you have been injured in the accident, you can make a claim against the at fault insurers.

#### 2 WAGE LOSS

If you have been absent from work, you are entitled to claim any resulting wage loss.

#### 3 LEGAL COSTS

You are entitled to recover your legal costs.



#### 4 YOUR VEHICLE IS A WRITE OFF

You are entitled to the market value of an equivalent vehicle of similar age and condition as yours before the accident. The market value assessment is usually based on publicly available information such as Glass's Guide.

#### 5 TEMPORARY REPLACEMENT OR COURTESY VEHICLE

You are entitled to a hire car that is equivalent to your vehicle with a zero excess on insurance for the hire.

#### 6 REPAIR TO YOUR VEHICLE

You can choose to have your vehicle repaired by a repairer of your own choice. The repair should return the vehicle to its pre-accident condition.

#### 7 MISCELLANEOUS

You are entitled to recover other miscellaneous losses including damage to personal items such as clothing, glasses or children's seat belt. You are entitled to claim for the inconvenience and all the running around caused by the accident.



The Competition Commission recommended that a Not At Fault Fact Sheet be sent out to you at the same time as your Certificate of Insurance or any renewal.

This recommendation was quietly buried by the insurance industry, which wants to treat your accident as a profit centre for themselves by pushing you towards your own insurers.

In terms of your insurance policy, you will probably require to tell your insurers about your accident, but that's all you need to do.

You don't need to lose your no claims bonus, and you don't need to go to your insurer's preferred cut price repair garage.

In straightforward cases, don't get injured twice by going through your own insurers.

Contact an independent lawyer for a proper assessment of your legal entitlements.

### ABOUT THE AUTHOR

Ronnie Conway, Solicitor Advocate and Fellow of the Association of Personal Injury Lawyers (APIL), is the author of *The Secret Insider's Guide to Insuring Your Car*. He has specialised exclusively in accident and injury work for over 27 years.

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