

Personal Injury

Trips and slips

Where it happened

Different people have responsibilities for different locations.

- Employers are responsible for providing a safe work place. If you trip over a loose cable or slip on a worn carpet, your employer may well be responsible. See our factsheet Accidents at work.
- The owner or occupier of premises open to the public, such as a shop, can be responsible for accidents that happen there. For example, you might slip in a wet patch, or fall down a flight of stairs because of poor maintenance or lighting.
- This also applies to the owner or occupier of other areas - such as car parks, vacant land and so on.
- The local authority is responsible for maintaining the pavement and other public spaces under their control. So they might be responsible if you trip on the pavement - for example, if paving has been laid unevenly.
- If you live in rented accommodation, your landlord might be responsible for any trip or slip caused by poor maintenance.

Just an accident? Or someone's fault?

You can only claim compensation if someone else's failure to fulfil their obligations helped cause your accident.

- Any claim is likely to be much weaker, or to fail altogether, if you contributed to the accident - for example, by behaving carelessly. However, children are not expected to be as careful as adults.
- Some activities are naturally risky. For example, you are unlikely to be able to claim if you suffer a twisted ankle playing football. You might be able to claim if the playing surface was not of the standard that could be reasonably expected, or if the injury was made worse by a dangerous surface.
- Employers, shop owners and so on may be able to defend themselves against a claim if they can show that they had a reasonable system for minimising the risks. If similar accidents have occurred before, or if they take less care than other similar organisations, their position will be much weaker.
- The owner or occupier of premises cannot disclaim responsibility simply because they put up a warning sign. They will still be responsible if they should have done more to reduce the risk.

What to do

If you think you may have a claim, it is vital to get evidence of the circumstances and what happened.

- Report the incident to whoever is responsible for the location (eg shop manager or local authority) and ask them to note it in their incident record book.
- Make your own notes of what happened. If possible, take photographs (eg using your mobile phone) or return to take photographs later.
- Get contact details for any witnesses and ask them to make their own notes of what happened.
- Get medical treatment for your injuries; this will also provide evidence of their extent.
- Keep any other evidence, such as photos of your injuries and any property that was damaged in the accident.
- Try to find out whether there have been other similar accidents before.
- Contact a lawyer for advice on how to pursue your claim.

What you can claim

A claim for compensation aims to put you in the same position as you would have been in had you not had the accident.

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While great care is taken when compiling these materials, no responsibility is accepted for their content or accuracy. They are for general guidelines only and action should not be taken without obtaining specific advice.

- You can claim for any damage to property or earnings lost while you are off work as a result of injury.
- You can claim for any medical costs, including travel to and from medical appointments.
- You can also claim compensation for the pain you suffered. The amount depends on the severity of the pain and how long you suffer from it, and could be anything from a few hundred pounds to many thousands for more severe injuries.
- If you are seriously injured, you may need to claim for future loss of earnings and any further costs you will incur: for example, continuing care and adapting your home to deal with a disability.
- Provided your claim is successful, you may be able to negotiate for the other side to pay your legal costs - but if you lose the claim, you could be liable for both your and their legal costs. You may be advised to take out insurance to cover any potential liability for legal fees.