



A guide to your rights to advice and compensation following injury or illness caused by someone else's negligence and how to find legal assistance

A public information guide from the Association of Personal Injury Lawyers

SCOTLAND

Welcome to the Association of Personal Injury Lawyers (APIL)

This booklet explains the work APIL does and why using an APIL accredited lawyer will ensure you receive professional personal injury advice.

It explains your legal rights and will help you understand the levels of service you can expect from an APIL accredited lawyer.

Lawyer: A member of the legal profession. APIL lawyers include solicitors and advocates.

APIL was established in 1990, by a group of lawyers working on behalf of injured people and now has over 5,000 members.

It is an independent, not-for-profit organisation fighting for the rights of injured people and providing accreditation for lawyers who specialise in personal injury law. This accreditation shows that an APIL accredited lawyer has achieved a certain standard of expertise and competence.

An APIL accredited lawyer will provide you with legal assistance if you have had a personal injury or contracted an illness or disease caused by someone else's negligence.



Working for you

APIL fulfils an important role promoting and maintaining standards in personal injury legal services.

It campaigns for better laws to help people who are injured or become ill as a result of someone else's negligence. APIL works closely with government departments, the Law Society and also has links with consumer groups, such as Citizens' Advice Bureaux and employees' organisations.

Your rights

If you or someone in your family has suffered injury or contracted an illness as a result of someone else's negligence, you may have the legal right to compensation for lost earnings, your pain and suffering or other losses.

APIL accredited lawyers can advise you how best to seek the most appropriate care and legal redress.

Ways in which you may have been injured or become ill:

- A road accident
- An injury or illness contracted at work
- An injury or illness from a holiday or travelling abroad
- Through negligent medical treatment
- Injuries caused by a product
- Tripping on a broken or loose pavement

Who should you talk to?

Personal injury is a complex area of the law so it is important to use a specialist to ensure your compensation claim is handled properly.

You might be approached by unqualified non-specialists, who may only be interested in obtaining a percentage of your damages and not in providing you with the best or most appropriate legal assistance for your particular needs. Care should be taken, as these companies are not regulated and are unable to give legal advice: often acting as middlemen, passing your case on to someone else to handle.

An APIL accredited lawyer is committed to acting in your best interests. He or she will explain how much compensation you may be entitled to and will always give you clear and honest advice with your welfare in mind. APIL accredited lawyers are specialists and receive ongoing training to make sure they are always up to date with the latest developments in personal injury law.



The APIL logo ensures that you will receive the best advice from an APIL lawyer. Remember:

NO LOGO - NO GO

Levels of accreditation

There are different levels of accreditation which APIL lawyers can achieve depending on their experience and areas of specialisation.



Senior litigators, fellows and senior fellows will usually have at least 5, 10, 15 years' experience respectively of handling claims. When you contact an APIL accredited lawyer, you can ask what level of accreditation the lawyer has, and whether the lawyer has experience in dealing with your particular type of claim.



APIL has worked on behalf of injured people for 18 years. The introduction of an accreditation kitemark has been the result of calls from the public for clear and direct routes to qualified specialist lawyers. Accreditation levels which allow members to use the kitemark have been set by an independent body of legal professionals and academics. You should always seek out an APIL accredited lawyer to discuss whether you have a claim.



The APIL Charter

APIL lawyers are dedicated to providing a high standard of service.

APIL's consumer charter makes clear exactly what that means for you. Using an APIL accredited lawyer will offer you these assurances:

- APIL lawyers will put your best interests first
- APIL lawyers will provide clear, impartial and honest advice about your case
- APIL lawyers will tell you if you will have to pay anything to pursue your case and, if so, how much* (*There is more about costs on page 6*)
- If you do have to pay to pursue your case, APIL lawyers will charge you a fair price with no hidden costs
- APIL lawyers will explain your legal position in plain language
- APIL lawyers who feel unable to deal with your case will act only in your best interests in suggesting a referral to another lawyer
- APIL lawyers will keep you updated about all aspects of your case*
- APIL lawyers will consider other appropriate remedies as well as financial ones
- APIL lawyers will not cold call
- APIL lawyers will only publish advertisements that are accurate and truthful

*About APIL

APIL members include solicitors and advocates. It is the responsibility of your APIL solicitor to keep you informed about any other costs and other developments associated with your case. These duties will not be carried out by your advocate.

All APIL members are committed to this charter and abide by APIL's code of conduct. If you feel that you have not received the level or quality of service you would expect, then you should notify APIL.

How much will it cost?

Your APIL accredited lawyer will usually charge nothing for an initial consultation. At this meeting, you will find out whether you have a case for compensation and be told if there will be a cost to you should you choose to pursue that claim.

There are a number of ways in which legal advice can be funded and your APIL accredited lawyer will advise on the most appropriate way for you.

No win - no fee

Most APIL accredited lawyers will work on your behalf on this basis.

Insurance cover

Your APIL accredited lawyer will check whether you have insurance which covers this type of claim.

Employee organisations

If you are a member of a union or other employee group, your APIL accredited lawyer will check whether they may be able to fund your case.

Private funding

You may wish to pay for any legal costs yourself.

Legal aid

You may be eligible for legal aid. Your APIL accredited lawyer will be able to advise you if this applies to your case.

Do I have a claim?

If you think you may have a case for compensation following a personal injury or illness which was caused by someone else's negligence, you should contact an APIL accredited lawyer who will give you honest and impartial advice.

Frequently asked questions

Q. What does accredited mean?

A. The accreditation which APIL provides certifies that an APIL lawyer has achieved a certain standard of expertise and competence, officially recognised by APIL's independent Academic Quality Council.

Q. What is 'no win - no fee'?

A. This term is often used to indicate that there is no fee to pay whether you lose or win your claim. Ask your APIL accredited lawyer for details.

Q. How much compensation can I expect to receive?

A. The amount of compensation you will receive depends on the extent of your injury or illness and how this affects your ability to live a normal life. Your APIL accredited lawyer will be able to give you some idea before you decide whether to pursue a claim.

Q. Does APIL have any financial interest in my claim?

A. Absolutely not. APIL is only interested in ensuring that injured people have access to the best quality legal assistance in order to receive the best compensation and other remedies which will offer you the best chance of regaining your former quality of life.

Q. What is the difference between a lawyer and a claims management company?

A. A lawyer is a qualified legal practitioner, usually either a solicitor or advocate, who is regulated by the Law Society of Scotland or the Faculty of Advocates respectively. Claims management companies are not regulated by any of these bodies and usually act as middlemen, not actually handling claims themselves, as long as the whole claim is conducted entirely in Scotland.

Q. Are claims management companies accredited in any way?

A. There is no form of accreditation or regulation governing the practices of claims management companies at this time, as long as the whole claim and its conduct is carried out entirely in Scotland.

NO LOGO - NO GO

APIL providing accreditation for personal injury lawyers



For details of APIL accredited lawyers in your area, telephone APIL on 0870 609 1958 or visit the APIL website: www.apil.org.uk, email: info@apil.org.uk