

Welcome to Simpkins and Co's September newsletter

Visit our website for news, views, blogs & useful information. Keeping you up-to-date with the changes in legislation, interesting cases and issues that arise in the areas of the law we specialise in: Personal Injury, Clinical Negligence, Employment Law and Business Advice.

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“BACK OFF” CAMPAIGN HOPES TO ENCOURAGE SAFER DRIVING HABITS

Injury Prevention Day this year was on 16th August and highlights the bad habits of many drivers to 'tailgate'. The Association of Personal Injury Lawyers (APIL) campaigns for safer driving practices in the UK and asks drivers to "back off" from the car in front to reduce the number of low-speed collisions. Many are guilty of this dangerous, anti-social habit which can be really intimidating for other drivers. APIL's long-running "Back Off" campaign asks every road user to follow this advice to avoid needless harm.

APIL instigated Injury Prevention Day so that everyone can better understand that the association wants to see fewer people injured needlessly. There is no evidence that the UK has "the weakest necks in Europe", but we do have 50 per cent more traffic on our roads than the European average. Add this to dangerous habits like tailgating, and a recipe for collisions and injuries is created.

As one of APIL's members, we are committed to campaigning for reform to improve the law for injured people so that, if the worst happens, they will be able to exercise their right to seek justice, care and fair compensation. Of course, we would all prefer that no one is injured in the first place, so this campaign focusses on what can be done to prevent harm. If the Government and insurance industry want fewer claims, then this approach makes sense. The Government is making no effort to reduce the amount of these injuries which cause suffering and claims for compensation in the first place.

Follow this link for a short animated video to encourage drivers to keep a safe distance from the vehicle in front
<https://www.youtube.com/watch?v=EzmYlcFgYR8>.



At Simpkins & Co, we are experts in personal injury compensation claims with over 25 years of experience. For more information and to find out about our no win, no fee agreements, call us on **01425 275555** or visit www.simpkinsand.co.uk and claim your **FREE** initial, no obligation consultation.

PERSONAL
INJURY
ADVICE

We are committed to following the 'Guide to the Conduct of Cases Involving Serious Injury'

The guide has been developed after years of work between the Association of Personal Injury Lawyers (APIL), the Forum of Insurance Lawyers (FOIL) and many major insurers. The common aim is to attempt dispute resolution as early as is practical between the claimant and defendant representatives in the case of catastrophic claims for personal injury where compensation is valued at a minimum of £250,000.

Over the years at Simpkins & Co, we have successfully handled personal injury compensation claims of this kind, including extremely difficult and complex cases which no other firm would be willing to take on.

The Guide is intended to assist parties involved in these claims, whilst putting the injured claimant at the centre of the process. It puts in place a system to meet the reasonable needs of the claimant and ensures that all parties cooperate and work together towards resolving the case.

The principal aims of the guide are to: -

- Resolve liability as soon as possible (within 6 months of the date of notification) to achieve a timely resolution of the case. If this cannot be done, what are the barriers and how can all parties work together to resolve the issue quickly?
- Provide early access to rehabilitation to maximise a claimant's recovery (where this is beneficial to the claimant).
- Resolve claims in a cost appropriate manner.
- Resolve claims within a reasonable agreed time frame.
- Encourage an environment of mutual trust and collaboration, including disclosure of all relevant documents, e.g. liability documents, police reports, medical notes etc. Where possible, all parties should obtain evidence in such a way as to avoid duplication of effort and cost.

The guide will bring tangible benefits to all parties involved and by working in this cooperative fashion, the best results for the injured person can be achieved as quickly as possible.



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PERSONAL
INJURY
NEWS



“Unjustifiable”

motor insurance reforms would eliminate injured people from the justice system

The European Commission is debating on options for reform of compulsory motor insurance requirements. The Government wants to amend the Motor Insurance Directive so that insurance is only required when vehicles are used “in traffic”.

APIL (the Association of Personal Injury Lawyers) has stated that this would be wholly unreasonable and unjustifiable. It would mean that a pedestrian injured on a public road by a negligent driver could pursue a personal injury claim, but someone injured on a private road by the same vehicle, could not. There would be no route for the pedestrian in those circumstances to claim redress because the car would be driven without insurance.

A senior lawyer has warned that removing off-road vehicles from the scope of compulsory motor insurance requirements would eliminate injured people and bereaved families from the justice system.

A recent Court of Justice of the European Union (CJEU) ruling decided that it is not relevant where a vehicle is used, it must always be insured. This ruling was made after a farm worker in Slovenia was injured by a reversing tractor. Slovenian law only required compulsory insurance for use of a vehicle as transport on public roads. The CJEU ruled in favour of the farm worker and he was compensated by the insurers of the tractor.

Have you suffered a personal injury through no fault of your own, whether in an RTA or in any other circumstances?

You have 3 years after the accident to make a claim, but it is always better to start the process as soon as possible.

Contact our Highcliffe office on 01425 275555 or visit www.simpkinsand.co.uk to claim your FREE initial, no obligation consultation and to find out about our no win, no fee agreements.

We have 25 years of experience in successfully handling personal injury compensation claims. We are members of the Law Society Personal Injury Panel and the Association of Personal Injury Lawyers (APIL). We are also experts in clinical negligence compensation claims and employment law.

**BBUSINESS
ADVICE
NEWS**

£2 million compensation for cheated workers



The government has revealed that bosses who refused to comply with the law and failed to pay their workers the National Minimum Wage, will be named and shamed. Workers are to be refunded a record £2m.

13,000 employees will receive compensation for their loss of pay. The worst offenders were hairdresser, beauty treatment and hospitality businesses, but Argos received the largest fine of £800k. It failed to pay its workers an average of £64 each. Employees weren't paid after they were forced to attend briefings before their shifts started. Also, they were required to undergo security searches when their shifts had ended. Argos has apologised and updated its processes to prevent this happening again.

Even though the government is cracking down on this issue, it is thought that many workers are still not receiving the wage they are entitled to. In fact, the Office of National Statistics put the figure at 362k. The TUC stated that the problem is ongoing and far away from being solved. It claimed that there are still many wage-dodging employers who are cheating their workers out of a minimum wage.

The charity, Citizens Advice, reported that problems with unauthorised deductions from wages had increased by 84%, prompting concerns that there is a worrying trend of 'wage theft' where employees are not getting paid in full for the work they do.

We are experts in employment law and members of the Employment Lawyers Association (ELA).

Steve Simpkins and Jacque Aitken of Simpkins & Co are also Trustees of the Citizens Advice New Forest.

Are you an employee who's not receiving the wage you're entitled to or are you an employer who needs assistance with any kind of HR issue, including writing staff contracts? Contact us on 01425 275555 or visit www.simpkinsand.co.uk, and claim your FREE initial consultation.

The National Minimum Wage is the minimum pay per hour most workers are entitled to by law. The rate depends on a worker's age and if they are an apprentice.

The National Living Wage was introduced on 1 April 2016 for all working people aged 25 and over. The current National Minimum Wage for those under the age of 25 still applies.



At Simpkins & Co Solicitors we deal in certain areas of the law, the ones we specialise in, giving you the **best service** from the right people. If you need support regarding any aspect of **personal injury, employment law, clinical negligence, business advice** or **Polish start-up assistance**, contact us to **arrange a FREE initial consultation** where we can also advise in relation to funding options as we appreciate that clients are often concerned about potential legal costs. **We may be able to act on a no win no fee basis**, or fixed fee arrangement, plus we can advise on whether legal expenses insurance cover is already in place via other means. We are always happy to take enquiries from Bureau advisors or clients.

Contact us to arrange a FREE INITIAL CONSULTATION: 01425 275555
FREEPHONE: 0800 0832755 or **FREEMOBILE: 0333 7777 420**

The above information and the content of this e-newsletter should never be taken as specific legal advice. If you have a legal problem then please contact Simpkins and Co, Highcliffe, Dorset, on 01425 275555 to discuss your issue in detail.

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