



**Warning!!!!**

**To all police officers,**

**Reading this article will result in you receiving**

**Compensation you are entitled to!**

Speaking as a Panel Federation Solicitor, it is a painful fact that there are a lot of officers who have legitimate claims for personal injury, but who either delay bringing them or don't bring them. Reasons for this range from not considering that it's the "done thing," or it will harm their career, or fear of upsetting other officers.

Whilst I may not agree with the above reasons given for not bringing a claim, I absolutely respect an officer's decision. You have a hard enough job to do and I am not here to push any officer into making a claim that they don't want to make, or to complicate an already difficult job.

However, what I cannot agree with, and will not get onboard with, is officers who seek my assistance with a claim for injuries (especially life-changing ones) when they are out of time. There is nothing worse for a personal injury solicitor to have a Client who has a legitimate claim, particularly with serious injuries, than to have to say "you had a good claim but, you are now out of time to bring the claim because of the Limitation Act." It is awful to watch their face fill with panic because they discover they are no longer going to get the compensation they would have been entitled to. Because they did not seek advice sooner, they now face treatment bills, possibly have to take early retirement due to the injuries but nothing can be done to get them the compensation they deserve.

**Under the Limitation Act 1980**

For personal injuries, section 11 of this Act states a claim for personal injury or death must be made within three years of accrual of the negligent act/omission or knowledge.

To be clear, this does not mean you should waste one or two years before bringing a claim! As a personal injury solicitor, I cannot stress enough that you need to seek advice on the claim as soon as possible. The case may be delayed in any event due to Police Authorities taking too long to investigate and the over-burdened court system. The net result is that solicitors are very often forced to deal with a claim that is rushed, and with an incomplete picture, to the detriment of the officer.

As a result, a lot of solicitors' indemnity insurers now require solicitors, especially in respect of Accidents at Work of any kind and Public Liability Accidents to have a minimum of least 1 year left on limitation before taking on a case, due to the dangers of the case failing because there hasn't been sufficient time.

There is the ability in certain limited situations for a solicitor to make an application under the Limitation Act section 33 to the Court if the limitation date has exceeded, for the Court to disapply the limitation period and allow the action to proceed.

However, no solicitor wants to be placed in a position to be making such an application and amongst others, a general rule the further away you are from the limitation date the more unlikely the Court will exercise its discretion.

Hopefully this article will result in fewer conversations regarding about what an officer should have done and what he has lost, and more about what compensation they are going to receive.

Moral of the story ..... “get that claim in as soon as you can”.

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