



Your guide to fatal accident claims

RJW has been handling fatal accident compensation claims for more than 80 years. We have acted for people who have lost loved ones in the workplace, on the roads or in accidents on holiday. We have represented clients injured in major disasters such as the King's Cross fire of 1987 and the World Trade Center attack.

“ Thank you for your help and guidance during this stressful time. It has been consoling to know that you were at the end of the phone and that you could talk me through the complicated process. ”

Client testimonial

Understanding your case

With our extensive knowledge of fatal accident cases, we understand the trauma of suddenly losing a loved one. In addition to the psychological impact, there are the many practical issues that need to be considered, such as finances and childcare. To help ease the immediate financial burden we can, in appropriate cases, obtain interim payments from the defendant's insurance company.

We will remain in close touch with you throughout the claim, using our firm's wealth of resources and knowledge to give you the support you need at what is invariably a difficult time. We can also provide you with representation at the inquest.

The law relating to fatal accidents

The law says that any 'dependant' can bring a claim for losses or compensation caused by a fatal accident.

A dependant can be:

- A husband, wife, ex-husband or ex-wife of the deceased
- A person who was living with the deceased as if they were husband or wife for at least two years prior to the death
- A child or parent of the deceased
- A civil partner or former civil partner of the deceased
- A person who is a brother, sister, uncle, aunt, niece, nephew or cousin of the deceased

Compensation is calculated to include both the loss of financial support and the loss of services that you have suffered.

Each case is different but to give you an idea, a claim for the loss of a main earner for a family would include claims for:

- The pain and suffering of the deceased
- Loss of income to the family dependants
- Funeral expenses
- Compensation to pay for the services that the deceased performed such as childcare, DIY or housework
- Probate costs

If the deceased made a Will, the executor of the estate is responsible for pursuing the compensation claim on behalf of the dependants. If there is no Will, letters of administration need to be issued to one of the eligible dependants.

We have our own in-house probate department who will be able to assist in obtaining the grant of probate. The cost of this is recoverable from the defendant in the event of a successful claim, so there is no extra cost to you. We are happy to handle all of the administration involved.

Statutory bereavement award

This is an award paid to you if the deceased was either your husband or wife, or your child who was under 18 at the date of their death.

This award is a fixed sum of £11,800. Please note that this is paid in addition to any dependency claim that you may have.

Some recent cases:

- We secured £525,000 for a widow whose husband was killed in a workplace accident
- We secured £500,000 for a widower whose wife was killed when her car skidded off a flooded road as a consequence of a poorly maintained drainage gully
- Our client received £425,000 when her semi-retired husband was killed in a cycle accident
- Our client, a widow whose husband was killed in an aviation accident, received £880,000

Russell Jones & Walker Solicitors is regulated by the Solicitors Regulation Authority (SRA 54695) and the Ministry of Justice in respect of regulated claims management activities; its registration is recorded on the website www.claimsregulation.gov.uk.

Prepared by Russell Jones & Walker Solicitors 2010.

This fact sheet is for general guidance only and should not be treated as a definitive guide or be regarded as legal advice. If you need more details or information about the matters referred to in this fact sheet please seek independent formal legal advice. This information was correct at time of going to press.

We pride ourselves on our fair fee structure – there is no charge for the initial consultation and we guarantee that you will receive 100% of any compensation awarded.

Find out more
If you would like to know more about RJW and pursuing a fatal injury claim, please contact us for a free, no-obligation meeting.

Our offices
Birmingham, Bristol, Cardiff, Edinburgh, London, Manchester, Newcastle, Sheffield, Wakefield.



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