



Maximum Compensation. What it means for you. Jargon removed.

The fact is that most of us can't afford to get hurt. We don't have the time because even minor injuries have the potential to keep us from our work, from doing the things we love, and from looking after our families. We also don't have the money as ongoing medical bills, out-of-pocket expenses and, in some cases, incapacity to continue working, can often mean that financial pain continues long after physical pain has gone.

The system isn't made for us. Even when we are lucky enough to have insurance or someone else to pursue for compensation, a lot of doors are closed to those who are unfamiliar with the system. An entire industry exists to help insurers to minimise the amount they must pay you – even if they accept your claim – and the legal process is extremely complicated and difficult to deal with for non-lawyers.

Unfortunately, you don't get to choose when misfortune strikes. But when it does, you can choose to have a professional on your side – someone who knows what they're doing and understands what's important to you – to help you through the process, and to help get the best possible result for you.

Isn't my insurer here to help me?

Insurers receive tens of thousands of claims per year. Their entire business model depends on not allowing all claims in their entirety, and everyone from their lawyers to their preferred experts knows this.

When the people who are supposed to be looking after you have an inherent interest in reducing the amount of compensation payable to you, you need an expert on your side to put forward the best possible case and guide you through all the hoops that insurers will make you jump. This means everything including:

- Notifying your claim within strict time limits
- Obtaining the correct expert reports
- Calculating any loss of income or other damage arising from your injury (more on this below)
- Investigating the factual background to your claim.

You need someone on your side who wants to maximise your compensation, rather than minimise it. And that person is often not someone appointed by your insurer.

What happens if I don't have insurance?

Sometimes things happen that we simply aren't covered for, even when it's not our fault. In these cases, we often have no option but to seek compensation from the people at fault through the legal process.

Personal injury litigation in Australia is a constantly evolving and increasingly technical area of law, with its own processes and thresholds, that can often be impossible to navigate for non-lawyers. It is even difficult for lawyers who aren't specialists in the field!

Once your claim makes it to Court, the other side is likely to have its own lawyers – often appointed by **their** insurers – who will try to use every possible angle and technicality to avoid paying out, or to cut down your claim to one their client is willing to pay in settlement.

Sometimes, these offers will look very enticing, especially for people who don't know what heads of damage might apply to their case, who aren't used to the forum, or who might be feeling intimidated or fatigued by the process. Insurance and defence lawyers know and rely on this. Therefore, you need someone on your side who can tell you in simple terms how strong your claim is, what you're entitled to, and who can tell a low-ball offer from a genuine one.

How does compensation work?

Compensation or “damages” for personal injury can come in many different forms in different circumstances, known as “heads of damage”. Lawyers who do not specialise in compensation law are not always across the subtle differences between them, how they are calculated, and how they can complement one another to achieve maximum compensation for you.

By comparison, this is what we at LHD Lawyers do every day.

Among others, heads of damage that may apply to your claim include:

1. Pain and suffering;
2. Loss of amenity (inability to do things which used to be enjoyable or pleasurable);
3. Loss of income and capacity to earn income;
4. Loss of superannuation due to diminished earning capacity; and
5. Medical expenses and home care.

What do I do if I think I'm eligible for compensation?

If you believe you may be entitled to compensation, your first step should be to contact a legal professional. Here at LHD Lawyers, we've provided specialised legal services to individuals, businesses and communities for over twenty-five years. We have helped thousands of Australians to obtain compensation and relief because of motor accidents, workers compensation, negligence and public liability issues.

We know how to calculate and present the best possible claim for you, whether to your insurer or to the Court, and how to gather the right evidence to prove your claim and achieve the best possible result.

The team at LHD Lawyers strongly believes that all Australians should be able to access legal representation in times of need, regardless of their financial situation. As a result, we offer a No Win, No Fee arrangement on all compensation claims. This minimises the up-front costs for you to get advice and pursue your claim with us, and if your claim is unsuccessful, you do not need to pay us for our professional fees.

If you would like to discuss a potential claim with us, please [get in touch with us](#) and one of our experienced compensation lawyers will get back to you to arrange a free consultation.