

Public Liability Information Guide



No Win, No Fee
Personal Injury Lawyers

Being injured in public can leave you feeling frustrated, vulnerable, and alone.

Sometimes the injuries are irreversible and life-altering. Thankfully, we are experts at assisting people like you and obtaining the financial security via compensation that you are entitled to and deserve. We are here to help.

At Arnold Dallas McPherson, we provide you with the highest standard of legal services on a no win, no fee basis. We pride ourselves on doing this personally and being on the journey with you throughout your claim.

We have been helping injured Victorians to secure financial compensation and lump sum payments for over 25 years. Your road to financial recovery begins with us. It doesn't cost you anything to know where you stand.

**Call us on 1800 242 588
or visit www.admlaw.com.au
to find out how we can
help you today.**



“Our family found ourselves in an overwhelming situation which required the skills of the lawyers at Arnold Dallas McPherson. I cannot thank them enough for their endless help, efficiency and patience in steering us through this difficult time ...”

Suzanne C - Google Review



Public liability claims can arise in a wide range of situations. They are made due to a person suffering injury as a result of the fault of another party. This can be, for example, a trip on a defective footpath, falling through a verandah at a home, or even slipping at a pub.

It is important to ensure that another party is financially able to respond to the claim being brought against them, which usually means having insurance. All public authorities have insurance, as do most businesses and homeowners.

Public Liability claims are based on the fault of another party. In order to successfully pursue a Public Liability claim, you must prove that another party has been negligent in causing you injury.

You must show:

- A duty of care was owed to you,
- That duty has been breached,
- Causation (that breach of duty, is linked to the damage suffered),
- Damage (injury and economic loss).

Compensation

There are three types of compensation that can be applied for, which lawyers refer to as “Damages”:

1. Economic Loss Damages

These are for economic loss as a result of suffering injury.

- They include loss of earnings (past loss)
- Loss of earning capacity (future loss)
- Care provided by others (in certain scenarios)
- Loss of the ability to care for others (in certain scenarios)

2. Medical and Like Expenses Damages

These include but are not limited to expenses incurred as a result of injury such as:

- Medical treatment
- Radiology
- Medication
- Home assistance and care

3. Pain and Suffering Damages

Damages for pain and suffering are paid because of the loss of enjoyment of life a person suffers as a result of their injuries.

Eligibility for pain and suffering damages is, however, restricted in Victoria.

To claim for pain and suffering damages an injury must be permanent and reach a “significant injury” threshold as assessed by a doctor in accordance with prescribed impairment guides.

The thresholds are as follows, for:

- Non-Spinal physical injuries: 6% or more
- Spinal injuries: 5% or more
- Psychological injuries: 10% or more



Time Limits

Time limits, known as limitation periods, apply to Public Liability claims.

In most public liability cases, there is a time limit of 3 years to issue Court proceedings from the date the cause of action is discoverable. The date of discoverability can be quite complex, so generally the safest thing to do is to begin proceedings within 3 years of becoming aware of an injury.

Minors or those under a disability have 6 years instead of 3 years to start proceedings.

In certain scenarios, this can be extended. We are able to advise in relation to such issues.

Loss of Life

When a loved one dies as a result of another party's negligence, there are two types of claims that may be able to be pursued.

The elements above still have to be applied, but a loved one can potentially claim either or both

- for their economic loss as a result of their financial dependency on the deceased,
- and
- if they can satisfy the significant injury threshold test, for their own injury as a result of becoming aware of the death.

Why Arnold Dallas McPherson?



Our understanding team

We understand that dealing with lawyers can be daunting. We listen to your story carefully and answer your questions clearly. We ensure that you understand your rights and responsibilities, our role in assisting you, and what your claim involves.



We are an excellent specialist injuries firm

Our lawyers are committed to excellence and are proud of their results and the firm's reputation. Many of our lawyers are Accredited Personal Injuries Specialists, and leaders within the Victorian legal profession. Our support staff are well trained, caring, and committed to assisting our clients.



Truly local services

We understand the needs of people in Country and Metropolitan Victoria. Our offices in Bendigo, Melbourne, Echuca, Shepparton, Maryborough, Castlemaine, Narre Warren, Scoresby, Bundoora, Ringwood and Chadstone allow Victorians to access excellent legal services locally and in person.



Our clear advice

We promise to explain your rights and the legal process to you in a language you will understand. We will listen to you, address your concerns, and advance your interests.



Our independence

Our firm is a proud, long-standing member of the Australian Lawyers Alliance, a group which fights for the rights of ordinary people. We do not work for big companies or insurers. We will fight for your rights without compromise.



Our experience

We have acted for tens of thousands of injured Victorians, helping them to achieve financial recovery after injury. Our lawyers have deep and wide experience in all facets of Personal Injury Law, and enviable records of delivering outstanding results for clients.

For over 25 years, we have acted on behalf of thousands of injured Victorians, helping them to achieve excellent results and financial security.

DO YOU HAVE ANY QUESTIONS?

Our Personal Injury Lawyers are here and ready to help you.

We'll listen to your story and help you move forward with your life. Call us on 1800 242 588 or visit www.admlaw.com.au for a free case evaluation.



Our Personal Injury Lawyers are experienced in all facets of Personal Injury Law which include:

WorkCover Claims

TAC Accident Claims

Public Liability Claims

Asbestos Compensation Claims

Superannuation Insurance Claims

Injuries Caused by Negligence

CONTACT US

Your road to recovery begins with Arnold Dallas McPherson. With offices right across Victoria, we are able to meet the needs of people in both Country Victoria as well as Melbourne Metropolitan regions so that all Victorians can access affordable, clear and concise legal services.

Tel 1800 242 588 | admlaw.com.au



“For me, working with ordinary hardworking Victorians to achieve a result and to get their life back on track is very rewarding.”

Sarah Richardson
Lawyer

Disclaimer

This guide outlines important information if you've been injured in a workplace accident within Victoria. Please be aware that the advice given here is of a general nature, and does not constitute legal advice. Liability limited by a scheme approved under Professional Standards Legislation

Acknowledgement of Country

Arnold Dallas McPherson acknowledges the Traditional Owners of the land on which we work and live across Australia, and recognise their continuing connection to the land and community. We pay respect to Elders past, present and emerging.

