

FACTSHEET

Personal Injury



Interim payments – a quick guide

Depending on the severity of your injury, the process of making a personal injury claim can take some time to conclude.

Any type of accident that results in a severe injury can be devastating. The effects of your injury may be long-term and the financial and emotional impact upon you and your family can be significant.

In this situation it's possible to request what is known as an 'interim payment'. This is a partial payment of your likely compensation award which is paid to you in advance of your claim settlement.

How do I apply for a payment?

If the other party or their insurer admits liability for your injury, we will request an interim payment from them on your behalf. If our request is refused, we can apply to the court. They have the power to order an interim payment, subject to certain criteria.

You can normally request a 'reasonable percentage' of what is likely to be awarded to you as part of your compensation claim. Any interim payment made is deducted from the final amount awarded at the end of your case.

How can I use an interim payment?

The purpose of an interim payment is to ease the financial pressure caused by your injury. It can be particularly useful if you're unable to work, are self-employed or you're only earning statutory sick pay.

However you don't need to prove financial hardship to request an interim payment. It can also be used to aid your recovery by paying for access to specialist care and therapy, or for transport, equipment or any adaptations that are needed to your home.

Example

You've suffered a head injury in a cycling accident and aren't able to work. To help your recovery you'll need rehabilitation and assistance in your home.

Your interim payment can pay for the specialist care you need and can also be used for general costs, such as paying bills, until you're able to return to employment.

Will a payment affect my benefits?

You can protect your access to means-tested benefits by placing your interim payment into a compensation trust.

Compensation trusts were set up by the government to protect compensation payments made to victims of negligence.

Placing your interim payment in a compensation trust will ensure that it is disregarded when assessing you for benefits.

If you're requesting an interim payment, you should consider setting up a compensation trust as soon as possible so that you're fully covered from the start.

Further information

See our factsheet on compensation trusts for further help and guidance. Otherwise contact us on **0117 325 2929** to speak to our team.

www.barcankirby.co.uk

