



FAQs for advice organisations

4-30-2021

OFFICIAL
INJURY
CLAIM

FAQs – content

These are the key questions someone making a claim through Official Injury Claim on their own, without legal support, may ask.

Before making a claim

What is Official Injury Claim?

Who is Official Injury Claim for?

Can I get help to make a claim using Official Injury Claim?

Who can help me make a claim outside of Official Injury Claim?

Can I use Official Injury Claim for cases of injury in all road traffic accidents?

How do I know if I can use Official Injury Claim?

What can I claim?

How do I know how much my claim will be worth before I start?

What information will I need to support my claim?

Where does the compensation money come from?

What do I do if the other driver says it wasn't their fault?

Is there a time limit to making a claim?

I need to cover some immediate expenses – can I get an advance payment to do so?

During the claim process

Official Injury Claim talks about non-protocol vehicle costs – what are they?

Should I include any fees in the estimation of my claim?

Is my estimation of my claim the final total?

How do I get a medical report?

Do I have to pay for a medical report?

What does it mean, to wait out your prognosis?

How is an offer made?

Do I have to accept the offer the compensator makes?

Going to court

Do I have to go to court?

If I go to court, can I use Official Injury Claim to manage the process?

What happens in court if I decide to take my claim there?

Can I claim for help with court fees?

FAQs

Before making a claim

What is Official Injury Claim?

Official Injury Claim is a new free, impartial and independent service for people injured in a road traffic accident to claim compensation without legal help. This easy-to-use online portal guides you through the process of making a claim, managing that claim and receiving compensation.

Official Injury Claim has been developed by the Motor Insurers' Bureau (MIB) on behalf of the Ministry of Justice.

You can use the service if you were injured in a road traffic accident on or after the 31st May 2021.

Who is Official Injury Claim for?

Official Injury Claim has been created for use by people to make their own claim for injuries and damages suffered in a road-traffic accident that was the fault of the other driver (in full or in part). It has been designed for them to make a claim without any help from specialists. They are called 'unrepresented claimants'.

The government has introduced changes to the personal injury claims process. The changes will affect the amount of compensation claimants receive and include:

- the introduction of tariffs for some whiplash injuries from road traffic accidents
- the increase of the small claims limit from £1,000 to £5,000 for road traffic accidents
- fixed compensation amounts for all whiplash injuries lasting less than 2 years

The service can be used for road traffic accidents occurring on or after the 31st May 2021.

Can I get help to make a claim using Official Injury Claim?

We have tried to make Official Injury Claim as easy to use as possible, and there are lots of materials to help you:

- A 'Claim overview' screen will keep you informed on your progress and lets you know what to do next
- the 'Key Information' side bar (see below 'Tell us about the accident' screen) explains legal terms at each point of the claim process.

Tell us about the accident

Key information

Date and time
If you are not sure of the exact time, you may put in an estimate.

Description of accident
Provide a short description of the accident. If you want to add more details you can use the upload facility on your 'Claim overview' page.

Photo and Dashcam
The portal will guide you through the process of uploading this material.

Select type of accident

- Hit on the rear
- Vehicle pulling out from side road
- Vehicle changing lane
- Concave
- Hit whilst parked
- Hit by oncoming car
- Other

Describe how the accident happened*

Do you have any photos or dashcam footage of the accident or vehicle damage?*

Yes No

Save and Exit

- [A Guide to Making a Claim](#) is available here.

There is also a dedicated Official Injury Claim helpline you can call: 0800 118 1631. It is available Monday to Friday from 9am to 5pm. You can email the team by going to the [Official Injury Claim website](#).

Official Injury Claim is available in English and Welsh and translation services are available in the 10 most commonly requested foreign languages. If you're unable to complete the process online, a paper claim form is available by calling the Customer Contact Centre on 0800 118 1631.

Who can help me make a claim outside of Official Injury Claim?

If you need help, you can ask a friend or family member to assist you. You can also get a professional, called a claim representative, to make a claim on your behalf on Official Injury Claim. Make sure they are registered to use Official Injury Claim before you start. You will need to pay for the services of any claim representative you decide to use.

Can I use Official Injury Claim for cases of injury in all road traffic accidents?

No. Official Injury Claim is for use with accidents where you were the driver or a passenger inside a vehicle, such as a car. If you were involved in an accident as a cyclist, motorcyclist or a pedestrian, you need to seek legal advice.

How do I know if I can use Official Injury Claim?

To use Official Injury Claim, all these statements need to be true of you and your accident:

- you are aged 18 or over
- the accident happened in England or Wales
- the accident happened on or after 31st May 2021
- you were inside a vehicle (for example, a car) as the driver or the passenger
- you believe someone else was responsible for the accident (either in full or in part)
- you have the vehicle details of the person whom you believe caused the accident

- the vehicle at fault has a UK registration number plate

You cannot use Official Injury Claim if:

- you were injured in an accident, but were not inside a vehicle (for example, you were on a motorbike or bicycle, riding a horse or walking)
- the accident was caused by an untraced driver (for example, it was a hit-and-run accident)
- the other vehicle involved is registered outside the United Kingdom
- you are currently bankrupt
- you are classed as a 'protected party' where 'protected party' means a person who lacks capacity to conduct court proceedings
- either the claimant or defendant is deceased

Before you start, Official Injury Claim will take you through a few questions to check that you fulfil the requirements for making a claim.

What can I claim?

You can claim compensation for your injury, damage to property (including your car) and/or loss of earnings as a result of your injury. You can make a claim for up to £5,000 for your injury, and up to £10,000 in total – that is the claim for your injury added to any compensation for damage to your property, loss of earnings and any other expenses you have incurred as a result of the accident.

How do I know how much my claim will be worth before I start?

The vast majority of whiplash claims and most other soft tissue injuries will be valued at less than £5,000.

You will need to assess the value of your claim to see if you should be using Official Injury Claim. The value will depend on both your injury and any other losses incurred as a result of the accident or injury. The table below sets out what you need to consider when assessing the value of your claim.

You may wish to seek further advice or guidance on the value of your claim. There are various sources of advice you can use. These include your own insurer or legal adviser, although you may need to pay for a legal adviser's services. Your adviser will be able to guide you on whether you can recover any of your legal costs from the other party.

The table below sets out what you can claim for. You will need to be able to prove each item claimed for either by keeping receipts (for example for travel) or through the medical report for your injury:

Whiplash	<p>Click here to see the tariff in Appendix 2.</p> <p>If you have suffered a whiplash injury (or injuries) to your neck, back or shoulder this will be valued by reference to a whiplash-only tariff set by law. The medical expert will set out in the medical report how long you have suffered, will suffer or are likely to suffer with your injury; you can cross reference that information against the tariff. You won't know exactly how long you are likely to have your injury (or injuries) until you have your medical report, but you will be able to provide an approximate indication of the value of your claim by considering the tariff.</p>
----------	--

Whiplash <i>and</i> minor psychological injury	<p>Click here to see the tariff in the Appendix 2.</p> <p>If as well as a whiplash injury (or injuries) you believe you may have had a minor psychological injury, such as shock or travel anxiety, your claim is still valued by reference to the whiplash and minor psychological injury tariff. As with a whiplash injury, use the tariff to make an approximate indication; the medical expert will set the actual amount in the medical report.</p>
Uplift in exceptional circumstances	<p>Click here to see the tariff values without the uplift in the Appendix 2.</p> <p>Where you have a whiplash injury or whiplash injury with minor psychological injury and the injury/injuries you have sustained is/are exceptional, you may be entitled to an uplift of up to 20% of the tariff sum. You should explain why you think your injury is exceptional to your medical expert, who will comment on the issue. To be exceptional the injury must be exceptionally severe and/or your circumstances have increased your suffering as a result of the whiplash injury (and those circumstances are exceptional).</p>
Non-whiplash injury	<p>Click here to see this guide in the Appendix 1.</p> <p>If you have suffered an injury that is not whiplash (for example a broken finger), then the tariff will not apply to your injury claim or that part of your injury claim if you have suffered a whiplash injury and a non-whiplash injury. You should review the relevant sections of the Judicial College Guidelines (JCG) which will give you an indication of the likely value of this part of your claim . As there is no tariff for non-whiplash injury, you will need to negotiate the value of the non-whiplash injury with the compensator once you have requested an offer. The JCG provides you with a starting point for that negotiation and for valuing your claim when you start the claims process.</p>
Other protocol damages – injury related	<p>You may have incurred losses as a result of your injury (for example loss of earnings, travel costs for attending medical appointments, prescriptions, physiotherapy). You should keep receipts for these items where possible or obtain proof for other items (for example loss of earnings).</p>
Other protocol damages – property damage	<p>You may have incurred losses as a result of the accident (for example the cost of repairs that you have paid yourself, damage to property that was in the car at the time of the accident, loss of earnings because you need your damaged car to work). You should keep receipts for these items where possible or obtain proof for other items (for example loss of earnings).</p>

What information will I need to support my claim?

It's important to remember that you won't get any compensation for damages or losses that don't have any supporting documentation (for example receipts or reports). Official Injury Claim will help you to upload all the documents needed to support your claim.

Where does the compensation money come from?

If it is agreed that the accident was the fault of the other driver, then their insurer will pay the compensation. It may be decided that the accident was only partly the other driver's fault. In which case, their insurer will pay you a percentage of the total amount claimed (equivalent to the percentage of fault – liability – that the other driver's insurer accepts). In Official Injury Claim, the other driver's insurer is called the 'compensator'.

What do I do if the other driver says it wasn't their fault?

You can still use Official Injury Claim, but you will need to provide evidence that proves that the accident was their fault, at least in part. Evidence might include witness statements or footage from a dash cam (if you have one). The compensator will conduct their own investigations to determine who was responsible, including obtaining any relevant information from the police.

Is there a time limit to making a claim?

Yes. You need to start your claim in Official Injury Claim within 3 years of your accident. If the process is going to take you past that 3-year limitation, you will have to take your claim to court. You can still use Official Injury Claim to gather your documents for court.

I need to cover some immediate expenses – can I get an advance payment to do so?

You need to have had initial success in your claim before you ask for what is called an interim payment. These are:

- if the compensator has admitted part or full liability for the accident
- if the compensator has admitted part or full liability but has disputed that the accident caused any injury you
- if the court has determined liability in your favour either in full or in part

An interim payment is only made for damages or losses such as travel expenses to the medical examination, for property damaged in the accident or your policy excess. You cannot get an interim payment for the injury itself.

To request an interim payment, go to the 'My other actions' section on your 'Claim overview' screen and select 'Request interim payment'.

In addition, a compensator may make an interim payment voluntarily at any time after you have started your claim. This payment can either be:

- an interim payment for a specific item
- a general interim payment which will be offset against any final settlement of your claim.

Note that a general interim payment is not an admission of liability and the court cannot be told about it until the end of the case.

When an interim payment made is in respect of a specific item, either as requested by you or made voluntarily by the compensator, that item will be treated as settled in full and will be removed from your claim.

If the compensator does not respond to your request for an interim payment or does not pay an agreed sum, you may choose to go to court. Select 'Go to court' – Official Injury Claim will assist you in this process.

During the claims process

Official Injury Claim talks about non-protocol vehicle costs – what are they?

The legal framework that underpins the process of using Official Injury Claim is called the RTA Small Claims Pre-Action Protocol. This outlines what you can claim for through Official Injury Claim. Any vehicle costs that are not covered by this protocol are called non-protocol vehicle costs. Non-protocol vehicle costs (NVC) are defined in the Pre-Action Protocol. Examples of NVC are:

- sums your insurer has paid on your behalf such as the cost of repairs, the write-off value of your vehicle or any courtesy car
- a hire car or repair services provided on credit

These costs are not to be included in your claim on Official Injury Claim. They are normally negotiated separately by the organisation involved (for example the insurer or credit hire organisation).

However, if you eventually decide to go to court because you could not reach agreement with the compensator (or insurer), then any outstanding non-protocol vehicle costs should be included in your claim at that stage. The portal will let you know what information you need to provide.

Should I include any fees in the estimation of my claim?

Fees, sometimes referred to as disbursements, do not form part of your claim.

You can claim back your fees on Official Injury Claim only after you have reached an agreement with the compensator about your claim or you have gone to court and agreed a settlement there.

The only fees that you can claim for are:

- the fees of any other experts whose evidence you need to prove your claim (for example, an accountant)
- police report fees
- court fees
- the medical report fee, if not paid by the compensator

Is my estimation of my claim the final total?

No. Official Injury Claim will guide you to get more definite figures, through obtaining a medical report and negotiation with the compensator. You can make changes to the claim up until the compensator makes you an offer of compensation. For example, it may be that your injury proves to be more serious than originally thought, or there may be other exceptional circumstances which mean you might be entitled to more money (called an 'uplift' in Official Injury Claim).

Liability will also affect your claim. If the compensator decides that the other party were fully at fault, then you will receive 100% of your claim. However, if the compensator decides that the other party

were partly at fault, you will be entitled to only the percentage of the claim that matches the percentage liability agreed with the compensator.

How do I get a medical report?

Once liability has been agreed, in full or in part, Official Injury Claim will automatically prompt you to arrange a visit to an accredited medical examiner or ask a Medical Reporting Organisation to find a medical expert for you. The service will guide you through whichever of these options that you choose. You can choose a medical expert in a convenient location and contact them to arrange an appointment at a time that suits you.

Once the report is completed, the medical expert will upload it to Official Injury Claim. You will need to check it for any factual errors or omissions.

If you can't be examined in England or Wales (for example you live in France and were injured while on a visit to England or Wales), you can source your own medical expert and upload your own medical report.

Do I have to pay for a medical report?

In cases where liability has been agreed, in full or in part, the compensator will pay for the medical report – the medical expert will invoice them directly. There might be circumstances where you have to pay for this yourself, but you can add the cost of the report onto your claim.

What does it mean, to wait out your prognosis?

The medical expert will indicate on their report how long they think it will take you to recover from your injury. This is called your 'prognosis'. At points during the Official Injury Claim service process, you have the option to 'wait out your prognosis'. This means that you would like to wait to see if you do recover in this time period. If so, you can ask the compensator for an offer, or accept or reject an offer already made to you. If not, you can ask the compensator to provide another medical report.

You don't have to wait until the end of your prognosis period. You can continue the process even if you are still recovering from any injuries you have suffered.

How is an offer made?

Once you have completed all the steps necessary (for example, uploaded all the necessary documents, had your medical examination and agreed with the medical report findings), you can ask the compensator to make you an offer – Official Injury Claim will tell you how to do this. The compensator will assess all the information about the accident, your injuries, any damage to property and any losses you have suffered, and then make you an offer.

Do I have to accept the offer the compensator makes?

No. You can reject the offer and make your own counter offer – that is, the amount you think you should be entitled to, based on your circumstances, the medical report, the evidence of the crash and your estimation of the value of your claim. You can reject an offer and make a counter offer on three occasions up to the value limits of the service (for example £5,000 for a personal injury, £10,000 for your claim in total). If you still are not satisfied after making three counter offers, then you can go to court to settle your claim.

You can also dispute liability by going to court.

Going to court

Do I have to go to court?

No. Official Injury Claim has been created to help you avoid the need to go to court. However, if you have tried to settle your claim through Official Injury Claim, but are still not content, you can ask the court to review your case and decide on your claim.

If you started your claim in Official Injury Claim but are not able to complete it within the 3-year limitation period (from the date of the accident), you will need to start a court claim before that deadline is reached. Official Injury Claim will guide you through this process.

If I go to court, can I use Official Injury Claim to manage the process?

Official Injury Claim will help you find a court and help to gather together all the documents you will need to take to court. However, if you decide to go to court, your claim is paused on Official Injury Claim. You can still gain access to all your documents, but you won't be able to move your claim forward.

What happens in court if I decide to take my claim there?

The court will decide if the case will be heard via an oral hearing or paper hearing. A judge will hear or read the case and make their own decision on your claim. For example, if you are disputing liability, they will decide if the other party involved in the accident is liable in full or in part. This is the final decision. If you are disputing the amount of compensation, they will decide the final settlement figure on the claim that the compensator will have to pay you.

Can I claim for help with court fees?

If you have little or no savings and are on certain benefits or have a low income, you may not have to pay a court fee, or you may get some money off. Further details can be found [here](#).

In cases where liability has been resolved you may need to pay a court fee to start court proceedings, but this should be repaid by the compensator at the end of the case. If liability remains outstanding you may need to pay a court fee to start court proceedings. If the defendant is found to be at fault for the accident, the court should order the defendant to repay the fee.

Appendix 1 – Extracts from the Judicial College Guidelines (15th edition) for valuation of non-whiplash injuries

All the information below is extracted from [A Guide to Making a Claim](#).

Remember: You can use Official Injury Claim to make a claim for up to £5,000 for your injury, and up to £10,000 in total – that is the claim for your injury added to any compensation for damage to your property, loss of earnings and any other expenses you have incurred as a result of the accident.

Minor injuries, including cuts, lacerations and abrasions

<p>Minor injuries are injuries which are of short duration, where there is a complete recovery within three months, and are not otherwise referred to in other chapters. Cases where there is significant pain or multiple injuries albeit full recovery within three months may fall outside this chapter. Likewise cases involving, for example, travel anxiety (associated with minor physical injuries) or minor scarring where symptoms last for more than three months may appropriately be included in this chapter. The awards within each bracket will be dependent on the severity and duration of symptoms. The extent to which the level of symptoms remains relatively constant will also be a relevant factor. Claims solely in respect of shock or travel anxiety in the absence of physical or recognised psychiatric injury will not attract an award of compensation.</p>	
Where there is a complete recovery within 3 months	£1,290 to £2,300
Where there is a complete recovery within 28 days	£650 to £1,290
Where there is a complete recovery within 7 days	A few hundred pounds to £650

Ribs/chest

Rib and chest injuries	
Fractures of ribs or soft tissue injuries causing serious pain and disability over a period of weeks only	Up to £3,710
Lung injuries	
Injuries leading to collapsed lungs from which a full and uncomplicated recovery is made	£2,060 to £5,000
Temporary aggravation of bronchitis or other chest problems resolving within a very few months	£2,070 to £5,000

Face/cheek/jaw/nose

Eye injuries	
Minor eye injuries – in this bracket fall cases of minor injuries, such as being struck in the eye, exposure to fumes including smoke, or being splashed by liquids, causing initial pain and some temporary interference with vision	£3,710 to £8,200

Transient eye injuries – in these cases the injured person will have recovered completely within a few weeks	£2,070 to £3,710
Ear injuries / hearing impairment	
Slight noise induced hearing loss without tinnitus or slight tinnitus without noise induced hearing loss	Up to £6,580
Nose injuries	
Fractures of nose or nasal complex – displaced fracture where recovery complete but only after surgery	£3,710 to £4,790
Fractures of nose or nasal complex – displaced fracture requiring no more than manipulation	£2,370 to £2,960
Fractures of nose or nasal complex – simple undisplaced fracture with full recovery	£1,600 to £2,370
Cheekbone injuries	
Simple fracture of cheekbones for which some reconstructive surgery is necessary but from which there is a complete recovery with no or only minimal cosmetic effects	£4,080 to £6,060
Simple fracture of cheekbone for which no surgery is required and where a complete recovery is effected	£2,180 to £2,810

Forearm/wrist/hand/finger(s)

Elbow injuries – moderate to minor	
They comprise simple fractures, tennis elbow syndrome, and lacerations; that is those injuries which cause no permanent damage and do not result in any permanent impairment of function	
Injuries with the majority of symptoms resolving within 18 to 24 months but with nuisance level symptoms persisting after that	£5,890
Injuries fully resolving after about one year	In the region of £3,310
Injuries with the majority of symptoms resolving within 18 to 24 months but with nuisance level symptoms persisting after that	Up to £5,890
Wrist injuries	
Very minor undisplaced or minimally displaced fractures and soft tissue injuries necessitating application of plaster or bandage for a matter of weeks and a full or virtual recovery within up to 12 months or so	£3,310 to £4,450
Hand and finger injuries	

Loss of the terminal phalanx of the ring or middle fingers	£3,710 to £7,390
Loss of part of the little finger – this is appropriate where the remaining tip is sensitive	£3,710 to £5,500
Severe dislocation of the thumb	£3,710 to £6,360
Minor hand, finger and thumb injuries – this will include fractures which generally have recovered in 6 months. Also injuries such as scarring, tenderness, and reaction to the cold where there is full recovery	Up to £4,461

Leg/knee/ankle/foot/toe

Leg injuries - simple fractures to tibia or fibula or soft tissue injuries	
Where there has been a simple fracture of the tibia or fibula with a complete recovery. The level of award will be influenced by time spent in plaster and the length of the recovery period	Less than £8,550
A wide variety of soft tissue injuries, lacerations, cuts, bruising, or contusions, all of which have recovered completely or almost so and any residual disability is cosmetic or of a minor nature	Less than £2,300 when fully resolved within a few months
Less serious leg injuries – a wide variety of soft tissue injuries, lacerations, cuts, bruising, or contusions, all of which have recovered completely or almost so and any residual disability is cosmetic or of a minor nature	Less than £8,550
Knee injuries	
Shorter periods of acceleration or exacerbation, and also lacerations, twisting, or bruising injuries. Where recovery has been complete or almost complete the award is unlikely to exceed £5,680	Up to £12,900
Foot and toe injuries	
The less serious, minor or undisplaced fractures, sprains, and ligamentous injuries. The level of the award within the bracket will be determined by whether or not a complete recovery has been made and, if recovery is incomplete, whether there is any tendency for the ankle to give way, and whether there is scarring, aching or discomfort, loss of movement, or the possibility of long-term osteoarthritis. Where recovery is complete without any ongoing symptoms or scarring, the award is unlikely to exceed £7,220. Where recovery is complete within a year, the award is unlikely to exceed £5,160	Up to £12,900

Simple metatarsal fractures, ruptured ligaments, puncture wounds and the like. Where there are continuing symptoms, such as a permanent limp, pain, or aching, awards between £6,580 and £12,900 would be appropriate. Straightforward foot injuries such as fractures, lacerations, contusions, from which complete or near complete recovery is made would justify awards of £6,580 or less. Modest injuries that resolve within a short space of time will attract lower awards. Awards for minor foot injuries resolving within a few months, with little impact on lifestyle or day to day activities, are unlikely to exceed £2,300	Up to £12,900
Moderate toe injuries – these injuries include relatively straightforward fractures or the exacerbation of a pre-existing degenerative condition or laceration injuries to one or more toes. Cases involving prolonged minor symptoms and/or the need for surgery resulting in prolonged discomfort and permanent scarring are likely to justify awards towards the upper end of this bracket. Only £5,250 or less would be awarded for straightforward fractures or crushing/soft tissue injuries of one or more toes with complete resolution or near complete resolution	Up to £9,010

Scarring

Less significant facial scarring – in these cases there may be but one scar which can be camouflaged or, though there is a number of very small scars, the overall effect is to mar but not markedly to affect the appearance and the reaction is no more than that of an ordinarily sensitive young person	£3,710 to £12,900
Trivial facial scarring – in these cases the effect is minor only	£1,600 to £3,310
Scars to other parts of the body – a single noticeable scar, or several superficial scars, of leg(s) or arm(s) or hand(s), with some minor cosmetic deficit	£2,220 to £7,350

Damage to teeth

Loss of or serious damage to several front teeth	£8,200 to £10,710
Loss of or serious damage to 2 front teeth	£4,080 to £7,160
Loss of or serious damage to one front tooth	£2,070 to £3,710

Loss of or damage to back teeth: per tooth	£1,020 to £1,600
--	---------------------

Head

<p>Minor brain or head injury – in these cases brain damage, if any, will have been minimal. The level of the award will be affected by the following considerations:</p> <ul style="list-style-type: none"> (i) the severity of the initial injury; (ii) the period taken to recover from any symptoms; (iii) the extent of continuing symptoms; (iv) the presence or absence of headaches. <p>The bottom of the bracket will reflect full recovery within a few weeks</p>	£2,070 to £11,980
<p>Less serious damage to hair in consequence of defective permanent waving, tinting, or the like, where the effects are dermatitis, eczema, or tingling or ‘burning’ of the scalp causing dry, brittle hair, which breaks off and/or falls out, leading to distress, depression, embarrassment, and loss of confidence, and inhibiting social life. Also, cases where hair has been pulled out leaving bald patches. The level of the award will depend on the length of time taken before regrowth occurs. This bracket will include cases of alopecia induced by stress causing some hair loss where full recovery is made within two years</p>	£3,710 to £6,890

Psychological

<p>Moderate psychiatric damage – while there may have been the sort of problems associated with factors (i) to (iv) above¹ there will have been marked improvement by trial and the prognosis will be good.</p> <p>Cases of work-related stress may fall within this category if symptoms are not prolonged</p>	£5,500 to £17,900
--	----------------------

¹ (i) the injured person’s ability to cope with life, education, and work;

(ii) the effect on the injured person’s relationships with family, friends, and those with whom he or she comes into contact;

(iii) the extent to which treatment would be successful;

(iv) future vulnerability;

Less severe psychiatric damage – the level of the award will take into consideration the length of the period of disability and the extent to which daily activities and sleep were affected. Cases falling short of a specific phobia or disorder such as travel anxiety when associated with minor physical symptoms may be found in the Minor Injuries chapter	£1,440 to £5,500
PTSD, moderate – in these cases the injured person will have largely recovered and any continuing effects will not be grossly disabling	£7,680 to £21,730
PTSD, less severe – in these cases a virtually full recovery will have been made within one to two years and only minor symptoms will persist over any longer period	£3,710 to £7,680

Neck – non-whiplash injuries only

Where a whiplash injury has been sustained you will need to consider the tariff to value your claim

<p>This bracket includes minor soft tissue injuries. Whilst the duration of symptoms will always be important, factors such as those listed below may justify an award in either a higher or lower bracket.</p> <ul style="list-style-type: none"> • the severity of the neck injury; • the intensity of pain experienced and the consistency of symptoms; • the extent to which ongoing symptoms are of a minor nature only; • the presence of additional symptoms in the back and/or shoulder and/or referred headaches; • the impact of the symptoms on the injured person’s ability to function in everyday life and engage in social/recreational activities; • the impact of the injuries on the injured person’s ability to work; • the extent of any treatment required; • the need to take medication to control symptoms of pain and discomfort. 	
Where a full recovery takes place within a period of about one to 2 years. This bracket will also apply to short-term acceleration and/or exacerbation injuries, usually between one and 2 years	£4,080 to £7,410
Where a full recovery takes place between 3 months and a year. This bracket will also apply to very short-term acceleration and/or exacerbation injuries, usually less than one year	£2,300 to £4,080
Where a full recovery is made within 3 months	Up to £2,300

Shoulder – non-whiplash injuries only

Where a whiplash injury has been sustained you will need to consider the tariff to value your claim

The starting point for the assessment will be the duration of symptoms but the severity of the original injury, the degree of pain experienced, and the extent to

which ongoing symptoms are of a minor nature only may justify an award in a higher or lower bracket.	
In less than 2 years	£4,080 to £7,410
Within a year	£2,300 to £4,080
Within 3 months	Up to £2,300

Back – non-whiplash injuries only

Where a whiplash injury has been sustained you will need to consider the tariff to value your claim

<p>This bracket includes less serious strains, sprains, disc prolapses, soft tissue injuries, or fracture injuries which recover without surgery. As with minor neck injuries, whilst the duration of symptoms will always be important, factors such as those listed below may justify an award in either a higher or lower bracket.</p> <ul style="list-style-type: none"> • the severity of the original injury; • the degree of pain experienced and the consistency of symptoms; • the extent to which ongoing symptoms are of a minor nature only; • the presence of any additional symptoms in other parts of the anatomy, particularly the neck; • the impact of the symptoms on the injured person’s ability to function in everyday life and engage in social/recreational activities; • the impact of the injuries on the injured person’s ability to work; • the extent of any treatment required; • the need to take medication to control symptoms of pain and discomfort. 	
Where a full recovery takes place without surgery between 3 months and two years. This bracket will also apply to very short-term acceleration and/or exacerbation injuries, usually less than 2 years	£2,300 to £7,410
Where a full recovery is made within 3 months	Up to £2,300

Appendix 2 – Whiplash injury tariff

All the information below is extracted from [A Guide to Making a Claim](#).

Regulation 2(1)(a) is whiplash only and 2(1)(b) is whiplash plus minor psychological injury

<i>Duration of injury</i>	Amount – Regulation 2(1)(a)	Amount – Regulation 2(1)(b)
Not more than 3 months	£240	£260
More than 3 months, but not more than 6 months	£495	£520
More than 6 months, but not more than 9 months	£840	£895
More than 9 months, but not more than 12 months	£1,320	£1,390
More than 12 months, but not more than 15 months	£2,040	£2,125
More than 15 months, but not more than 18 months	£3,005	£3,100
More than 18 months, but not more than 24 months	£4,215	£4,345