

Glossary of terms

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This handy guide will help you to understand any terms you might not know as you make a claim through Official Injury Claim.

Claimant representative: a professional who is paid to act on a person's behalf when using Official Injury Claim. These representatives have to be registered through the Official Injury Claim website.

Compensator: the term used for the other party's insurer.

Counter offer: when the compensator makes you an offer through Official Injury Claim and you decide that you don't want to accept it, you can make your own counter offer to the compensator. This figure should be higher than the offer the compensator made you. The compensator will then decide to accept your counter offer or make you a new offer. You can make up to three counter offers.

Court: personal injury claims that have to go to court are dealt with in the civil courts. You have the option to go to court if agreement can't be reached on issues such as liability, non-payment or disputes over the first or final compensation amount offered.

Court pack: if you decide to go to court, Official Injury Claim will help you to put together a court pack, containing all the documents and evidence you will need to go to court. Your claim on Official Injury Claim will be paused until the court makes its decision.

Direct Medical Expert (DME): an approved medical expert who will examine you and produce a medical report.

Exceptional circumstances: where your injury is much more severe than that which might normally be expected, or where your circumstances mean that the pain, suffering or loss of quality of life is greatly increased, beyond what is usual.

Interim payment: a payment you can ask for to cover immediate expenses such as travel expenses to the medical examination. You can't ask for an interim payment for your injury.

Judicial College Guidelines: a publication that describes how much compensation can be claimed for different types of injury.

Liability: a description of who is at fault for the accident. It may be decided the other party is liable in full, in which case the accident was entirely their fault. The other party may be only liable in part, in which case they were only partly at fault for the accident.

Limitation period: the timeframe within which you have to complete your claim. For Official Injury Claim, this is 3 years from the date of your accident.

Litigant in person: a person (or company or organisation) who represents themselves in court, without a solicitor or barrister. (In Scotland, the term is 'party litigant'.)

Loss of amenity: the impact of an injury on your quality of life.

Medical Reporting Organisation (MRO): an independent organisation that will appoint an accredited medical expert to examine you and produce a medical report on your behalf.

Minor psychological injury: this term covers trauma such as minor shock or travel anxiety. Compensation for these injuries is covered by the whiplash tariff.

Non-protocol vehicle costs: costs that are excluded from the Pre-Action Protocol; costs that have been paid for by another party (for example, your insurance company). You should not include these costs in your claim.

Non-whiplash injury: an injury suffered during your accident that isn't whiplash, such as a broken finger or soft-tissue damage.

Pre-Action Protocol: the legal framework underpinning Official Injury Claim.

Prognosis: the length of time a medical expert decides that your injury will last; your recovery period.

Protocol damages: costs and compensation are included in the Pre-Action Protocol. These can be injury-based (for example pain, suffering or loss of quality of life; loss of earnings, travel costs) or property-based (for example damage to articles in your car, repairs to your car which you have paid for yourself).

Quantum: the amount of compensation you are paid.

Stayed claim: a claim that has been paused on Official Injury Claim, usually due to the claim going to court.

Unrepresented claimant: a person who uses Official Injury Claim on their own, without any professional help which they have paid for. (See also 'Litigant in person'.)

Uplift: a percentage that can be added to your claim if it is decided that your injury is exceptionally severe or has caused exceptional suffering. (See 'Exceptional circumstances'.)

Whiplash injury: a neck, back or shoulder injury caused by a sudden movement of the head.

Whiplash tariff: a scale which indicates how much compensation can be claimed for a whiplash injury, depending on the length of time the injury lasts.