
Overview

This standard is about the provision of personal injury advice in a broad range of contexts. You will establish clients' needs and expectations of services, research information which is relevant to their situations and provide them with appropriate and accurate legal advice. This includes advising clients on more complex areas of law. You will also know how to prepare and present cases in formal or informal hearings.

**Performance
criteria**

You must be able to:

- P1 explain to clients the services that you can offer in line with their requirements
- P2 check that clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients where situations require immediate action in line with their requirements, and:
 - P3.1 take steps to implement this
- P4 agree next steps with clients in line with their requirements
- P5 agree further actions with clients in line with their requirements, including;
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
- P6 analyse available client information to assign relevance to their case in line with your professional judgement
- P7 review sources of information to assess applicability to clients' situations
- P8 check that information obtained enables you to advise clients
- P9 analyse information received from clients and the research process to formulate options in line with clients' needs
- P10 present clients with information and possible options for action in line with organisational requirements
- P11 advise clients on the implications of possible options in line with organisational requirements
- P12 check clients' understanding of the advice offered in line with organisational requirements
- P13 open client case files in line with organisational procedures
- P14 design an action plan with clients in line with organisational processes, and:
 - P14.1 agree roles and responsibilities for progressing actions
- P15 progress actions on behalf of clients in line with agreed timescales
- P16 evaluate case progress against milestones and outcomes in line with organisational procedures

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P17 progress case outcomes to conclusion in line with organisational requirements

P18 record client details and agreed actions in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 the legislation and case law in your jurisdiction relating to personal injury in terms of:
 - K1.1 road traffic
 - K1.2 accidents at work
 - K1.3 occupational disease and injury claims
 - K1.4 special considerations in catastrophic injury cases
- K2 the legislation and case law in your jurisdiction relating to:
 - K2.1 occupiers' liability
 - K2.2 contributory negligence
 - K2.3 vicarious liability
 - K2.4 employers' liability
 - K2.5 health and safety at work
 - K2.6 consumer protection
 - K2.7 fatal accidents
 - K2.8 miscellaneous provisions
- K3 the legislation, rules and procedures relating to civil evidence
- K4 the rules in your jurisdiction relevant to civil procedures
- K5 the legislation, regulations and procedures in your jurisdiction relating to claims against uninsured and untraced drivers
- K6 how European Union legislation impacts on personal injury legislation
- K7 the legislation relating to damages in your jurisdiction
- K8 how to prepare and present cases where high-value compensation claims apply
- K9 how to prepare cases where the client is suffering continuing loss
- K10 the rules relating to interim payments and schedule of loss
- K11 the legislation and case law in your jurisdiction relating to compensatory calculation, and:
 - K11.1 the rules and procedures relating to periodical payments
- K12 how to assess eligibility for compensation
- K13 the compensation schemes relating to criminal injuries
- K14 the legislation in your jurisdiction relating to occupational diseases
- K15 the role of medical defence bodies

- K16 professional rules relating to medical professions
- K17 factors to consider when reviewing medical records
- K18 how to assess the legal relevance of medical information
- K19 the relationship between personal injury work and social security benefits
- K20 the legislation, regulations and procedures in your jurisdiction relating to the recovery of state benefits
- K21 conditions around entitlement to and eligibility for welfare benefits
- K22 eligibility, limitations and time limits relating to motor insurance claims
- K23 funding regimes that can be accessed to support progression of cases
- K24 the ethical issues and problems associated with:
 - K24.1 use of expert witnesses
 - K24.2 disclosure of medical reports
 - K24.3 conflict of interest
- K25 how to assess damages and calculate interest
- K26 what to consider when selecting and using expert witnesses
- K27 how to lead a team in multi-part cases

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