

## Dealing with Pedestrian Claims

Did you know that pedestrians are the most vulnerable of all road users?

It goes without saying that if a pedestrian is hit by a vehicle this has the potential to result in some serious if not life threatening injuries. The threat posed by a motorist is huge compared to that of pedestrian against a motorist. Children are even more vulnerable in that they are less likely to be able to care for their own safety when crossing the road. Vehicles travelling in an area where children are to be expected, such as near a school should proceed with greater care and caution.

All drivers owe a duty of care for the safety of not only other road users but also pedestrians. Road traffic accidents (RTAs) are caused by drivers: driving negligently, driving too fast, driving under the influence of drink or drugs, ignoring traffic lights, losing control of the vehicle, not paying attention, driving dangerously.

To help assist your claim, you should note down the names and details of any potential witnesses, take photographs of the accident scene, note whether there was any CCTV covering the area in question, report the matter to the police, keep a diary of how your injuries have affected your day to day life.

Due to the threat posed to a pedestrian, the apportionment of blame differs from a vehicle to vehicle accident. The case of *Eagle v Chambers [2003] EWCA Civ 1107*, per Hale LJ said: 'It is rare indeed for a pedestrian to be found more responsible than a driver unless the pedestrian has suddenly moved into the path of an oncoming vehicle'.

If you were the unfortunate victim hit by a vehicle that wasn't your fault our team of expert solicitors can work with you to ensure your case is vigorously pursued and you receive the correct amount of compensation you deserve.