

Accidents can happen anywhere, even in public places. If you have suffered an injury as a result of an accident in a public area, you may have a **Public Liability** claim.

**Turner  
Freeman**  
LAWYERS

**Thank you so much for  
your professionalism,  
kindness and friendship  
throughout this difficult  
time. I will forever be  
in your debt and know  
I have someone to turn to  
in times of uncertainty.**

**Steve**

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## Public Liability Claims

A public liability claim, sometimes referred to as an occupier's liability claim, can be made when an accident occurs in a public place or on somebody else's property.

Commonly these claims are against shopping centres, supermarkets, business owners, local councils, other government organisations or individuals such as neighbours.

### Some examples of public liability claims include:

- Slipping on contaminants in a shopping centre and falling.
- Tripping on uneven pavement or concreting on the footpath, or tripping and falling in potholes in car parks where there may be uneven ground.
- Stepping in a pothole on somebody's lawn.
- A neighbour's pet, such as a dog, attacks you.

Unlike other compensation schemes, there is no obligation on the person or organisation identified at fault to pay medical expenses or loss of wages whilst you are off work and recovering from your injuries. This means many of these cases have to be litigated in Court.

### For a negligence claim to be successful, it generally requires the injured person to prove the following steps:

1. That there was a duty of care owed
2. That the duty of care was breached by the relevant occupier
3. That the breach caused an injury
4. That the injury resulted in a loss

Those four elements, as referred to above, comprise the basic elements of negligence.

The purpose of the law is to put a person who has suffered injury as a result of someone else's negligence back in the position they would have been, but for that negligence. The only means the law has for doing this is financial compensation.

**If negligence is proven, then there will be compensation payable. The losses also need to be proven, but damages or "compensation" can be claimed for:**

- A. Pain and suffering.
- B. Loss of wages and future loss of earning capacity.
- C. Medical expenses and future medical expenses if required.
- D. Personal care and domestic assistance required, including care or assistance provided by family members.

There is a significant amount of legal expertise required with the successful running of these cases. The lawyers at Turner Freeman are specialists in this area and will be able to expertly assist you with your claim from the time you are injured until finality, by way of settlement or judgment.

Strict time limits apply to public liability claims and it is important to get the right advice immediately.

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