

## **Step 1. I am insured, partially at fault, should I claim?**

If you accept you are partially at fault in an accident, you may be responsible to pay the other party money for their damages whether they are insured or not. If you accept you are partially liable you may not be able to recover all or any of the damages you have sustained to your car. Things to consider are:

1. How much damage have you sustained? How much will it cost to fix?
2. How much damage has the other party sustained?
3. Will you be able to negotiate with the other side?
4. Does the other party agree that both parties are at fault.

There are times when you may wish to consider not claiming:

1. Where there is very minor damage to your car; and
2. The cost of repairing the total damage (to your car and your liability to the other car) is less, equal to or just over the amount of your excess.
3. The cost of repairing your car is close to the value of your car and you do not want the car to be “written off”. You should be mindful of how much the other party is claiming from you.
4. Where the other party does agree they contributed.

There are times to consider when you should claim:

1. the other party does not agree they contributed, and believe you are completely liable;
2. the damage to both cars is extensive

If you do not claim, and try and negotiate with the other party yourself you need to be careful. You may not be able to change your mind later and claim on your own insurance if you have:

1. admitted fault or partial fault;
2. admitted to an amount of damage you are liable for.
3. delayed the resolution of the matter

Under most insurance policies, your own insurer has the right to conduct negotiations

and settlements on the best terms they can, if you have interfered with this process or prejudiced the insurer's interests in any way your insurer may reject or reduce your claim as a result.