

What to expect at a Claims Assessment and Resolution Service assessment conference

Your claim or dispute in connection with a claim is now ready for assessment at the Claims Assessment and Resolution Service (CARS).

This information sheet will assist you in understanding the CARS assessment conference process.

What is an assessment conference?

A CARS assessment conference is a conference-style hearing, conducted by a Claims Assessor, where your claim or the dispute in connection with your claim will be discussed. The Claims Assessor is an independent lawyer who has expertise in assessing compensation and resolving motor accident claims.

You and other witnesses may be asked to provide additional information about the accident and/or your injuries. You may be asked questions by the Claims Assessor, your lawyer, the insurer or its lawyer.

Where is the assessment conference held?

You will be sent a letter from CARS informing you of the Claims Assessor's name as well as the location, date and time of your CARS assessment conference.

What if I can't attend the assessment conference?

If you can't attend the CARS assessment conference and you do not have a lawyer, you must contact CARS as soon as possible. If you have a lawyer, you should tell your lawyer who will contact CARS on your behalf.

When should I arrive for the assessment conference?

If you do not have a lawyer you should arrive at least 30 minutes before the CARS assessment conference start time. This will ensure you can familiarise yourself with the venue and make yourself comfortable. When you arrive at the venue you should find the room where the CARS assessment conference will be conducted and introduce yourself to the Claims Assessor.

If you have a lawyer, they will arrange with you where and when to meet, but it is important that you are on time and not rushed.

What if I need an interpreter?

CARS will organise and pay for an approved interpreter to attend your CARS assessment conference. CARS will notify you and the Claims Assessor once the interpreter has been organised. You cannot use a member of your family or friend as your interpreter.

If you need an interpreter for your CARS assessment conference and CARS has not organised one, please contact us as soon as possible so we can organise one.

How long does an assessment conference last?

A CARS assessment conference usually takes two to three hours. It may take longer if your claim is more complicated, if there are other people giving evidence or if you require an interpreter. If you feel that you need to have a break during the CARS assessment conference, you should ask the Claims Assessor.

Who will be at the assessment conference?

The Claims Assessor will conduct the CARS assessment conference. You (and your lawyer, if you have one) will attend the CARS assessment conference as well as representatives from the insurer (and their lawyer, if they have one). CARS assessment conferences are held in private and are not open to the public. You may bring a support person with you who may sit with you during the course of the CARS assessment conference but they cannot give evidence for you. If your support person is also a witness in your claim they will not be able to sit with you while you give your evidence.

How will the assessment conference proceed?

The Claims Assessor will introduce you to all the people present and will explain what is likely to take place. You and the insurer may then be given time to consider settling the claim or resolving the dispute.

If your claim does not settle then the Claims Assessor will proceed with the assessment of the claim. The Claims Assessor will hear evidence from you and any witnesses. The Claims Assessor, your lawyer (if you have one) and the insurer's lawyer (if it has one) may ask you and any witnesses questions about your claim or your dispute.

The Claims Assessor will also review the information and documentation provided by you (or your lawyer, if you have one) and the insurer and discuss the issues about the claim or the dispute with you and the insurer. You may be asked to attend another CARS assessment conference or provide additional information or documentation about your claim if the Claims Assessor thinks it is necessary.

What happens after the assessment?

The Claims Assessor will consider all the available documentation and information including any information provided by you or any witnesses at the assessment conference hearing (if you're asked to attend one).

The Claims Assessor will provide you (or your lawyer, if you have one) with a certificate setting out the decision and the supporting reasons. In most cases the certificate and reasons will be sent within three weeks after the CARS assessment conference hearing.

What does it cost?

There are no fees for making an application for assessment to CARS. Fees may apply if you go to court.

What about legal costs?

If you have a lawyer you should be aware there are limits to the amount of legal costs the insurer is required to pay your lawyer. This means the insurer may not pay all your legal costs and you may have to pay the balance. You should discuss legal costs with your lawyer.

If you have a lawyer, the Claims Assessor will make an assessment of the amount of legal costs that must be paid by the insurer as part of the assessment of your claim.

Where can I go to for assistance?

If you have a lawyer you should ask them about the dispute resolution process and request they keep you informed about the progress of your application. Alternatively, SIRA's Claims Advisory Service (CAS) can provide you with general assistance, however they are unable to provide legal advice. For assistance:

- Ring the CAS on **1300 656 919**
- Visit the CAS at Level 25, 580 George Street, Sydney (call **1300 656 919** to make an appointment)
- Email the CAS at motor@sira.nsw.gov.au
- Visit the SIRA website www.sira.nsw.gov.au

If you feel you need a lawyer to represent you, make sure they have expertise handling motor accident claims. The Law Society of NSW can provide you with a list of personal injury accredited specialists in your area through their Community Referral Service; call (02) 9926 0300 or 1800 422 713 (if you live outside Sydney).

Your feedback is important to us

Whether you have a compliment or suggestion, your feedback is the key to improving our service.

To contact us

Claims Assessment and Resolution Service
Level 19, 1 Oxford Street
Darlinghurst NSW 2010

DX 10 Sydney

Phone: **1300 137 131**

E-mail: motor@sira.nsw.gov.au

Website: www.sira.nsw.gov.au

We are open from 8.30 am to 5.00 pm Monday to Friday (except public holidays).