

Form 3

Sample Letter of Claim to Defendant

To: [Defendant's Name]

[Address]

Dear Sir

[Claimant's full name]

[Claimant's address]

We are instructed by the above named to claim damages against you in connection with a road traffic accident on [date] at [place of accident which must be sufficiently detailed to establish location] involving our client's vehicle registration number [] and vehicle registration number [] driven by you at the material time.

We are instructed that the accident was caused by your negligent driving and/or management of your vehicle. As a result of the accident, our client's vehicle was damaged and our client has been put to loss and expense, particulars of which are as follows:

[Set out the loss and expenses claimed.]

A copy each of the following supporting documents is enclosed:

[List the documents as required in the pre-action protocol.]

We have [have not] on [date of notification] notified your insurer [name of insurer] of the accident and [a pre-repair survey of our client's vehicle was carried out on [date]] [to the best of our knowledge, your insurer had waived the requirement for pre-repair inspection]. [Our client's claim for cost of repairs is based on the amount negotiated and agreed with your insurer after the pre-repair survey was completed.]

[We have also sent a letter of claim to [name of the other defendant] and a copy of that letter is enclosed. We understand that his insurer is [name and address of insurer if known].]

Please note that if you are insured and you wish to claim under your insurance policy, you should immediately pass this letter and all the enclosed documents to your insurer.

Please note that you or your insurer should send to us an acknowledgement of receipt within 14 days of your receipt of this letter, failing which our client will have no alternative but to commence proceedings against you without further notice to you or your insurer.

Please also note that if you have a counterclaim against our client arising out of the accident, you are also required to send to us a letter giving full particulars of the counterclaim together with all relevant supporting documents within 8 weeks of your receipt of this letter.

Yours faithfully,

encs

[Defendant's insurer]

[Other defendant and his insurer]

(Note: This sample letter, with the necessary modifications, can also be used as a sample letter to the defendant's insurer.)