

What's the law? – Car accident

Presenter's notes

How to use these notes

Topic: The legal consequence of having a car accident, what to do when you have an accident.

Resources: *What's the law?* free online resource 'Car accident', which contains a photo story, activity sheets and answer sheets.

These notes provide guidelines for a presenter's script and information on how to use these resources when presenting to a community group. The notes include a story summary, questions and answers, key messages, areas for further discussion and referral information.

Preparing to present

It may be useful to read the activity and answer sheets to prepare for your presentation – they may give you ideas for additional questions and activities for your group. It is also a good idea to look at the websites and referral information provided under 'Possible discussion points and referral information' below.

If you need assistance with presentation skills, engagement ideas or coordination support for the group you are preparing for you can contact cle@legalaid.wa.gov.au or (08) 9261 6500.

Introduce yourself and *What's the law?*

Before you begin the presentation, introduce yourself, your role and your organisation.

For example, if you work at Legal Aid WA:

- Legal Aid WA helps the community in many different ways if people have problems with the law. We provide legal education to newly-arrived communities about their rights and responsibilities.

Refer to the *What's the law?* free online resource and its purpose by mentioning these key points:

- We see many different newly-arrived communities get into trouble with the law and often the same legal problems arise. These problems can be avoided if you know some simple information about the law and where to go to for help before your problem becomes serious.
- The photo stories in *What's the law?* have been made to help you learn about the law on thirteen different topics.

Begin with some introductory statements and general questions about the topic:

- Today we are going to show you a photo story about a car accident, as we know that many new people arriving want to drive as soon as they get to Australia.

- Even when we drive safely on the road, have a valid driver's licence and follow all the road rules, car accidents can still happen. This photo story will help you understand what to do if you have a car accident.
- Who owns a car?
- Do you have insurance?

Summarise the photo story

- This story is about Maryam.
- Maryam is driving with her friend to go shopping and have lunch.
- Maryam crashes into a car in front of her and damages both cars.
- Maryam receives a letter from the other driver's insurance company to pay \$2000 for the damage, but she does not have the money.

Ask questions

To strengthen engagement with the photo story and develop the group's legal literacy, ask key questions before showing the story. This will encourage the group to watch actively and think about key messages.

While you are watching the story, think about the next three questions:

What should you do after you have an accident?

What type of insurance pays for the damage to the car you have crashed into?

Where can Maryam go for help with her problems of not being able to pay for the accident?

Show the photo story



Answer the questions

Ask the same key questions after you show the story and allow for discussion to tease out the right answers.

What should you do after you have an accident?

- Regardless of how serious the accident is, you should stop.
- Stay calm and if anyone is injured call 000 for the ambulance.
- If anyone is injured, or if the property damage is likely to cost more than \$3000 report the accident to the officer in charge of a police station immediately if the police do not attend the accident.
- You should also exchange names, addresses and car registration details. There is no need to discuss who was to blame for the accident.

What type of insurance pays for the damage to the other car you have crashed into?

- When you pay your registration for your car in WA you automatically get compulsory motor injury insurance (previously called compulsory third party insurance). This insurance pays for damage to people injured in an accident. It does not pay for car damage.
- Third party property insurance pays for damage to the other person's car. It is additional insurance and you must pay extra if you choose to have it.
- Comprehensive insurance is a separate insurance again. This insurance covers damage to both your car and the other person's car. It is more expensive.
- You can ask different insurance companies for their insurance options and prices so that you can compare the different costs. You will need to ask how much 'excess' you have to pay – this is the amount you must pay before the insurance company will pay for the rest of the damages.
- If you have no insurance and you have an accident you should get free legal advice.

Where can Maryam go for help with her problems of paying for the accident?

- If you have an accident and you don't have insurance, the other person's insurance company may contact you asking for you to pay the cost of damages to the other car.
- Call the **Legal Aid WA Infoline** on **1300 650 579** for information and referral if this happens.

Emphasise key messages

- Stop if you have an accident and exchange details with the other people involved.
- Insurance is very important.
- Don't ignore bills or official letters demanding money payments.
- Call Legal Aid WA or your community legal centre if you have legal problems or have to go to court.

Further questions and discussion

- Does anyone have any questions?

You are not expected to be a lawyer to use this resource. Many teachers and community workers use this resource successfully. If a participant raises personal legal issues, you can provide referral information. If you are not a lawyer, legal assessment or advice should be referred to the **Legal Aid WA Infoline** on **1300 650 579** or the closest community legal centre (<http://www.communitylaw.net/>) or Legal Aid WA office.

Possible discussion points and referral information

Legal Aid WA

- Information is available online about motor vehicle accidents, and insurance issues, for example if a claim is made against you for damage:
 - Online Car crashes - self-help guide (<https://www.legalaid.wa.gov.au/resources/self-help-kits-and-guides/car-crash-self-help-guide>) contains information that may help you if you have had a car accident.
 - Information sheet: Motor vehicle accidents – dealing with the damage. You can download a copy online, get one from any Legal Aid WA office, or call the **Legal Aid WA Infoline** on **1300 650 579** to be sent a copy. This information sheet covers claims for damage and

injury including insurance claims after a motor vehicle accident and includes sample letters.

License your vehicle (registration)

- You can license your vehicle (register) your car for 3, 6, or 12 months.
- The cost of licensing your vehicle is reduced if you have a Centrelink Pensioner Concession Card: <http://www.transport.wa.gov.au/licensing/concessions.asp>
- Contact the Department of Transport for more information:
<http://www.transport.wa.gov.au/licensing/license-my-vehicle-registration.asp>

Driving lessons

- Your local Migrant Resource Centre, for example, Metropolitan Migrant Resource Centre on **(08) 9345 5755**, may be able to refer you to some driving schools in your area.

Debt

- You can talk to a financial counsellor over the phone through the Financial Counsellors' Association WA (<https://financialcounsellors.org>) or the National Debt Helpline (<http://www.ndh.org.au/>) on **1800 007 007**
- Your local community legal centre may offer financial counselling services:
<http://www.communitylaw.net/>

Insurance issues or complaints

- Car insurance information: <https://www.moneysmart.gov.au/insurance/car-insurance>
- Easy factsheets on credit, debt and insurance [on](#) the MoneySmart website: in English, Arabic, Assyrian, Burmese, Chin Hakka, Dari, Dinka, Farsi, Hazaragi, Karen, Kirundi, Nepalese, Nuer, Sudanese Arabic, Swahili, Tamil: <https://www.moneysmart.gov.au/tools-and-resources/publications>
- The Australian Financial Complaints Authority investigates and helps resolve complaints by consumers against participating financial service providers: **1800 931 678** <https://www.afca.org.au>

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