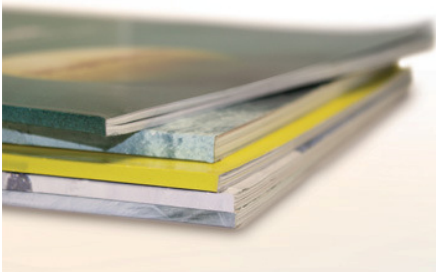


## What to do if you are Involved in a TT Related Accident

*As originally appeared in Business Examiner in June 2010*



BY TIM SWIFT

It's the TT and along with all the festivities there is always an element of sadness. Motorbike riding is a great activity as it combines a means of transport with a hobby and a sport. However, it is dangerous. When you are in a car you have airbags, seat belts and a body frame between you and the world. On a bike it's just you and your leathers. Even if you are the best of riders it only takes the thoughtlessness of another road user to get you into serious trouble!

It is always tempting to be inspired when you see the skill and speed of the TT racers, but remember it's your life that goes on the line every time you get on your bike.

Every effort is taken during the TT to ensure that it is as safe as possible. Indeed its record is good when compared with other sports. However, accidents do happen and it is not only the riders who can be involved.

In any motorsport spectators are at risk. This is equally the case in rally driving or any race on the public roads. In today's world with graphic race games people can sometimes forget the reality of real life danger. It is understandable to get carried away with a race but everyone must remember that there is a risk. The marshals do a great job, but they cannot be everywhere and watch everyone. It is vital that spectators remain in the permitted areas and not stray out of them. These boundaries are there for a reason. That reason is safety.

But what if you are unfortunate enough to get involved in an accident as a spectator at the TT, as a motorbike rider, or a pedestrian. The first thing to know as a victim, if you are not Manx and already know, is that we are not part of the UK. We have our own legal system. You will hear on the radio and see on the TV adverts by claims companies talking of 'No Win No Fee'. An accident on the Isle of Man is subject to Manx Law and 'No Win No Fee' has no place here. Also if you consult an English Solicitor to act on your behalf in bringing compensation claim for injuries and losses they have no standing here. They are in effect foreign lawyers. What you have to do is instruct a Manx Advocate to advise and represent you.

If a claim is being made against you then you must contact your insurer immediately and they will deal with the matter on your behalf. However, if they cannot sort the claim out and it looks likely that a claim against you is going to involve court proceedings they will instruct a Manx Advocate on your behalf to represent you at all stages of the legal proceedings.

So let's hope that the TT is its usual success this year and that there are no accidents either in the races or outside them. But if there are, then remember that, just as the medical services on the Island do, the Advocates on the Isle of Man are there to serve the needs of the community, especially the biking community.

Tim Swift is a member of Appleby's specialist personal injuries team and formerly a Solicitor and Deputy District Judge practicing in England.

TIM SWIFT  
Associate  
[tswift@applebyglobal.com](mailto:tswift@applebyglobal.com)

*This publication is intended only to provide a summary of the subject matter covered. It does not purport to be comprehensive or to provide legal advice. No person should act in reliance on any statement contained in this publication without first obtaining specific professional advice.*

*June 2010*

© Appleby

Bahrain  
Bermuda  
British Virgin Islands

Cayman Islands  
Guernsey  
Hong Kong

Isle of Man  
Jersey  
London

Mauritius  
Seychelles  
Zurich