



Common Mistakes That Can Hurt Your Injury Claim in Queensland

If you have been injured in Queensland, what you do in the days and weeks after the accident can make a big difference to your compensation claim. Even a strong claim may be weakened by avoidable mistakes, such as delaying medical treatment, giving incomplete information, or missing important deadlines. Early evidence, timely legal advice, and avoiding common mistakes can make a big difference to the outcome of your compensation claim.

The information in this article is general only and does not constitute legal advice. For advice and guidance tailored to your circumstances, we recommend speaking to an experienced personal injury lawyer.

1. Delaying medical treatment

A common mistake is waiting too long to see a doctor after an accident. If you delay treatment, insurers may argue that your injury was not serious, that it was caused by something else, or that your condition worsened because you did not seek help promptly. Early medical records also create a clear link between the incident/accident and your symptoms.

Even if you think the pain will pass, it is still important to get checked by a medical professional. Some injuries, such as soft tissue injuries, back injuries, and head injuries, may not feel severe at first but can become more serious over time.

2. Not reporting the incident promptly

Different types of compensation claims have different reporting and notice requirements. Whether the injury happened at work, on public property, or in a motor vehicle accident, a delay in reporting can create doubt about how the injury occurred and may present evidentiary and/or credibility issues later. Clear and prompt records, in writing, can be very helpful; and remember to keep a copy of the report.

3. Failing to gather evidence

Many injured people assume they can sort out the details later, but evidence can disappear quickly. Photos, CCTV footage, witnesses' names and contact details, and incident reports are often much harder to obtain after the scene has changed or time has passed. A delay can mean that important proof is lost.

Good evidence usually includes:

- Photos of the scene, hazard, surrounding areas
- Car registration numbers

- Copies of the other drivers licences
- Photos of the injury
- Witness names and contact details
- Medical records and certificates
- Pay records and receipts
- Any written complaint or incident report

The sooner this information is gathered, the stronger the claim is likely to be.

4. Posting about the injury on social media

Social media can create unnecessary problems in an injury claim. Photos, comments, or updates about your activities may be taken out of context and used to argue that your injury is not as serious as you say it is. Even innocent posts can be misread.

A cautious approach is best. Avoid posting about the accident, your symptoms, your recovery, or any activities that could be misunderstood while your claim is ongoing.

5. Returning to work too early

Some injured people return to work before they are medically ready because they feel pressure from an employer, have financial concerns, or feel the need to “push through”. That can aggravate or worsen the injury and make recovery slower. Returning to work too soon may also be problematic in proving the extent of your restrictions and incapacity for work.

Follow medical advice about your work capacity and keep records of any restrictions, reduced hours, or time off. That evidence may be important when calculating lost income and future loss.

6. Missing deadlines

Time limits can be a serious trap in Queensland personal injury claims. Generally, there is a three-year limitation period within which to start proceedings, but many types of claims also have earlier notice requirements. If you miss a deadline, your claim may be delayed, restricted, or even become statute barred.

Because the rules vary depending on the type of claim, it is important to get advice early. A lawyer can identify which deadlines apply to your claim and make sure it is progressed properly before time runs out.

7. Accepting the first settlement offer / signing documents you don't understand

Insurers may send forms, releases, or settlement papers that look routine, but these documents can have serious consequences. Never sign a document if you are unsure what it means.

Early settlements may seem attractive when bills are piling up, but they may not properly reflect fair compensation for future treatment, time off work, or ongoing symptoms.

A final settlement deed will usually release the other side from further claims relating to the injury, so it is important to ensure you understand your legal position.

Before accepting any offer, you should consider:

- Whether all your losses have been included
- Whether future treatment is likely
- Whether your ability to work has been fully considered
- Whether the offer reflects the true impact of the injury

An experienced personal injury lawyer can evaluate a proposed settlement offer and explain its impact so you understand your rights and can make an informed decision.

8. Waiting too long to get legal advice

Some injured people wait until their claim becomes urgent before contacting a lawyer. By then, evidence may be missing and deadlines may be close. Early advice gives you the best chance of protecting the claim and avoiding mistakes that are difficult to fix later.

A lawyer can help assess liability, explain the claim process, gather evidence, and deal with insurers while you focus on recovery. For many people, that guidance makes the claim feel far less overwhelming.

How to protect your claim

If you have been injured at work or due to someone else's negligence, the safest approach is to act quickly and keep everything documented. Report the incident, get medical treatment, save receipts, record your symptoms, and seek advice before speaking at length with an insurer. These simple steps can help protect both the value and the viability of your claim.

Conclusion

Personal injury claims in Queensland can be affected by small mistakes made early in the process. Delayed treatment, poor evidence, rushed statements, missed deadlines, and premature settlements can all reduce compensation or damage a claim.

Getting prompt legal advice is one of the best ways to protect your rights. A Queensland personal injury lawyer can help you understand what to do next and avoid the common traps of personal injury claims.

If you or someone you know wants more information or needs help or advice, please call **07 5538 2766** or email jeff@dwyerlaw.com.au