



THE IMPACT OF SOCIAL MEDIA AND TECHNOLOGY ON A PERSONAL INJURY CASE

Social media activity can be used as evidence by insurance companies

Social media and other forms of technology are now an everyday part of most people's lives. It seems as though every life event, no matter how big or small, ultimately ends up on Facebook, Twitter, or another social media site. However, as Global News recently pointed out, when it comes to a car accident claim, people need to be careful about what they post online. In the initial aftermath of an accident, what people say and do, including on social media, can eventually have serious consequences, particularly given that social media posts may be used as evidence against them during a personal injury case.

Posting updates

It can be tempting after an accident for the injured party to post an update on their condition to social media. In many cases, people post such information so that loved ones will know they were not seriously injured in an accident, but experts note that in the immediate aftermath of a collision it can be difficult to determine what those injuries are. Some internal injuries, including serious brain injuries, can take days or even weeks to manifest themselves.

Those initial posts may have only been meant to reassure loved ones, but they can end up in the hands of the insurance company. An insurance company may try to undermine an accident victim's claims by bringing up a particular Facebook or Twitter post. If such posts suggest any discrepancy with the victim's claim then the insurance provider may try to lower the amount of compensation they are willing to offer.

Privacy concerns

Even if people have their privacy levels on social media set to the highest possible degree, posts can still end up in the hands of the insurer. If a victim mentions in court that he or she posted about an accident to social media, the insurer may use that information to obtain a court order for copies of such posts to be made available.

Those privacy concerns are not strictly limited to social media. As CTV News recently reported, a Calgary case involving an injured woman is showing how wearable technology is also being used in personal injury cases. In that case, the lawyer for a woman who was injured in an accident asked to submit data from the woman's wearable fitness tracker to prove that her injuries had led to a decrease in physical activities. While the injured woman voluntarily

submitted such data in that case, experts caution that a reversed situation, whereby an insurance company tries to obtain that same data to undermine a person's claim, is also easily imaginable.

Legal representation

Knowing what steps to take immediately following an accident can be difficult, which is why it is so important to contact a personal injury lawyer as soon as possible. An experienced lawyer can advise people injured in an accident of the options available to them and the best course of action to recover from an injury caused by a car crash.

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