

Amputations: An introduction to claiming compensation



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Ian



THE MOST EXPERIENCED
PERSONAL INJURY FIRM IN THE UK



“Thompsons... brought in an impressive array of experts to assist with our claim... specialists on care, prosthetics, physiotherapy, and even an expert on adapting our home...” Ian

Ian went into hospital with an infection on a toe but, after a series of failed treatments, his left leg was amputated below the knee. Only a change of surgeon and a 9-hour operation prevented a further operation to amputate his remaining leg.

The loss of a limb can be devastating

Such injuries change lives - both the life of the victim and the lives of their family and friends.

First, there is the amputation itself and its effects to begin to cope with. There may need to be several operations and skin grafts. There may be psychological problems, too - depression or feelings of embarrassment from any physical difficulty.

And there can be highly distressing neurological problems such as 'phantom limb pain'.

On top of all this, there is also the beginning of coming to terms with all the other emotional, caring and monetary demands. The prospect is daunting. It's no surprise that many victims and their families hardly know which way to turn.

Yet successfully claiming for compensation can bring very real help with several of these and other problems.

This booklet is a brief guide to what is involved.

Experience counts!

Thompsons has been established for over 90 years. We use that experience to ensure that clients get the right amount of compensation in every claim, resulting in several record settlements over the years.

What's more, our clients keep 100% of any settlement - our fees are paid for by the other side. It costs absolutely nothing to talk to us about your own case and without obligation.

Simply phone 08000 224 224.



“...after Thompsons secured an interim payment for me I was able to order 3 new prosthetics including one suitable for water therapy.” Ian

“I lost part of my right leg from below the knee in a factory accident. The pain was agonising at the time. And I still suffer phantom limb pain...

My employer put me onto a firm that was supposed to look after me after the accident but they were useless.

And it was beginning to be obvious I was not going to be able to work in the future in the ways I had in the past. I was also going to need extensive physio help and long term care.

My sister and I decided to see if I might claim for compensation and went online to look at law firms that handled personal injury claims.

Thompsons Solicitors stood out as they seemed to have more senior litigators and they had an office near where I live. We phoned them first and had a chat.

Then they came to see us and explained everything involved very thoroughly. I was seen by an impressive cross section of experts brought in by Thompsons - both as part of building my case and also, in some instances, as part of providing practical help.

For example, I met the people at a firm who make prosthetic limbs to a far higher standard than you get on the NHS.

I also saw a psychologist and had some counselling sessions, a physio, a specialist in orthopaedics and people who advised on home alterations to help with my condition. Costs had to be estimated for all this and more.

Overall, I felt I was really well handled by Thompsons. Their team were tremendous, first class. They were all very professional, hard working and dedicated and I was pleased with the settlement.

I had been a keen golfer... But after the accident it seemed like I might never play again. However, I have really worked at this... I'm getting my handicap back down and have booked to go and play in Portugal again in a few months time.

I want to work again in some way, possibly in the voluntary sector... and I am attracted to the idea of being a car ambulance driver. I see that as triumphing over my condition”



“Thompsons service was fantastic from start to finish... they were really thorough and determined in pursuing the best settlement they could get for me.” Roger

Roger is a Head Groundsman. A blocked tractor mower with a malfunctioning safety system cut off his left forearm. He suffered excruciating pain and trauma and has had 11 operations.

Five important points for you to consider

1. Getting the best evidence possible

To make a successful claim for compensation for you, we need to prove that someone else was to blame for your injuries.

And the stronger the evidence, the stronger the claim.

If you were injured at work, your employer at the time was responsible for providing a safe place of work and safe plant and equipment.

Or if you suffered a traumatic amputation in a road accident, the type of evidence that you may already have, or we can help collect for you, might be that another driver was driving without proper care and attention.

It may also be helpful if you have any photographs relevant to the accident or your injuries.

Even if the evidence collected shows you were partly to blame for your accident you may still have a valid claim if we can prove someone else was also at fault.

2. Timing can be vital

You should seek legal advice as soon as possible – action needs to be started within three years of the date of the accident.

There are exceptions, for example in relation to claims made by children. But it is always best to see a solicitor as soon as possible after the accident.

As far as Thompsons is concerned the more time you have in hand, the more thoroughly we can prepare your claim.

In appropriate cases, we can apply for an ‘interim payment’ of compensation, too. This can help with essential things like the cost of care, urgent housing adaptations, aids and equipment such as a custom made prosthetic limb.



3. Rehabilitation and Care

After you are discharged from hospital you will need a plan for your continuous care. Seeking prompt legal advice is vital as it may be possible to secure an interim payment as part of your claim.

We will then work with specialist prosthetic experts and the NHS to ensure your ongoing care and treatment. Following an amputation, a patient may need to see several specialists. Such specialists can include orthopaedic consultants, amputation-rehabilitation experts, prosthetic consultants, orthotic consultants, physiotherapists, occupational therapists and care experts.

Additionally, long term or lifelong support may be needed. Local authorities can provide some of this.

And an experienced lawyer can help you to gain access to these, or similar services, as part of your claim.

For very serious injuries we work with 4 further types of specialists.

- Case managers – to plan and coordinate any rehabilitation, care and support the patient may need.
- Support workers – to support the patient in their home and in the community.
- Job coaches – to help the patient look at ways of returning to their current employment, or to provide training to allow them to work in new areas.
- Disability architects – to help you to adapt your home to your condition or move to a more suitable property.

These individuals will help you to come to terms with your injury and provide you with the help and support needed to move on with life.

4. How much compensation might be awarded?

Compensation is awarded for pain, suffering and the inability to do things you could do before your accident. It is also awarded for the accident's effect on your physical mobility and mental health.

Thompsons has more experience at working to maximise such claims than any other law firm in Britain. And the solicitors in our dedicated Serious Injuries Unit are experts in amputation claims.

We will obtain expert medical reports on your injuries if necessary. And we will claim for all your losses and expenses. Including loss of earnings now and in the future, and the ongoing costs of your care and assistance.

As well as the costs of having others do jobs for you that you used to do yourself - such as DIY, gardening and car maintenance. And we will claim all travelling expenses incurred because of the accident, including those of close relatives visiting you in hospital and the costs of buying and running a suitable vehicle in the future.

5. What about State Benefit claims?

You may be entitled to disablement benefit and/or other state benefits.

Thompsons can advise you on this as, of course, can your local Department for Work and Pensions (DWP) office. Any such claims are made separately to your claim for compensation.

The phone number of the DWP benefit enquiry freephone is on the inside back cover, along with other helpful numbers.



Who will represent you?

This booklet has shown you just three of Thompsons' amputation clients. There are, of course, many more such clients.

We have specialist serious injuries teams, with experience in winning multi-million pound settlements. And as already mentioned, our clients always keep 100% of their settlements.

Our teams can also help you with access to a wide variety of experts – including those who can advise on physical problems, mental problems, home aids and adaptations and more.

It's all part of what has made Thompsons Solicitors the most experienced personal injury law firm in the UK.

Why settle for less – particularly as our services are completely free to our clients.

Useful contacts

Department for Work and Pensions benefit enquiry line:

Freephone 0800 88 22 00

Textphone 0800 24 33 55

Limbless Association

Helpline 0800 644 0185

www.limbless-association.org

The UK Limb Loss Information Centre

www.limblossinformationcentre.com

Independent Living Funds

0845 601 8815

funds@ilf.org.uk

www.dwp.gov.uk/ilf

Disabled Living Foundation

Helpline: 0845 130 9177 (10am-4pm Monday to Friday)

info@dlf.org.uk

www.dlf.org.uk

Care Quality Commission

03000 616161

www.cqc.org.uk

NHS Direct

0845 4647

www.nhsdirect.nhs.uk

ICAS (Independent Complaints Advocacy Service)

www.carersfederation.co.uk/icas

**For more information about making a claim,
simply call Thompsons on 08000 224 224
(free from landlines)**

**0330 123 1230 (free from mobiles
where covered by inclusive minutes)**

Thompsons Solicitors Offices

North East

Newcastle-upon-Tyne 0191 269 0400
Middlesbrough 01642 773 220
South Shields 0191 4974 440

Yorkshire

Leeds 0113 205 6300
Sheffield 0114 270 3300

Midlands

Birmingham 0121 262 1200
Nottingham 0115 989 7200
Stoke-on-Trent 01782 406 200
Derby 01332 224680
Wolverhampton 01902 771551

North West

Liverpool 0151 224 1600
Manchester 0161 819 3500

Wales & South West

Cardiff 029 2044 5300
Bristol 0117 304 2400
Plymouth 01752 675 810
Swansea 01792 484 920

South East

London 020 7290 0000
Southampton 02380 212 040
Chelmsford 01245 228800
Dagenham 020 8596 7700
Wimbledon 020 8947 4163
Oxford 01865 332 150

Further Information

Call us, without obligation, for free compensation claim advice
on 08000 224 224.

Or if you are in a union, ask your representative for advice.

You can also find out more information on our website at
www.thompsons.law.co.uk



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The information contained in this brochure is not a substitute for legal advice, and only applies in England and Wales. You should talk to a lawyer or adviser before making a decision about what to do.

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