

# Brain Injuries: An introduction to claiming compensation



*"I particularly valued Thompsons care expert - she really knew her subject and was truthful with us."*

Andrea,  
mother of  
Rebecca.



THE MOST EXPERIENCED  
PERSONAL INJURY FIRM IN THE UK



***“... thanks to the Thompsons team and their negotiating skills, the funds are there to make sure Robin is looked after for the rest of his life.”***  
Dave, father of Robin

“When my son, Robin, was 16 he was the victim of a road traffic accident.

He was thrown about 10 feet into the air, landed on the car and suffered a severe brain injury.

Robin spent five days in a coma in intensive care. He then spent a further three weeks in hospital before being allowed home.

I got in touch with Thompsons Solicitors who are personal injury claim experts.

Both Robin and I found it easy talking and dealing with them throughout the period of the case. They explained the processes, laid out timescales, negotiated interim payments for Robin so that his rehabilitation could continue...

They were also very thorough at going through all the costs connected with Robin’s claim. Thompsons had such an empathy with Robin that he calls the solicitor who handled his case his ‘Guardian Angel’.”

# A chance in a million?

Every year around one million people attend hospitals in the UK with head and brain injuries.

There are many causes – from road accidents to incidents at work, from accidents in public places to physical assaults.

But whatever the cause, such injuries can change lives in an instant, both the life of the victim and the lives of their family and friends.

And the effects can be long or even lifelong.

First, there is the injury itself and its effects to begin to cope with.

And at the same time, there is also the beginning of coming to terms with all the other emotional, caring and monetary demands.

The prospect is daunting and 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 problems and 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.



***“Rebecca is 22 now and the compensation has made so many different things a lot better for all of us.”*** Andrea, Rebecca’s mother

“When she was 13 my daughter, Rebecca, went out with a friend and didn’t come back.

She had been hit by a passing car... she had very severe brain damage, was in intensive care for seven weeks, was blind and confined to a wheelchair.

The doctors at that time told us Rebecca would never see again.

But my husband, Carl, and I both felt sure she could see and later on that proved to be true.

After the intensive care, she was on wards for six more months.

We first heard of Thompsons Solicitors through Headway, the brain injury charity.

They told Rebecca to find the Thompsons’ website on the internet.

This led to us having a meeting with Thompsons about pursuing a claim for compensation and it quickly became obvious how important it was that Thompsons are very experienced in such claims.

They were very helpful from the start – explaining what was involved, how long it might take and very thoroughly going into what was needed now and would be needed in the future.

Some of the costs we were incurring were already too much for us, even with family help, and Thompsons were terrific at getting us interim payments.

All the experts Thompsons brought in to help us were good people too - they made a big and helpful difference with everything from financial planning to home modifications.

Rebecca is 22 now and the compensation has made so many different things a lot better for all of us.

We were able to buy a bungalow and have it specially modified for Rebecca’s needs.

And she continues to improve.

Her memory and speech are getting better.”



***“Thompsons were there for me when I needed them”*** Mr Arde

Mr Arde, a South African citizen, suffered severe spinal and head injuries when he was crushed by a fork lift truck. Thompsons helped him to get leave to remain in the UK and obtain substantial interim payments.

These enabled him to buy and adapt a house and to employ carers.

# 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 accident and injuries.

And the stronger the evidence, the stronger the claim.

For example, in a road traffic accident, the kind of evidence you may already have or that we can help collect for you, might be that another driver was driving without proper care and attention or was speeding.

Or with accidents at work, your employer at the time was responsible for providing a safe place of work and safe plant and equipment.

Was this the case when you were injured? 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. 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.

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 costs of your care and assistance now and in the future – right down to the costs of having others do jobs for you that you used to do yourself such as DIY, gardening and car maintenance.

If your home needs to be adapted to your condition, we will claim for that. And we will claim all travelling expenses incurred because of the accident, including those of close relatives visiting you in hospital.

### **3. Rehabilitation and Care**

Rehabilitation is an important part of recovery from brain injury and it is vital to gain the right help and advice as soon as possible.

At Thompsons, for example, we work with head injury experts and the NHS to make our clients' ongoing care and treatment as continuous and straight forward as possible.

After a brain injury a patient may need to see several specialists, both during their time in hospital and after they have returned home.

Such specialists can include psychologists, speech and language therapists, occupational therapists, physiotherapists and social workers.

Additionally, long term or lifelong support may be needed in the case of a severe brain injury. 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.

Funding for support may also be available through your claim and the amount will be assessed carefully to reflect your long-term needs.

For very serious injuries we work with three 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.

### **4. 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. This can help with essential things like the cost of care or urgent housing adaptations.

If you are a member of a trade union, contact your local representative as your claim will probably be supported by their own union legal scheme.

## 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 next page, along with other helpful numbers.

## Who will represent you?

An experienced solicitor will work with medical professionals who will provide detailed evidence about your injuries – as well as recommendations for the care needed for your future.

This booklet has shown you just four of Thompsons' brain injury clients and they have told their stories in their own words. 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.

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.



***“Thompsons Solicitors... were brilliant right from day one! And the whole case was all done quicker than we thought it would be!”***

**Patrick’s mum**

“I was absolutely devastated when my son, Patrick, had his accident.

He was badly brain damaged when a gantry he was working from collapsed and I was told he was unlikely to survive.

Only a few years earlier I had lost my husband – and now I was facing the loss of my only child.

I was also extremely angry to learn the gantry had collapsed because the wrong bolts were used to secure it. But I never say “never” and thank goodness Patrick regained consciousness, although he was unable to speak.

In fact, he was to spend the best part of the next 4 years in hospital and rehab. Even though improvement was hoped for it was very clear Patrick was going to need lifelong care and remedial therapies and a home specially adapted to his condition.

The costs of all this were hopelessly beyond my reach.

I had already had to give up my work to help look after him, even before he came home.

I met Thompsons Solicitors to



discuss claiming for compensation on Patrick’s behalf and see what other help I could get and they were brilliant right from day one!

They explained everything ...we got an interim payment quite quickly which enabled the purchase and adapting of a bungalow to suit Patrick’s needs before he was discharged from the hospital.

And the whole case was all done quicker than we thought it would be!

Thompsons kept in touch all the time, brought in various specialists and experts, and were very thorough in assessing the present and future costs of care for Patrick.

I was very happy with the settlement and I’ve got detailed accounts covering the next 40 years!

It’s now five years since the accident and Patrick is severely disabled and will always need care.

Nevertheless he is now speaking more and more, feeding himself, doing his own toiletries, learning how to walk - and he swears brilliantly!”

## Useful contacts

Department for Work and Pensions benefit enquiry line  
Freephone 0800 88 22 00 Textphone 0800 24 33 55

The Child Brain Injury Trust (CBIT)  
Helpline 0845 601 4939  
[www.ChildBrainInjuryTrust.org.uk](http://www.ChildBrainInjuryTrust.org.uk)

Disabled Living Foundation (DLF)  
Helpline 0845 130 9177  
[info@dlf.org.uk](mailto:info@dlf.org.uk) [www.dlf.org.uk](http://www.dlf.org.uk)

Care Quality Commission  
Telephone 03000 61 61 61  
[www.cqc.org.uk](http://www.cqc.org.uk)

NHS Direct  
[www.nhsdirect.nhs.uk](http://www.nhsdirect.nhs.uk)  
Telephone 0845 4647

Headway - The Brain Injury Association  
Freephone 0808 800 2244  
[www.headway.org.uk](http://www.headway.org.uk)

ICAS (Independent Complaints Advocacy Service)  
[www.carersfederation.co.uk/icas](http://www.carersfederation.co.uk/icas)

Independent Living Funds  
Telephone 0845 601 8815  
[funds@ilf.org.uk](mailto:funds@ilf.org.uk) [www.dwp.gov.uk/ilf](http://www.dwp.gov.uk/ilf)

Momentum Skills  
[www.momentumsotland.org](http://www.momentumsotland.org)  
[HeadOffice@momentumsotland.org](mailto:HeadOffice@momentumsotland.org)

Momentum North East  
Telephone 0191 232 0234

Momentum Midlands  
Telephone 0121 616 3900

**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](http://www.thompsons.law.co.uk)



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