

BRAIN INJURIES



**Thompsons
Solicitors**

SCOTLAND

**AN INTRODUCTION TO
CLAIMING COMPENSATION:
BRAIN INJURIES**

OUR PLEDGE TO YOU

Thompsons Solicitors has been standing up for the injured and mistreated since Harry Thompson founded the firm in 1921. We have fought for millions of people, won countless landmark cases and secured key legal reforms.

We have more experience of winning personal injury and employment claims than any other firm – and we use that experience solely for the injured and mistreated.

Thompsons will stand up for you by:

Staying true to our principles – regardless of how difficult our job is made by government, employers or the insurance industry

Remaining committed to the trade union movement, working closely with them and with professional associations for the benefit of working people everywhere

Thompsons pledge that we will:

Work solely for the injured or mistreated

Refuse to represent insurance companies and employers

Invest our specialist expertise in each and every case

Fight for the maximum compensation in the shortest possible time

Be open and transparent about fees and costs

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“

Thompsons were brilliant, absolutely brilliant, nothing was too much trouble. Patrick's solicitor, Sam, would come and visit Patrick every week at the hospital.”

Maisey O'Malley, Patrick's mother
Brain injury client

INTRODUCTION

According to Headway, the brain injury association, every 90 seconds someone is admitted to hospital in the UK with an acquired brain injury.

The effects of a brain injury can vary but the impact can be life-changing for both the victim and their family. Symptoms may include cognitive difficulties, memory loss, poor concentration, permanent brain damage, or physical disability.

Thompsons' serious injury team brings together the most dedicated specialist lawyers from every corner of the UK, offering expert help wherever you are.

Our specialist brain injury solicitors are committed to providing a client-focussed service to help brain injury survivors and their families in as many ways as possible. All of our specialist brain injury solicitors are active members of Headway and UKABIF and have close working links with charities and organisations including The Child Brain Injury Trust and the Independent Living Fund.

We are also proud to be part of the team that launched BrainNav (www.brainnav.info), the National Brain Injury Service Directory; a national website featuring the full range of services for people with acquired brain injury (ABI), their families and healthcare providers.

We work closely with our clients, and maintain regular contact to ensure you get the advice, guidance and support you deserve.

WHY THOMPSONS?

Brain injury is a very specialist area and, at Thompsons Solicitors, we have the knowledge and expertise to guide you through a claim.

We have secured compensation for thousands of brain injury victims and their families. Whether it's helping you to come to terms with the changes to your lifestyle and the financial impact of a brain injury, or ensuring that you have access to the best medical care in order to regain your independence as quickly as possible, we can put you in contact with a network of experts and support you through a compensation claim.

With more experience of winning personal injury claims than any other firm, Thompsons uses that experience solely for people who have been injured, never insurance companies or employers.

We are experts in settling high value compensation claims in the shortest possible time and, where possible, secure interim payments to cover immediate medical costs for the injuries you have suffered. We strive to secure compensation for any ongoing care, rehabilitation and future support you, and your family, may need.

DOROTHY'S STORY

"My husband and I had gone for a late afternoon country walk near our home when we were hit by a 4x4 vehicle. We were both knocked unconscious. When my neighbour found us, I had regained consciousness but Alan hadn't.

I suffered a broken shoulder and collarbone and a head injury. Alan had a severe brain injury; he was unconscious for 12 days and underwent treatment for months. The accident has given Alan aphasia, which means he gets his words mixed up. His long-term memory is improving but his short-term memory remains poor. I was put in touch with Thompsons Solicitors through Alan's union. Our solicitor, Peter, came to visit us within days. Thompsons were wonderful. Peter's knowledge of what we had gone through helped me a great deal. We felt as if we had someone on our side. He knew so much about brain traumas from his experience of working with clients with similar stories. Alan doesn't like leaving the house now. Before, we were active, but now I have to push Alan to go out. We only walk in parks or along the canal, away from traffic.

Our case took four years to settle, but Alan now talks about joining a golf club, booking a holiday and even going part-time or retiring. The settlement has given us the opportunity to think about things we otherwise wouldn't have considered."



“

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Dorothy
Brain injury client

MAKING A BRAIN INJURY COMPENSATION CLAIM

Getting the best evidence possible

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

Our serious injury solicitors have worked with clients who have suffered a brain injury as a result of accidents at work, road traffic accidents, clinical negligence, accidents in public places or assaults and attacks.

The stronger the evidence, which may include photography of your accident or injuries, the stronger your claim will be.

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.

TIMING CAN BE VITAL

In the UK, there is a standard time limit of three years from the date of an accident in which a claim for compensation can be made. It is always best to seek legal advice as soon as possible so that a solicitor can thoroughly prepare your claim and, where appropriate, apply for interim payments to help ease the financial strain during your treatment if you are unable to work. Some exceptions to the time limit do exist, and special rules apply for children or adults who lack legal capacity, but it is always best to take legal advice as soon as possible.

REHABILITATION AND CARE

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

Our team can help you access psychologists, speech and language therapists, occupational therapists, physiotherapists and support workers to get the ongoing care and support you require.

For very serious injuries we work with four further types of specialists, who can provide expert advice and support.

- Case managers – to plan and coordinate any rehabilitation, care and support a brain injury survivor may require
- Support workers – to support patients and their families at home and in the community
- Disability architects – to help adapt an individual's surroundings, such as sourcing walking aids, and even a car or adapted, accessible home, to enable them to function as normally as possible
- Job coaches – to help look at ways of enabling individuals to return to their current employment, or to provide training to allow them to work in new areas.

HOW MUCH COMPENSATION MIGHT BE AWARDED?

Our team will help individuals and their families to make a claim for compensation to cover the cost of medical treatment, rehabilitation, changes in lifestyle, and the financial impact of a brain injury. We will also obtain expert medical reports on your injuries to support your claim if necessary.

After an injury, you may be entitled to claim for the loss of earnings to cover time off work, to support you if you are unable to return to work or have to take a drop in wages to carry out a less-physical role. We can also help you claim all travelling expenses incurred because of an accident, including those of close relatives visiting you in hospital. Keeping receipts will help support your claim.

Adapting your surroundings to allow you to function as normally as possible can be expensive and your claim for compensation can also cover the costs of any rehabilitation aids and equipment you may need, and even a car or an adapted, accessible home to meet your needs.

WHAT ABOUT STATE BENEFIT CLAIMS?

You may be entitled to state benefits. While these claims are made separately to your claim for compensation, Thompsons can provide advice, or you can contact your local Department for Work and Pensions (DWP) office.



Next steps

We hope this booklet has provided you with the information and guidance you need.

If you would like to talk to us to discuss your situation in more detail, you can contact us, without obligation, for free compensation claim advice.

Phone us: **0141 566 6899**

Visit us: **[TalkToThompsons.com](https://www.talktothompsons.com)**

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

Disabled Living Foundation (DLF)

Helpline 0845 130 9177

info@dlf.org.uk

www.dlf.org.uk

Care Quality Commission

03000 61 61 61

www.cqc.org.uk

NHS Direct

0845 4647

www.nhsdirect.nhs.uk

Headway - The Brain Injury Association

Freephone 0808 800 2244

www.headway.org.uk

ICAS (Independent Complaints Advocacy Service)

www.carersfederation.co.uk/icas

Independent Living Funds

Telephone 0845 601 8815

funds@ilf.org.uk

www.dwp.gov.uk/ilf

Momentum Skills

HeadOffice@momentumscotland.org

www.momentumscotland.org

Momentum North East

Telephone 0191 232 0234

Momentum Midlands

Telephone 0121 616 3900

UKABIF

0845 608 0788

www.ukabif.org.uk

BrainNav, The National Brain Injury Service Directory

www.brainnav.info

0141 566 6899

For more information visit:

TalkToThompsons.com

Tweet @Talktothompsons

The information contained in this booklet is not a substitute for legal advice. You should talk to a lawyer or adviser before making a decision about what to do.