Supporting You Through a Spinal Cord Injury

irwinmitchell

If you or a loved one has suffered a spinal cord injury the emotional and physical impact can be life-changing for you and your family. We're here to get you access to the best medical care, rehabilitation and support.

We will investigate your case to find out if anyone was at fault and work to get you the justice you deserve. We'll also assess the impact of your injury to understand what support you'll need now and in the future. Early compensation payments may be available if you are out of work, have to make adjustments to your home or move to accessible accommodation.

We have close relationships with organisations and charities that provide spinal cord care and rehabilitation, who can help you come to terms with your injury and help you live an independent and fulfilling life.

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"I really don't know what I would have done without your team.

Martin
5* Trustpilot review

This information relates to the law and procedures in England and Wales. Please contact us if you need advice about the law and procedure in other legal jurisdictions.

0800 023 2233

Your Team of Experts

By building a relationship based on openness, trust and honesty, we're better placed to provide the expert advice you need.

Our reputation for helping spinal cord injury clients and their families is second to none and every year we help many people who've been injured in this way get access to the best rehabilitation, medical care and support.

Our service

Our highly specialised team will put you at the focus of everything we do and approach your case with care and consideration to ensure the best possible outcome for you.

We'll visit you at a place of your choice and we'll begin our investigations surrounding the circumstances of your injury.

Our initial aim is to reassure you through securing interim payments, as we know that getting early access to specialist rehabilitation gives you the best chance of living an independent life. We'll offer advice on your state benefits, employment rights and other financial issues.

Charity Partners

We work closely with national charities and support groups to improve the standards of care and support available to people with spinal cord injuries.

Back Up

We're proud to be a member of Back Up's legal panel providing advice to their service users. For the past three years, we've sponsored Back Up's Wheelchair Skills Extra courses in the majority of spinal units across the UK. Our staff are volunteers at the training courses which equip clients with a spinal injury to feel more confident in the use of their wheelchair. We continue to fundraise for Back Up throughout the year, whether that's by taking part in their annual Dragon Boat Race, supporting their charity balls or through raffles and donations.

Spinal Injuries Association (SIA)

We're a proud member of Spinal Injuries Association's approved solicitor list and we're also a Platinum Corporate Supporter. We sponsor their East Midlands Peer Support Officer who offers advice, support and mentorship to those who've recently experienced a spinal cord injury. We host their expert legal seminars as well as continuing to fundraise through their annual bike ride event and attending their many events.

It was so hard coming to terms with my injury, but sport has assisted with my recovery and opened me up to a whole new world of possibilities.

Ainsley Sinckler
Our client

Ainsley's Story

Ainsley was a university student just months into an architecture and property development course, when he was involved in a road traffic collision.

Ainsley suffered a serious spinal cord injury which meant he would need a wheelchair for the rest of his life. The reality that he'd no longer be able to walk was very hard to take, especially for a young man who loved being active and playing sport.

Ainsley and his family instructed our specialist serious injury solicitors to help him access the care and therapies needed to support his recovery and future needs, as well as access to adapted accommodation and transport.

Being active again

As part of Ainsley's rehabilitation, he participated in the Inter Spinal Unit Games, an event which gives people with a spinal injury a chance to sample a range of different sports and to socialise.

The tournament enabled Ainsley to be active again and his competitive nature was there for all to see. He was victorious in the archery competition and also highly recognised for his abilities in swimming and athletics.

However, perhaps the most important moment was when he tried adaptive rowing at his local club. Taking part and getting out on the water has given him the opportunity to experience an element of freedom and independence that he'd not enjoyed since his injury.

Gearing up to compete in his first event, Ainsley loves the opportunity that rowing gives him to display his inner strength and he remains determined to try his hand at yet more inclusive sports.

Away from the water, he's moved into an adapted house with his girlfriend and resumed his studies at university, allowing him to look forward to a positive and active future.

Ainsley has faced a difficult few years but sport has allowed him to regain both independence and confidence.

Cathy Leech
Serious injury expert

When Can I Make a Claim?

Spinal cord injury claims usually need to be made within three years of the incident.

Variations

Time limits don't start for children until their 18th birthday. In cases involving very severe injuries or incidents outside of England and Wales, a court can decide that the normal time limits may be adjusted. Where the injuries are caused by criminal assault, the time limit for making a claim is usually two years from the date of injury or assault.

The sooner you contact us the better, as we can then investigate your claim and start proceedings against the defendant or their insurer.

Do I have a case?

If you're not sure if you have a claim, you or a family member just need to pick up the phone and talk it over with us. We'll assess your case free of charge, tell you what we think and then you can decide if you want to go ahead.

Can you take over from my current solicitor?

If you're concerned about the way your case is being handled you're perfectly entitled to consider a second opinion from another law firm.

If your current solicitor doesn't have the experience to deal with a spinal cord injury case it could lead to significant delays, a failure to obtain important interim payments and the possibility that your case will be undervalued or unsuccessful.

This can mean that you miss out on the opportunity of targeted rehabilitation as well as failing to receive all of the care, therapy and equipment that you need.

If you decide to move your case to us the process is very simple - we'll speak to your current solicitor on your behalf.

What Are My Chances of Winning?

Many people come to us who don't think they had a claim, and we go on to secure them rehabilitation and financial security for the future.

We're realistic in our assessments, so when you contact us we'll give you honest, straightforward advice on your chances of winning based on the information you give us. Though it's not possible to give a definitive answer on any case, the more information we have the more accurate our assessment will be.

Legislation

The government introduced some changes to how legal costs and funding for personal injury cases will work from April 2013. These changes mean you can no longer recover all of your legal costs from your opponent, but it's likely that you'll still recover your basic legal costs.

> During my experience with Irwin Mitchell I was always dealt with in a proficient and professional manner. Communication was excellent, clear and concise. I felt supported throughout.
>
> **Richard**
> 5* Trustpilot review

Options for funding your claim:
Conditional fee agreement – commonly known as a 'No Win No Fee' agreement*
Legal expenses insurance – you may have legal expenses cover to help with any legal costs as part of your household or car insurance
Trade union – if you're a member of a trade union they may provide assistance for some legal issues.

If you don't have access to legal expenses insurance or trade union assistance, your best option may be to consider a 'No Win No Fee' agreement. Even if you do have access to other funding options, a 'No Win No Fee' agreement may still be the best option for you.

When we discuss your claim in more detail we'll tell you if the 'No Win No Fee' option is available or if we need to look at the other funding options above.

* Subject to entering into a 'No Win No Fee' agreement in conjunction with our Allianz Litigate insurance policy and complying with your responsibilities under its terms.

‘No Win No Fee’ Agreements

If we recommend that a ‘No Win No Fee’ agreement* is your best option, you can be assured that there is no financial risk to you if you’re unsuccessful.

If you win:
Your opponent will pay the majority of our basic legal costs and disbursements (e.g. court fees, medical reports)
Any costs not payable by your opponent will include: • Part of the premium for your insurance policy to protect you fully against any risk of legal costs • Some of your basic legal costs which cannot be recovered from your opponent • A ‘success fee’ which compensates us for the risk that we wouldn’t recover any legal fees at all if it was unsuccessful
You won’t have to pay a penny out of your own pocket until your claim has successfully come to an end and then any of the costs not paid by your opponent will be deducted from any compensation awarded to you
If any disbursements can’t be recovered from your opponent these will be covered by your insurance policy
To help you with your legal costs, the government has provided a 10% increase in the amount awarded to you for your pain, suffering and loss of amenity.

If you lose:
We can promise you, there’s no financial risk to you if your claim is unsuccessful*
There will be no charge to you
You’ll be fully covered by your insurance policy for any disbursements
You’ll be fully protected by your insurance policy from any of your opponent’s legal costs.

We’ll do everything we can to protect and support you to proceed with your claim and we’ll keep you updated at all times. Remember, there’s absolutely no financial risk to you or your family if you’re unsuccessful.

* Subject to entering into a ‘No Win No Fee’ agreement in conjunction with our Allianz Litigate insurance policy and complying with your responsibilities under its terms.

My adapted vehicle allows me to be free to go for a drive, take my dog for a walk and go to play tennis.

Maz Kapuscinska
Our client

Maz's Story

While on her way to work to earn money for her university degree in 2005, Maz was involved in a road traffic collision leaving her paralysed from the waist down with a T3-5 spinal injury.

Maz spent four weeks in hospital, concerned about what her future held. She was transferred to the spinal unit where she had to adapt to life in a wheelchair and come to terms with the lifetime consequences of her accident.

Our specialist serious injury solicitors took on Maz's case to ensure she had access to early rehabilitation, the best medical care and specialist equipment. We worked closely with Maz to explore what technology and products could benefit her and allow her to lead an independent life.

Maz now lives in a technology assisted home in Northampton and regularly travels both in the UK and abroad in her hand-controlled car. She also enjoys the rehabilitation benefits and socialisation that wheelchair tennis brings and encourages anyone to give it a go.

Following her discharge from hospital, Maz was accepted for a Canine Partner and she was matched with a labrador called Byrnie, who's trained to help her with a range of household chores from unloading the washing machine to retrieving her phone. The relationship also increases Maz's drive and motivation as having Byrnie means she has the responsibility of looking after her needs, giving her a reason to get up in the morning. Not only have we supported Maz through her initial rehabilitation, her solicitor, Rachael Aram, is still in regular contact with Maz and the two have become firm friends.

Maz has had a very long journey and a very powerful one. After her injury she was worried what the future would hold and didn't yet know what the possibilities were for her. Part of my role is making her aware of the new products and technology that could assist her to live life to the full.

Rachael Aram
Serious injury expert

How Much Compensation Will I Get?

The amount of compensation you receive will depend on the severity of your injury, how it has affected your life, how much money you've lost or will lose as a consequence and whether you'll need extra support in the future.

Individually assessed

We'll advise you at the outset on how your opponent's insurers and the courts approach the assessment of compensation and how that will apply to your case. However, it's important to bear in mind that everyone is different and the consequences of the same injury will vary from person to person.

Keeping you informed

As we learn more about you and your circumstances, we'll be able to provide you with a more accurate idea of the financial value of your claim. You can be assured that we'll do everything we can to recover the maximum amount of compensation available to you. We'll also advise on the best payment terms to suit your immediate and ongoing needs.

As well as securing financial compensation, we'll help you and your family with the practical issues and day-to-day impact of your injury as well as helping you get access to the best medical care and rehabilitation.

What Happens When I Claim?

We'll investigate your case thoroughly by gathering witness statements and other relevant details about your injury and ongoing requirements.

Opponent's insurance

As soon as we have all the details of your case, a claim will be made against your opponent's insurance company and we'll await a response. This can go one of two ways – either they decide to meet your claim or they don't.

Don't worry if an insurance company turns down your claim at first as this often happens and it doesn't mean that your claim will fail.

Assessments

We'll assess your rehabilitation needs and some people may warrant other expert assessments such as care needs. You and your family will be fully consulted on the proposed course of action.

Court settlements

The vast majority of cases are settled before they go to court. If your case is one of the few to be decided by a judge, don't worry; it's perfectly normal and we'll be there to help you every step of the way.

What Else Can We Help You With?

Whether it's business or personal we understand that everyone's situation is different.

If you need legal advice or support with financial planning, we're here to offer *an expert hand with a human touch*, so you're able to focus on what really matters.

We're here to help you with:

- Buying or selling a house
- Court of Protection
- Divorce, children and family matters
- Planning disputes
- Financial planning and wealth management*
- Support with your business and employment issues
- Social, education and healthcare provisions
- Tax and trusts
- Welfare and healthcare matters
- Wills

* Financial planning and wealth management services are provided by IM Asset Management Limited which is authorised and regulated by the Financial Conduct Authority. Its Financial Services Register Firm Reference Number is 402770.

Contact us: 0800 023 2233 irwinmitchell.com

Useful Contacts

We have close relationships with organisations and charities that can provide extra support when you need it most.

Activity Alliance
Working to make active lives possible with a vision that disabled people are active for life.

SportPark- Loughborough University
3 Oakwood Drive
Loughborough
Leicestershire
LE11 3QF

0150 9227 750
activityalliance.org.uk

Back Up
Delivering a range of services to build confidence and independence back into people's lives, and offering a support network when it is needed most.

4 Knightley Walk
London
SW18 1GZ

0208 8751 805
admin@backuptrust.org.uk
backuptrust.org.uk

Brain and Spine Foundation
The Brain and Spine Foundation exists to provide information, answer questions, reduce anxiety and to inform choices.

Fourth Floor
CAN Mezzanine
7-14 Great Dover Street
London
SE1 4YR

0808 8081 000
helpline@brainandspine.org.uk
brainandspine.org.uk

Carers UK
Giving expert advice, information and support to carers so no one has to care alone.

20 Great Dover Street
London
SE1 4LX

0207 3784 999
carersuk.org

Disability Living Foundation
A national charity providing impartial advice, information and training on independent living.

Unit 1
34 Chatfield Road
Wandsworth
London
SW11 3SE

0207 2896 1111
info@dlf.org.uk
dlf.org.uk

Motability
The Motability Scheme enables disabled people to get mobile by exchanging their mobility allowance to lease a new car, scooter or powered wheelchair.

City Gate House
22 Southward Bridge Road
London
SE1 9HB

motability.co.uk

Regain – The Trust for Sports Tetraplegics
Provides equipment and facilities to improve mobility, communication, education and employment opportunities for people with tetraplegic injuries.

enquiries@regainsportscharity.com
regainsportscharity.com

Spinal Injuries Association (SIA)
Supports anyone who has been touched by spinal cord injury. They work to enable people to live a fulfilled life after injury.

SIA House
2 Trueman Place
Oldbrook
Milton Keynes
MK6 2HH

0800 9800 501
adviceline@spinal.co.uk
spinal.co.uk

Expert Hand. **Human Touch.**

P-SI-1001-B

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