

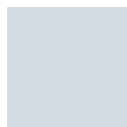


2018

**Head Injury
Solicitors Directory**

improving life after brain injury

Published by



Headway – the brain injury association
Bradbury House, 190 Bagnall Road,
Old Basford, Nottingham NG6 8SF

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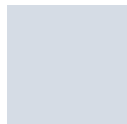
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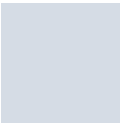


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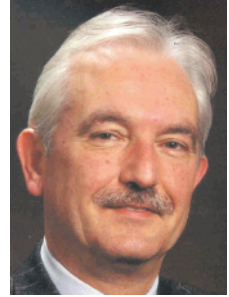
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Foreword

by **Denzil Lush**, Headway Trustee and former Senior Judge of the England and Wales Court of Protection



During my career, I saw first-hand the devastating impact an acquired brain injury (ABI) can have on not only the individual, but also their family.

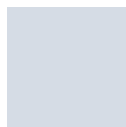
I also witnessed the often catastrophic implications of the long-term effects of brain injury going unrecognised by professionals working to support survivors.

We first launched the Headway Head Injury Solicitors Directory in 1995 in direct response to reports that families had appointed solicitors with limited experience of personal injury law or indeed ABI. As a result cases were settled for a fraction of what they were worth, or what was needed by the individual.

For more than two decades, the Directory has been a vital resource for individuals and families in need of specialist legal representation when making a claim.

We are proud to offer this resource to individuals and families as part of our work to improve life after brain injury and my thanks go to all those who continue to contribute to the cause.

About Headway



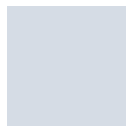
Headway is the UK-wide charity that works to improve life after brain injury through the provision of frontline services.

This includes our nurse-led helpline (**0808 800 2244**), which will this year answer more than 10,000 enquiries from individuals, families, and professionals, our newly-launched Brain Injury Identity Card, which is giving brain injury survivors a simple solution to a tricky conversation and our award winning publications that give a wealth of information, such as our publication 'Claiming Compensation after Head Injury' which provides information about every stage of a compensation claim.

In addition, a network of 130 groups and branches across the UK continue to act as a lifeline to brain injured families in their local communities.

To find a Headway near you, ring the Helpline or visit our website at www.headway.org.uk

About this Directory



This Directory has been prepared by Headway to assist people seeking the services of solicitors experienced in personal injury litigation, in the context of traumatic brain injury and its consequences.

The information enclosed will help you to choose the right solicitor for your case by giving advice and guidance on what to ask, who to contact and where you can find a solicitor in your area.

Please note that contacts in this Directory have been assessed regarding their experience in personal injury claims only. This accreditation does not apply to any other solicitors or departments within an office or a firm.

The production and distribution costs of this Directory have been kindly sponsored by Saltus Private Wealth Management.

How to use this Directory



- The regional index page is divided into regions, and then, within each region, alphabetically into towns and cities.
- If you already have the name of a legal firm and wish to check if they are included on the Directory, please use the alphabetical solicitors index at the back of the publication on pages 87-90.
- If you are seeking legal advice following an accident abroad please use the Headway website www.headway.org.uk and search for legal advice by country.
- The expertise offered by each firm has been coded for easier understanding. Check with the coding details on page 16 for further information.

Accreditation logo




This logo represents Headway's accreditation for head injury solicitors on the Directory. It is a trusted standard confirming that each of the solicitors featured in this Directory have agreed to work within the Headway Head Injury Lawyers Code of Conduct.

Without the logo, we cannot guarantee whether a solicitor has the relevant experience in the field of brain injury. We encourage you to check that your solicitor is Headway accredited by using this Directory.



Choosing the right solicitor



It is more important to **instruct a solicitor with experience** than to allow someone who is inexperienced to handle your case purely because he/she has an office close to your home. In seeking expert medical advice you would probably not hesitate to travel some distance to see the right specialist. The same considerations apply to brain injury compensation claims. Choosing the wrong solicitor could result in under-valuation of your claim. It is important that you choose a solicitor specialising in brain injury work.

Brain injuries are complicated and involve different considerations from other forms of injury. It is very important that the solicitor you choose to handle your claim understands the complexities of your injury and how your own injury is likely to affect your life. A **specialist solicitor** will know the right expert to instruct in your claim which will result in fair and just compensation to you.

The solicitor that you instruct will explain to you how your claim will be conducted. This advice could seem complicated, particularly following a brain injury. You must, therefore, always ensure that you **take someone with you** who will help you understand the questions and advice given. They may also be able to ask things that may not have otherwise occurred to you. Never hesitate to **take notes**. The solicitor you instruct should send you a letter setting out the advice that has been given at your initial meeting. If you do not receive such a letter you must not hesitate to ask for the advice in writing.

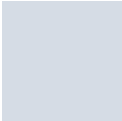
It is common that claims for compensation for brain injury often **take three to five years** and in some cases longer. The reason for this is that it is important to ensure how your brain injury is going to affect your future and to assess all your future needs.

This will enable your solicitor to value your claim properly. You should not, therefore, expect your case to be settled quickly – indeed, it is unlikely that a swift settlement would be in your best interests. Delaying the settlement of your claim should not prevent your solicitor from obtaining an interim payment for you in most cases.

The solicitor that you instruct will find it helpful if you can keep a **record of important events** in a diary and also keep a **list of expenses** that you incur.

It is important that your solicitor explains to you the various options for funding your claim, how costs can be recovered and how your position in relation to legal costs can best be protected.

Meeting your solicitor



Before you meet your solicitor it is a good idea to get together any **letters, documents** or **other paperwork** that you think the solicitor might need to see.

Things to take with you:

- if you have been involved in a car accident the police may have given you a card or a letter containing details about the accident.
- relevant information regarding the accident, such as witness details, premises information and photographs, if applicable.
- any insurance policies.

At your first meeting there may be **more than one solicitor present**. This means that, if your solicitor is not available to speak to you at any time during your case, perhaps because

they are at a court hearing, you will still have someone you can speak to who is familiar with your case.

The solicitor will ask you to tell them what, if anything, you can **remember about the accident**. It may be that because of your injuries you cannot remember anything. If that is the case, do not worry. The solicitor will be used to dealing with this situation. If a friend or family member witnessed your accident, your solicitor will be able to speak to them and they can also obtain information from others, for example the police or the Health and Safety Executive.

Once the solicitor is aware of the facts of your case they will tell you whether they have enough information to be able to properly **advise you**. If the solicitor feels that you have a reasonable chance of winning your case (i.e. a greater than 50% chance), then they will tell you what investigations they need to do next. They will also discuss with you **how to pay** for these investigations.

There are a number of different ways to **fund your claim** such as Legal Aid in clinical negligence cases, legal expenses insurance, After the Event insurance, conditional fee agreements (“no win, no fee”) and in some cases funding from your Trade Union or the Legal Services Commission (formerly the Legal Aid Board). The solicitor will advise as to which option is best for you.

Questions to ask your solicitor

No solicitor who is prepared to act for you or your family should object to answering questions **fully** and **honestly**. The following questions are blunt, but you should not be afraid to ask them.

Take a written list of questions when you see a solicitor for an initial interview, and make a note of the answers given. You may want to ask the person accompanying you to ask the questions. If a solicitor objects to the questions or to your note-making, you should ask yourself why.

Suggested questions

Q How long have you undertaken brain injury work and how many cases are you handling at the moment?

A The answer will give you a good idea of the individual's experience, and their familiarity with brain injury work, i.e. whether or not they deal with such cases on a regular basis.

Q What proportion of your present workload is brain injury? What does the balance of your workload comprise of?

A The answer to this question will tell you whether or not the solicitor you are instructing is a specialist in brain injury and is capable of handling a serious injury claim.

Q Will you be dealing with my case personally?

A You may choose a specialist solicitor who is experienced in dealing with brain injury work. However if that solicitor is not going to handle your case personally, it is possible that your case will be passed on to a more junior solicitor who may not necessarily be a specialist. You must, therefore, establish from the outset that the solicitor you are instructing will deal with your case personally and will be available for you when needed. It is not unusual for solicitors to delegate or to work as part of a team but the solicitor instructed by you must have

the time to properly assess your case and be involved in all the important steps.

Q Do you belong to the Association of Personal Injury Lawyers (APIL)? Do you belong to the Law Society's Personal Injury Panel?

A *Membership of Professional Bodies is an indication of special interest, and also that there are reputable organisations to contact in the rare case of a complaint being necessary.*

Q When will you be able to apply for an interim payment?

A *Compensation claims, especially potentially large or complex claims, may take some time to conclude. In the meantime you will need to pay for rehabilitation, aids or adaptations or additional family expenses. Your solicitor should be aware of these likely needs and know the system for getting a result. Your solicitor should be able to advise you whether yours is a case in which an early interim payment was likely and if not why not.*

Q What are the options for funding the case? (e.g. "no win, no fee"; legal expenses insurance; Legal Aid)

A *You must feel confident you understand the fee structures and the potential risks involved. This will help you make a decision on the right choice of legal representative for you.*

Q Are you prepared to visit us at home if necessary?

A *There may be difficulties travelling to the solicitor's office. Also, visiting a solicitor can be an intimidating experience at the best of times. The individual with a brain injury may feel more at ease in their own surroundings.*

Q Can we phone you if we have any problems?

A *Yes! You should also have a contact to whom you can speak in your solicitor's absence – even solicitors fall ill and have holidays but you should feel confident that in these*

circumstances, there is someone in the legal team who can take on your enquiries and address your concerns.

Q Will you keep in regular contact with us, and how will this be done?

A *Your solicitor should be prepared to keep in contact on a regular basis. Most of the misunderstandings between clients and their solicitors arise from poor communication.*

Q Do you have links with your local Headway groups?

A *A solicitor with links to Headway will not only be an ideal source of information about local support, but will also have opportunities to hear news from the wider world of brain injury research, support and development.*

Q Do you have experience working with brain injury professionals?

A *The term “brain injury professionals” covers a wide range of different expertise from experience of claiming benefits to neuro-psychology. You should be able to have confidence in your solicitor’s knowledge of the kinds of professionals who might be consulted about the support necessary for you or your family members.*

Q On average, what settlements do you achieve for your clients and what investment advice do you give?

A *Once your compensation award has been finalised you may need advice on how to financially manage large sums of money. If your solicitor regularly deals with large claims, then the better knowledge and access to appropriate financial advice he or she will have.*

Q Would you be happy for us to take up a reference in relation to your ability to handle my claim?

A *A specialist solicitor will have satisfied clients and will be known to professionals specialising in brain injury work.*

If you would feel more comfortable speaking to someone about the solicitor you have instructed you must not hesitate to ask this question.

Q If my case is funded by way of a “no win no fee” agreement, will you charge a success fee? If so, how much will the success fee be and how is it calculated?

A *A solicitor can charge a success fee to reflect the financial risk in taking your case on a “no win no fee” basis. The success fee only arises if your case is successful however it will be deducted from your compensation. It is important that you ask the solicitor whether a success fee will be charged, and if so, the amount. The success fee will be a percentage of your compensation (capped at 25% of compensation for your injuries and past losses).*

Q Will there be any other cost deductions from my compensation?

A *You should ask your solicitor to clarify whether there might be additional deductions, such as for any shortfall in the recovery of their basic charges or for After The Event insurance.*

Remember!

You are free to seek an initial interview with more than one firm. Visit two at least. Gaining some knowledge about the solicitors and their different ways of working is an important step to making a choice of legal representative who suits you.

If, during the course of your claim, you realise you are unhappy with the choice you have made, you have the right to change your solicitor. However, before doing so you may like to discuss this with someone else, for example Headway, your case manager, or some other independent person.

The claim process

There are three main elements to making a claim:

1. Proving that another person was at least partly to blame for your injuries.
2. Finding out what rehabilitation you require and are entitled to.
3. Request that any expenses you may have incurred be reimbursed.

1 Responsibility/Blame

It is necessary to prove that you (The Claimant) suffered an injury and that another person's (The Defendant's) actions caused your injury – this must be decided at the earliest possible stage.

2 Rehabilitation

Whilst the main purpose of pursuing a claim is to receive **financial compensation** for your losses, it can also provide other positive benefits. For example, the Rehabilitation Code says that **support** should be provided to you and your family. This will usually be in the form of **rehabilitation** and **treatment** but can also include **counselling** or **Cognitive Behavioural Therapy** or the appointment of a **Case Manager**, who can assess what support you need. In some circumstances, third party insurance companies will provide support and rehabilitation even when liability is in dispute.

The solicitor will arrange for you to undergo **medical examinations** to determine the prognosis for your injuries. Any treatment needs and care requirements will also be identified during the examination. It will help your recovery if you are able to gain access to the recommended treatment as soon as possible.

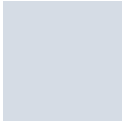
3 Claiming Expenses

In addition to the compensation for the injury itself, you are entitled to claim **expenses**. These may include:

- loss of earnings
- care expenses
- medical expenses
- equipment costs

The solicitor should therefore investigate all potential expense claims, including not only past, but also future costs you will incur once the claim is settled.

Headway Head Injury Lawyers Code of Conduct




Each of the solicitors featured in this list has agreed to work within the Headway Head Injury Lawyers Code of Conduct. This is to ensure that all legal firms included have the **relevant experience** in the field of brain injury and that anyone using the Headway Head Injury Solicitors Directory to choose a solicitor can have confidence in the **quality and expertise** of their chosen firm and its commitment to addressing their particular needs and circumstances.

By signing the Code of Conduct the head injury lawyers (and their employees) included in the Headway Solicitors Directory:

- Should, when dealing with Headway brain injury survivors/ service users/carers, conduct themselves in a manner that upholds and enhances the reputation of Headway and the other firms of solicitors featured in the Directory.
- Should not claim to have specialist skills or experience that they do not possess.
- Should not pressurise Headway Groups and Branches to endorse or recommend the services offered by the firm.

- iv. Should provide Headway brain injury survivors/service users/carers with a free initial consultation to answer any questions they may have and provide them with appropriate information about the firm to allow them to make an informed choice.
- v. Should not put undue pressure on Headway brain injury survivors/service users/carers to appoint the firm to act on their behalf and should recognise their right to consider other solicitors prior to making a decision about who should represent them.
- vi. Should act in the best interests of the Headway brain injury survivors/service users/carers and not make excessive or unnecessary charges.
- vii. Should keep themselves up to date with current law and undertake regular Headway training to help them fully understand the needs, issues and aspirations of Headway brain injury survivors/service users/carers.
- viii. Should recognise that Headway brain injury survivors/service users/carers are often coping with extremely distressing circumstances and provide them with the respect and sensitivity required at such times.
- ix. Should recognise their duty to avoid sexual, financial, emotional or any other form of client exploitation. In particular, they must not use their professional relationship to establish or pursue a sexual or improper emotional relationship with a Headway brain injury survivor/service user.
- x. Should respect the privacy and dignity of the Headway brain injury survivors/service users/carers and not make unsolicited approaches within the hospital or other clinical settings, which might be interpreted as applying undue pressure on Headway brain injury survivors/service users/carers.
- xi. Should avoid any situation in which their interests conflict with those of their client and, when necessary, should ensure that the client receives independent advice which will allow them to weigh up matters and exercise their own free will.

Complaints Process



If you are dissatisfied with the service being provided by your solicitor, you should initially complain to the firm via its complaints procedure, which should be clearly accessible on the firm's website.

Following this, if you believe that a firm included in this Directory has not complied with the *Headway Head Injury Lawyers Code of Conduct* please inform Headway in writing, **setting out the specific part of the code you believe has been breached**. You can view the *Headway Head Injury Lawyers Code of Conduct* on page 13 of this publication.

Letters of complaint should be sent or emailed to:

Melanie Dickens, Headway – the brain injury association,
Bradbury House, 190 Bagnall Road, Nottingham, NG6 8SF.

Email: fundraising@headway.org.uk

If you are unhappy with the **general quality** of the service offered by a law firm, please contact the Legal Services Ombudsman. Headway can only investigate complaints that are in breach of the *Headway Head Injury Lawyers Code of Conduct*.

Further information on the Legal Services Ombudsman is available from **www.legalombudsman.org.uk** or by calling **0300 555 0333**.

Coding details for listed entries



Firm provides advice on Court of Protection deputyship in England and Wales, financial and welfare guardianship in Scotland or controllership in Northern Ireland



The firm's trust corporation or a partner can act as a professional deputy in England and Wales or financial guardian in Scotland, or controller in Northern Ireland



Firm can advise/guide on the investment of damages



Firm can handle investments in-house



Firm has experience of establishing personal care support schemes via an internal or external Case Manager



Contact Solicitor or firm has mainly claimant/plaintiff caseload



Home visits



Will act for clients outside of local area



Wheelchair access at office



Firm will act on a Conditional/Speculative Fee Agreement basis



Contact Solicitor is a Law Society Personal Injury Panel member



AVMA/ Law Society Clinical Negligence/Forum of Complex Injury Solicitors/SIA Panel member in the firm



Contact Solicitor is an Association of Personal Injury Lawyers (APIL) member



Firm is in active contact with local Headway group



Solicitor has overseas experience in Personal Injury



Firm has a Family Law department



Firm offers a free or discounted Will writing service to members of the Friends of Headway scheme

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PRIVATE WEALTH MANAGEMENT

Saltus Private Wealth Management is a trading style of Saltus Partners LLP which is authorised and regulated by the Financial Conduct Authority

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■ Altrincham

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Contact **Philip Coulthurst**
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Website www.cfglaw.co.uk



■ Chester

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and catastrophic
personal injury and
medical negligence
claims

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www.fdrlaw.co.uk



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legal team led by
Daniel Lee, Associate Solicitor
daniel.lee@fdrlaw.co.uk

Member of APIL, Volunteer and Trustee at
Headway Stockport and South Manchester

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Website www.prd.uk.com



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Website www.simpsonmillar.co.uk





Your case **is our cause.**[™]



- + Specialist brain injury and Court of Protection lawyers
- + Proven track record of high value settlements
- + Access to top quality rehabilitation
- + National UK coverage with home and hospital visits

"The solicitor I spoke to was very professional and helpful. She was very knowledgeable and the speed in responding left me feeling confident that I was in good hands."

MK, London

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A photograph of a woman and two children on bicycles, viewed from behind, looking out over a vast green valley under a blue sky with scattered clouds. The woman is on the right, wearing a white t-shirt and blue jeans, with a black helmet. A boy in a blue and white striped shirt and a blue helmet stands in the middle with his arms crossed. Another boy in a brown t-shirt and a black helmet is on the left, riding a blue bicycle. The background shows rolling green hills and a distant town.

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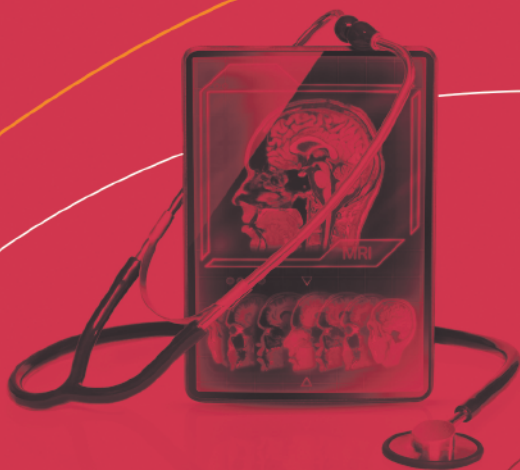
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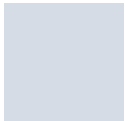
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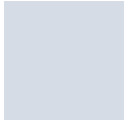


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