

Brain Injury Case Studies

Background - Case 1.

Our client was assaulted and sustained what appeared to be relatively minor physical injuries. They decided to personally submit an Application to the CICA (Criminal Injuries Compensation) and they were awarded compensation in the sum of **£1,000.00**.

They then instructed Solicitors to see if the award could be reviewed and but then the Application was refused completely. The solicitors then **appealed** the refusal to review the case which was successful. At this stage, however, the client decided to switch solicitors and came to see Banner Jones.

How We Helped

Shortly after we took over the conduct of the case we identified a possible **brain injury**. A report was obtained from a Neurologist who took the view that there was no traumatic brain injury, but that they had however suffered a psychological injury. A Consultant Forensic Psychiatrist was instructed who confirmed that our client was suffering from a **mental illness** as a direct result of the incident in which they were assaulted.

A Nursing and Care Report was commissioned and the matter was valued at over **£1 million**, however for this type of criminal injury the maximum award available is **£500,000**.

At a full Tribunal Hearing we managed to ensure the client received the maximum award available of **£500,000.00**. Due to their mental illness the client was concerned about looking after the money awarded to them, so we were able to put the compensation into a 'Compensation Protection Trust' which ensures that the money is looked after on their behalf.

“
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TO ENSURE
THE CLIENT
RECEIVED THE
MAXIMUM
AWARD
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£500,000
”



Background - Case 2.

“
WE WERE ABLE
TO SETTLE
THE CASE
WITH THE
DEFENDANT'S
SOLICITORS
TO THE SUM
OF **£2,750,000**
”

Our client suffered an extremely **rare brain injury** as a result of being in hospital. The matter was initially dealt with by another firm of Solicitors who managed to obtain an admission of liability from the Defendants. They obtained Directions as far as a Quantum Trial was concerned (the Quantum trial ascertains how much the claim is worth) and were part way through those Directions when a significant delay caused the client to approach Banner Jones.

How we helped

70 lever arch files were received and because of an impending Court Hearing they were reviewed over the course of one weekend. The clients' previous Solicitors had advised them that the claim was worth a maximum of **£1.5 million**. We then went through several extremely complex Directions Hearings with extremely favourable results as far as the case was concerned.

After seeking a variety of further non-medical and medical reports from many experts we were able to settle the case with the Defendant's Solicitors to the sum of **£2,750,000.00**.

Background – Case 3.

This case involves a client who, whilst out riding their horse, was **attacked** by a number of youths throwing stones. The horse was caused to bolt and they were thrown from the horse sustaining a very severe head injury resulting in a **stroke**. The Client has suffered almost complete loss of mobility and speech and is likely to be hospitalised for around 2 years for specialist **rehabilitation**.

How we helped

Simon, our head of PI, has been able to meet the client in hospital and despite their injuries and communication **difficulties**, he has been able to ensure that they are fully aware of the manner in which their claim will proceed. Simon has been able to support the client and their family by managing all aspects of the claim in a way which leaves them and their family able to concentrate on their rehabilitation whilst in the knowledge that the matter is being handled with the utmost **expertise**.

Simon is in constant contact with the client through the family and is providing ongoing advice with regard to both the claim and any other matters relating to the ongoing rehabilitation.

The case is still ongoing but it is predicted that the overall compensation will be around **£1.5million**.

“
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”



Background – Case 4.

“
THE CLIENT
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AS MUCH
PROFESSIONAL
HELP AS SOON
AS POSSIBLE
”

Our client suffered a brain injury in a road traffic accident and was only **16 years old** at the date of the accident. The injury could not have come at a worse time in the beginning of their GCSE year. The matter was taken over from other Solicitors who had been involved for approximately six months post accident. Unfortunately it was obvious that those Solicitors did not have the required experience as they were considering instructing the wrong type of expert bearing in mind the client's age and also they had not recognised that **liability** had been denied.

How we helped

The question of liability was immediately considered and a full watching brief (we represented our client as an observer) was undertaken at a criminal hearing. The Defendant was found guilty and as a result of the watching brief any contributory **negligence** by our client was ruled out completely.

The matter was urgent in that it was felt that the client needed as much professional help as soon as possible to assist in their studies, particularly bearing in mind that they had since commenced their A levels. Seven relevant experts were instructed immediately and in particular a report from an Educational Psychologist was requested as a matter of **extreme urgency**. That report was received and a Case Manager was appointed with a view to instructing a specialised tutor to give the client every help available.

Our client is likely to receive around **£1 million**.

Why Choose Banner Jones?

 <p>Members of the Law Society's Personal Injury Panel</p>	 <p>Over 45 years of experience</p>	 <p>5 Regional offices</p>	 <p>Variety of specialist lawyers</p>	 <p>We win 95% of cases we take on</p>	 <p>We have a dedicated Accident Claim Centre</p>	 <p>96% of our clients would recommend us to a friend</p>
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If you are considering making a claim for compensation, contact one of our expert solicitors who will give you specialist advice on the claims process:

Phone: 0330 017 6309 Web: www.bannerjones.co.uk

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