

A magazine from
IM irwinmitchell
solicitors

Edition 3 - Spring 2016

Focus

on Military

Launch of
Kajaki: The True Story

Supporting Portsmouth
Amputee football

Legal experts with a
military background

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EMBRACING PROGRESS

Online Photography Competition The Winners

Irwin Mitchell, in conjunction with Walking With The Wounded, recently hosted an online photography competition, in order to demonstrate that every disabled person has the right to live their life, embrace their disability and achieve their goals.

We're proud to showcase the inspirational winner and commended photos here, each truly capturing their own personal achievements. Read their background stories here:

www.irwinmitchell.com/embracingprogress

#embracingprogress

Judges praise inspirational images of progress

"It's all about his unique personality, humour, mischievous smile - you only see his disability on second glance. A compelling and powerful image with depth and distinction."

David Ofield, Picture Editor at the Evening Standard comments on the joint winner of People 18 and over



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In association with

WALKING WITH THE WOUNDED
Supporting Our Wounded Into Work

Our media partners

Evening Standard **i** **THE INDEPENDENT**



"Still singing"
By Peter Carr
Joint winner of People 18 and over



"My daughter doing what other children do"
By Emma Rix
Winner of Independence 18 and over, also Overall Competition Winner



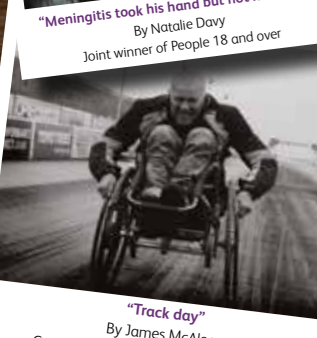
"Play scheme"
By Paul Horton
Winner of Work/Education 18 and over



"Get through the waves in life"
By Peter Carr
Winner of Ambition 18 and over



"Meningitis took his hand but not his smile!"
By Natalie Davy
Joint winner of People 18 and over



"Track day"
By James McAleer
Commendation of Ambition 18 and over

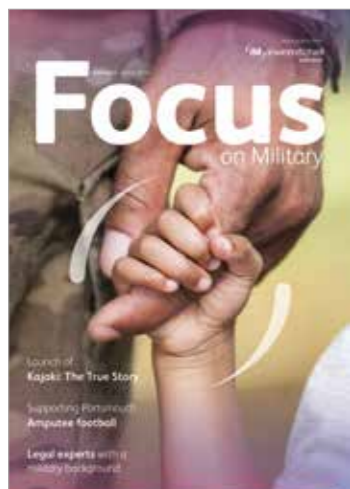


"Two pairs of hands"
By William Phillips
Commendation of Work/Education 18 and over



"I will work hard to prove everyone wrong"
By Jade Morgan
Commendation of Ambition 18 and over

"Never give up, never give in..."
By Sarah-Jayne Windridge-France
Winner of Ambition 17 and under



WELCOME...

to the third edition of **Focus** on Military

Acting for service personnel in claims against the Ministry of Defence (MoD) brings with it many challenges, but also many rewards. One of the privileges of the job is working with inspiring clients and staying in touch with them once their case has ended. They are the best ambassadors for our work.

I am pleased that so many of our past clients, as well as current contacts, have chosen to keep in touch with our activities through this magazine. We will continue to highlight their achievements and in this edition you will see Ray Lowrie who shows his support for our "Don't Quit, Do It" disability sports campaign.

Our expanding team is very active and a significant number of our team members have served in the Forces. Paul Harrington was an ATO, Andrew Buckham in the Army Legal Service and Paul Weston in the Intelligence Corps.

Having just concluded another high-profile Inquest into the tragic death of an Air Cadet during training, we also feature this work, which includes links to the charity Inquest and the Independent Inquest Advice team at the Royal British Legion. We have also just been involved in a high-profile Inquest arising from a helicopter crash in Afghanistan.

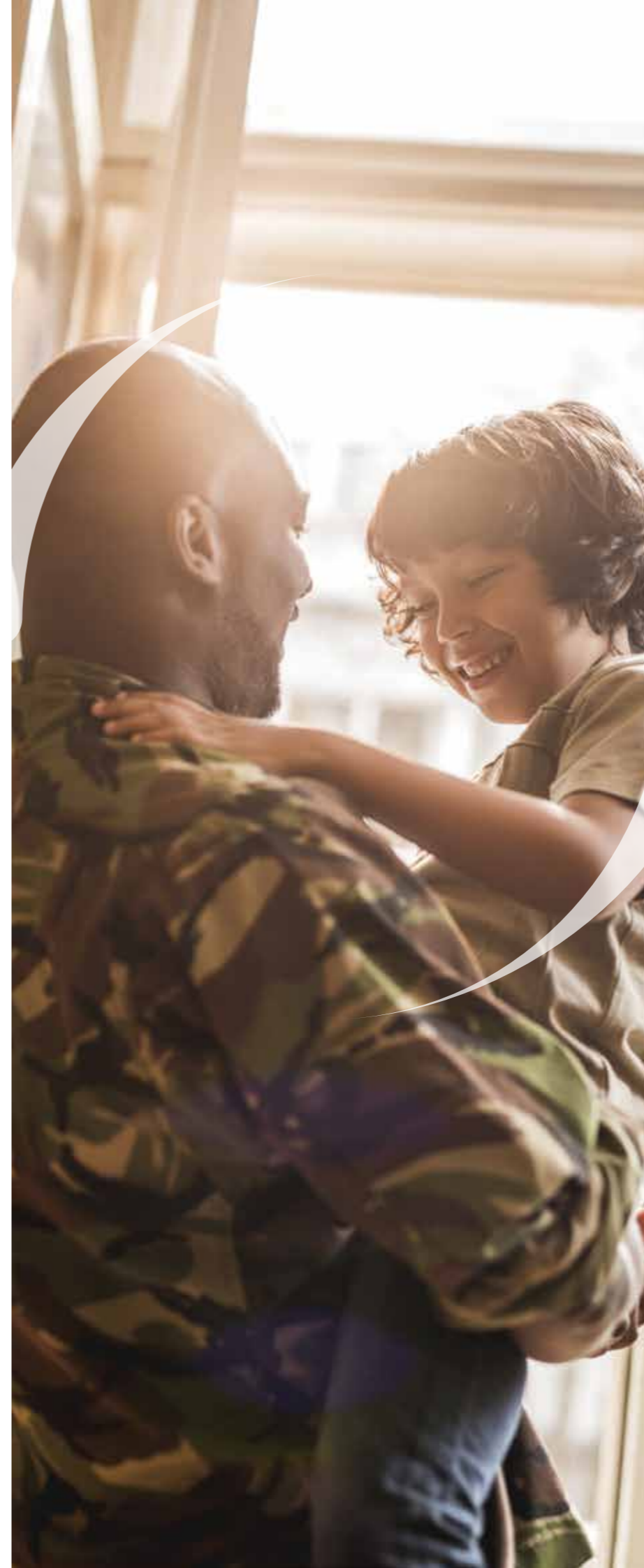


Best wishes and many thanks for your support.

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You can follow the team @Military_IM



GERALDINE'S PICKS

A Hidden Gem - The Defence Medical Welfare Service

The Queen Elizabeth Hospital in Birmingham hosts the Royal Centre for Defence Medicine (RCDM), which receives emergency aeromedical evacuations from the Armed Forces around the world. Its all-encompassing welfare includes Military Liaison Officers, the Padre, SSAFA Norton House and Fisher House and, rather more quietly, an organisation known as the Defence Medical Welfare Service (DMWS). **Page 8**

Complex Trauma & Amputation Rehabilitation - A Lifelong Commitment for Service Personnel

Irwin Mitchell's commitment to rehabilitation following injury was reinforced by the Military Injury Claims team annual conference held in Birmingham. **Page 20**

Concerns for Service Personnel Over Lariam Side Effects

The anti-malarial drug mefloquine, also known as Lariam, has been in the headlines recently as it continues to be prescribed by the MoD to British troops stationed in regions of the world where malaria is a concern, such as Kenya and Sierra Leone. There have been calls to ban its use within the military with immediate effect. **Page 22**

NATIONAL ARMED FORCES DAY 2015

by Emily Baker

It is easy to forget what the Armed Forces do for our country, especially when we find ourselves particularly busy or if the Armed Forces do not touch people's lives on a personal level. This is what makes National Armed Forces Day that much more significant.



It is a day where UK citizens have the opportunity to show their support to serving personnel and veterans of the Armed Forces, as well as remembering those who have sacrificed their lives serving their country. It is a day of celebration to show how grateful and proud we are of the Armed Forces.

Last year, the National Armed Forces Day was held at Stoke Park, Guildford in June 2015. Having never been to an event marking National Armed Forces Day, I was not sure quite what to expect. To give an idea of the scale of the operation, over 60,000 people were expected to attend. With displays including a Red Arrows fly past and the Band of the Royal Marines, as well as live music and entertainment, it was a day that honoured our forces.

There are many charities dedicated to caring for the Armed Forces, providing help to those that are most vulnerable, so it was with delight that members of the Irwin Mitchell South Coast team supported the event by helping the charity BLESMA on their stand throughout the day.



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BLESMA supports servicemen and women who have lost limbs or the use of limbs and eyesight in the course of serving our country. Michael Hollis of BLESMA brought along the Armed Forces Tribute Bike, which is decorated with finely detailed art work that makes it an extraordinary tribute.

To help the charity raise funds, Irwin Mitchell organised for Claire Guest of Fascinating Faces to help paint children's faces. None of us, however, could quite believe it when the Prime Minister David Cameron strolled by. Sadly, Mr Cameron didn't have his face painted, perhaps allowing the long line of children to enjoy!

With so many displays and stalls to keep the public amused, there was only one thing to do. Go exploring! From Apache and Merlin Helicopters to Tanks, Army Divers and Military Police, it was difficult to decide which stall or display to head to first. In a world where technology is increasingly evolving at a rapid pace, it was incredible to see the equipment and technology that assists the Armed Forces today.

SUPPORT FOR SERVICE INQUESTS

by Laura Gabbey-Cristofini

Some years ago, Geraldine McCool and I attended the Inquest of Nicholas Langley-Rice in Oxford. At the time, Nicholas was a 15 year old Cadet undertaking an Air Experience Flight with Peter Blee, who was an Instructor. The Grob Tutor aircraft they were flying in had a survivable collision with a glider, but the Instructor's medical condition made it likely that he died instantly.

Nicholas was sadly unsuccessful in his attempts to eject from the aircraft. Our Military Injuries Claims team were called in by Nicholas' mother Julia, who had attended the pre-Inquest meeting without legal representation. This often happens as families are advised that they do not need legal help because it is not an adversarial system. Like many other families, Julia quickly realised she needed assistance with disclosure of documents and witness evidence. At the pre-Inquest meeting, Julia found herself having to argue with a Barrister instructed by the MoD who attended with a lawyer from the Treasury Solicitors (now Government Legal Department).

Julia said, "The MoD were so patronising towards me throughout the pre-Inquest meeting, I realised I would need legal representation at the Inquest itself. Without my legal team, many of the salient facts about my child's accident would never have emerged. Also, I could not have argued with the Coroner as my Barrister had to, to have the RAF doctor responsible for the pilot's medical reports, called as a witness. Yet the information gleaned from him formed an integral and important part of the evidence."

The Service Inquiry and AAIB report that were available prior to the Inquest showed that the Instructor had a pre-existing condition known as Ankylosing Spondylitis, which caused a fused spine that was vulnerable to fracture.



The condition would have limited head movement which could have impeded an effective look out. The Instructor was also at a greater risk of incapacitation from an impact force. However, the medical records of the Instructor were not made available to our legal team until the working day before the Inquest and when we analysed them; we saw some contradictions in the fitness to fly reports which had been signed off by the RAF doctor for the CAA (who sent legal representatives on the second day of the Inquest).

On the first day of the Inquest, we were told that this doctor was unable to attend due to ill health, but our Barrister, Paul Kilcoyne of Temple Garden Chambers, argued successfully for a video link to Scotland. In breaks from the evidence on the first day, we were able to search the General Medical Council website and it became clear that the doctor was under conditions. This work continued overnight back at our Manchester office by colleagues who had been called in to help. The jury were able to hear the evidence from the RAF doctor and made comments on supervisory failings of the RAF in their narrative verdict which they handed down on the seventh day.

We have over 25 years of experience in representing military families at Inquests. It is vital for our clients to understand the circumstances in which their loved one died and for lessons learned from the death to be implemented to prevent future deaths.

We've represented families in the following Inquests:

- The Death of Corporal Mark Wright GC in Kajaki, Afghanistan
- The Death of Corporal of the Horse Matty Hull by A10 "Friendly Fire"
- The Death of Sergeant Steve Roberts the first soldier to die in Iraq – lack of enhanced combat body armour
- Chinook Mull of Kintyre Fatal Accident Inquiry Scotland
- Sea Knight US Helicopter crash killing 8 marines in Kuwait, 2003
- Puma crash in Iraq, 2007 – Hereford
- Death of 14 year old RAF cadet David Efemena on a training exercise

We support the Royal British Legion's independent Inquest advice service and have recently appeared in the Oxford Coroner's Court in connection with a Lynx helicopter crash in April 2014.

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Nicholas Langley-Rice pictured

A HIDDEN GEM

The Defence Medical Welfare Service

Paul Weston in Dubai

“The Military Injury Claims team has a unique relationship with staff from the Defence Medical Welfare Service based at the Queen Elizabeth Hospital in Birmingham. Without this relationship, we would be unable to access injured servicemen and women and provide advice to assist them with their Personal Accident (PAX) and Armed Forces Compensation Scheme claims. We are forever grateful to Shelly and her team and I am sure you will agree from the following article, the service they provide is absolutely fantastic.”



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The Queen Elizabeth Hospital in Birmingham hosts the Royal Centre for Defence Medicine (RCDM), which receives emergency aeromedical evacuations from the Armed Forces around the world. Its all-encompassing welfare includes Military Liaison Officers, the Padre, SSAFA Norton House and Fisher House and, rather more quietly, an organisation known as the Defence Medical Welfare Service (DMWS).

Here is a special account by Shelly Turton, Service Delivery Manager at the DMWS.

Before joining the DMWS, my only knowledge of the service came from a former colleague, who was a welfare officer for the organisation. I knew they worked with the military in hospitals and that they deployed, but I didn't appreciate the extent of their efforts until I managed the team first hand.

The Armed Forces community is unique in terms of life experience, which is why the majority of our welfare officers have either served, or been deployed with the military in their current role.

I'm writing this from our office in Fisher House; beautifully appointed accommodation for military patients and their families, where a number of agencies work together to relieve the burdens of hospital admission, allowing the patient to focus on the most important thing: recovery.

It's first thing in the morning and the daily handover is taking place – our duty welfare officer briefing the team on events from the night before, including any hospital admissions that have taken place, family that may have booked in and anything out of the ordinary that requires attention.

In the meantime, another welfare officer is checking on a family member staying at Fisher House. They just want to see how they're getting on and to provide reassurance and support to help them come to terms with their loved one's injury. As an organisation we ensure that we keep up to date with support that can be provided by other agencies and it is not unusual to see the team working alongside agencies such as BLESMA, Blind Veterans UK and the Veterans Welfare Service.

A serving soldier has just visited to collect his wife's belongings. Sadly, she never recovered from illness and passed away. A welfare officer pauses during an administration task to go and help. It amazes me how they can move so deftly from seemingly mundane tasks to supporting people in what may be their darkest hour.

Welfare and the needs of the Armed Forces community are often misunderstood and, to my mind, underappreciated, but if I was admitted to hospital, or staying at Fisher House, I know

I'd welcome the appearance of one of our welfare officers. I've seen them do remarkable things in the year I've worked here, and I couldn't be prouder to manage them.

A duty welfare officer is available at RCDM 24 hours a day, 7 days a week.

For more information on the work of DMWS please visit: www.dmws.org.uk

Paul Weston joined the British Army and the Intelligence Corps in 1984 and spent 25 years engaged in intelligence operations. He developed an expertise in Human Intelligence and Surveillance and took part in a number of operations in Northern Ireland, Bosnia and Iraq. He also enjoyed postings to Cyprus, the United States of America, New Zealand, Israel, Dubai and Norway.

Prior to the 2003 war in Iraq, he had been working closely with Army Legal Services and saw an opportunity to develop his skills further so decided to undertake a law degree with the Open University. Paul's war in Iraq was cut short however, after he was injured in a Friendly Fire Incident - he returned to the UK and was treated at Selly Oak Hospital in Birmingham.

Despite his injury, Paul remained in the Army and in 2006 was commissioned into the Intelligence Corps as a Captain. In 2007, after completing his law degree, he left the Army and enrolled onto the Legal Practice Course at Sheffield University. In September 2010, he began his training contract at Irwin Mitchell and undertook a variety of Personal Injury seats.

Because of his background, he was able to work closely with the Military Injury Claims team and in September 2012, he successfully qualified as a solicitor.

AMPUTEE FOOTBALL

by Andrew Buckham

This season, Irwin Mitchell is supporting the new Portsmouth Amputee Football Club with a 2 year partnership deal. The funding will help pay for their kit, transport and events to increase awareness of amputee football on the South Coast.

We believe that sport and physical activity play a significant part in an individual's recovery after having an amputation, and we're delighted that Portsmouth's new side will give players a team somewhere closer to home. Previously, amputee footballers on the South Coast had to travel to Oxford to take part in the sport.

The National Amputee Football League which kicked off in September is played with 5-a-side matches (although there's the option to expand to seven players on each side). Portsmouth Amputee FC will be joining an expanding National league, with last season's four teams being bolstered by the likes of Manchester City, Everton and Peterborough.

Portsmouth have already recruited an England international in the form of Spike Westbrook, who has competed in Amputee Football World Cups as far afield as Argentina and Russia.

Pompey in the Community disability development co-ordinator Mike Pink is feeling positive about Spike's involvement.

"Spike has been brilliant, he is one of the top players in the country, knows the league well and is aware of a few people who want to join."

Irwin Mitchell's Military Injury Claims team have been promoting the Pompey Amputee Football team with military welfare organisations and charities and there has been a significant amount of interest. The team has been promoted by BLESMA over the last few months and there was a presentation given by Mike Pink at the Help for Heroes Centre, Tedworth House.

We hope our partnership with the new team will help boost the visibility of amputee football, especially within the military community. We want to support all amputees and make sure they have access to sport to help with their rehabilitation and recovery. This project is an excellent way for injured service personnel to engage with sport and work with Spike to help create a successful and winning team.



We believe that sport and physical activity are a significant part of an individual's recovery after having an amputation, and we're delighted that Portsmouth's new side will give players a team somewhere closer to home.



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PROTECTING YOUR FUTURE

by Kirstie Williamson

Inheritance tax has long been the focus of much attention and speculation in the media particularly in the run-up to the election when the Conservatives touted their much lauded £1m relief for family homes. However, for service families the opportunity to claim 100% relief from inheritance tax has been on the statute books since 1694 and is in fact the oldest exemption from estate duties in history.

In modern times the relief has applied for members of the Armed Forces whose death was caused or hastened by injury whilst on active service. This relief has been extended in the Finance Act 2015 to include members of the emergency services and the deaths of constables and service personnel specifically targeted due to their status. The exemption applies where the taxpayer died from a wound inflicted, accident occurring or disease contracted while on active service against an enemy or on other service of a warlike nature or involving the same risks. This includes the estates of members of the Police Service of Northern Ireland (formerly the Royal Ulster Constabulary) who died from injuries caused in Northern Ireland by terrorist activity.

The exemption is capable of a wider application than might be initially imagined from its title. For example, the death does not have to occur "on the battlefield"; it suffices that the wound, accident or disease was inflicted, occurred or was contracted at a time when the deceased was on active service (albeit that he may have been off-duty or on leave at the time of the cause of death). In addition the wound does not need to be the only or direct pathological cause of death; it simply has to be a cause.

The exemption applies when the Defence Council or Secretary of State certifies a person as dying from a wound, accident or disease contracted whilst on active service against an enemy.

The wound does not have to be the only or direct cause of death, provided it is a cause (ie; it need only contribute to death). Famously (at least in tax circles) this exemption was applied most successfully in relation to the estate of the fourth Duke of Westminster, then the wealthiest man in England, who died in 1967. His estate's solicitors linked his eventual death due to cancer with an injury he sustained during World War II which caused septicaemia and which was noted on his death certificate as a 'significant condition' contributing to his death. The Court held that despite the length of time between his original wound and his death, the proper question to ask was:

"Whether the wound was a cause of the deceased's death, and not whether the wound was the direct cause of death".

Given that the availability of the exemption can only be determined after a death has occurred, it is important that supporting evidence is assembled in advance so that it is available later should the need arise. Planning as much beforehand will go some way to alleviating distress and providing clarity to loved ones, so for those who believe that a claim for exemption may be appropriate at some point in the future, it is important to obtain professional legal and financial advice as early as possible.

Secondly, collect and update medical evidence as necessary and don't leave it until death has occurred. Such evidence will be necessary to support the case for a reclaim of IHT as it must be paid before probate can be granted. Injured survivors who have been awarded payments and have gone on to be reasonably financially successful in life and who subsequently die as a result of their injuries may find that a little foresight gives them, and their survivors, more options, financial certainty and greater peace of mind.



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FOCUS ON OUR Cambridge Team

Our Cambridge team understands the military culture and the unique issues connected with having an accident on or off duty.

Serving in the Armed Forces is, by its nature, a dangerous job. Our specialist Military Injury Claims team, which includes former service personnel, have a long history of advising and supporting military families on a wide range of legal issues.



Simon Harrington, Partner

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Simon has specialised in claims against the MoD since 2004 and has a particular interest in cases of non-freezing cold weather injury. He has acted for approximately 500 claimants in such cases to date, recovering damages in excess of £15 million. Settlements regularly exceed the AFCS by £100k.



Paul Harrington, Consultant

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Paul was born into a military family and before qualifying as a solicitor, he served as an Ammunition Technical Officer after attending the Royal Military Academy, Sandhurst. Paul has succeeded in compensation claims for service personnel involved in incidents all over the world and specialises in cases involving ammunition, weapons and equipment. Paul has held a legal advice clinic at Headley Court for over 20 years.



Jake Alston, Solicitor

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Jake has acted generally for injured people since qualifying in 2000, and for soldiers since joining the Military Injury Claims team in 2013. He deals primarily with non-freezing cold injury cases, but also represents soldiers with various orthopaedic injuries, often sustained in training.



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Alex has strong ties with all three services through family connections, personal acquaintances and friends. This, alongside the family history of service within the forces is what established Alex's desire to assist injured servicemen and women. During his time within the Military Injury Claims team, he has worked on various aircraft claims, submarine claims and military inquests.



Patrick Nelly, Solicitor

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Patrick has specialised in working for injured people since he qualified as a solicitor in 2007. During this time he has acted in a wide range of claims from soft tissue injuries right through to tragic fatal accidents. His largest case to date was a £3.3m claim brought for the victim of a violent attack under the CICA.



by Geraldine McCool

Photography by Paul Griffiths

On a glorious summer evening last June, I attended the Imperial War Museum in London to celebrate the Home Entertainment launch of *Kajaki: The True Story*, an event which Irwin Mitchell supported alongside Pukka Films.



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The superb museum displays provided a stunning back drop to an event that involved most of the cast and many of the soldiers portrayed in the film. We were treated to a welcome from Gareth Ellis-Unwin, *Kajaki*'s Executive Producer and readings from celebrities Alan Davies and Lesley Sharp, together with a thought-provoking combination of Mark Stanley who played Tug Hartley in the film, followed by Tug himself.

I was pleased to welcome Dr Emily Mayhew and her colleagues from the Royal British Legion Centre for Blast Studies at Imperial College and to catch up with Tug, Stu Pearson and Bob and Jem Wright.

Having failed to bring my glasses, I later found myself bidding against Stu in the auction for the Bear Grylls goodie bag. A wonderful selection of auction prizes donated by people such as Arabella Dorman war artist and the Jones Family Project and a VIP tour of the Modern Airship "Airlander" donated by Hybrid Air Vehicles raised over £17,000 for the military charities who benefit from the film.

There was a haunting rendition of the film's theme song, "All of My Life" by Phoebe Katis, before we dispersed into the summer night.

If you didn't get a chance to see *Kajaki: The True Story*, you can purchase the film on DVD and Blu-Ray from www.amazon.co.uk The theme song is also available to download on iTunes.

For more information on *Kajaki: The True Story*, visit www.kajakimovie.com or keep up to date on Twitter [@kajakimovie](https://twitter.com/kajakimovie)





PRIVATE SCREENING

for special guests of Irwin Mitchell **by Michael Knott**

Last June we gathered at Bath University for a private screening of *Kajaki: The True Story*, for guests of Irwin Mitchell's Bristol office.

I enjoyed a tour of the training facilities from the CEO of Pentathlon GB who that day had announced a sponsorship deal with Mercedes-Benz. Former English Rugby union footballer Lee Mears co-hosted the event with special guests including the Bath Rugby Foundation, Skeleton gold medal winner Amy Williams MBE and other athletes who train at Bath.

The auditorium was kitted out in a military theme created by the wonderful Events and Marketing team at Irwin Mitchell, who have supported all the work with the *Kajaki* film. There were giant flags, cargo nets (which thankfully we did not have to crawl through) and even themed cup cakes.

After the screening, Lee chaired a Q&A session with Tom Williams the Screenwriter, Producer Andrew de Lotbiniere, Stu Pearson QGM and Ben O'Mahony who played Stuart Hale.

After another successful auction raising funds for military charities, there was an appeal by Craig Woodhouse of The Sun for the Desert Memorial Fund and we are delighted to congratulate Craig on passing the £1m mark.

Pukka Films were invited to attend the prestigious 40th annual Toronto International Film Festival in September 2015, where *Kajaki: The True Story* was debuted to an audience of over 400,000 people of aspiring artists, indie filmmakers and celebrities.

The Bath screening was organised by **Michael Knott**, Partner at Irwin Mitchell who heads up the Court of Protection teams in the Bristol, Birmingham and Newcastle offices.

michael.knott@irwinmitchell.com

With over 25 years' experience in all aspects of private client law, Michael specialises in the management of financial affairs for those who are unable to manage their own because of a lack of capacity. He acts as a professional deputy and trustee on many complex, high-value and international cases.

Michael is an acknowledged expert witness providing forensic evidence in personal injury claims on past and future Court of Protection cases, working closely with personal injury lawyers, counsel and appearing in Court. He has also appeared on BBC radio on the subject of the Mental Capacity Act 2005.

The response to the screening has been overwhelming and has led to requests from military charities and other establishments to hold their own screenings for staff - great ambassadors for the film.

FOR
QUEEN.
FOR
COUNTRY.
FOR
YOUR
MATES.



THE TRUE STORY



10% of the profits of the film will be donated to our charity partners

IN SUPPORT OF



DVD: £10 Blu-ray: £13 amazon.co.uk



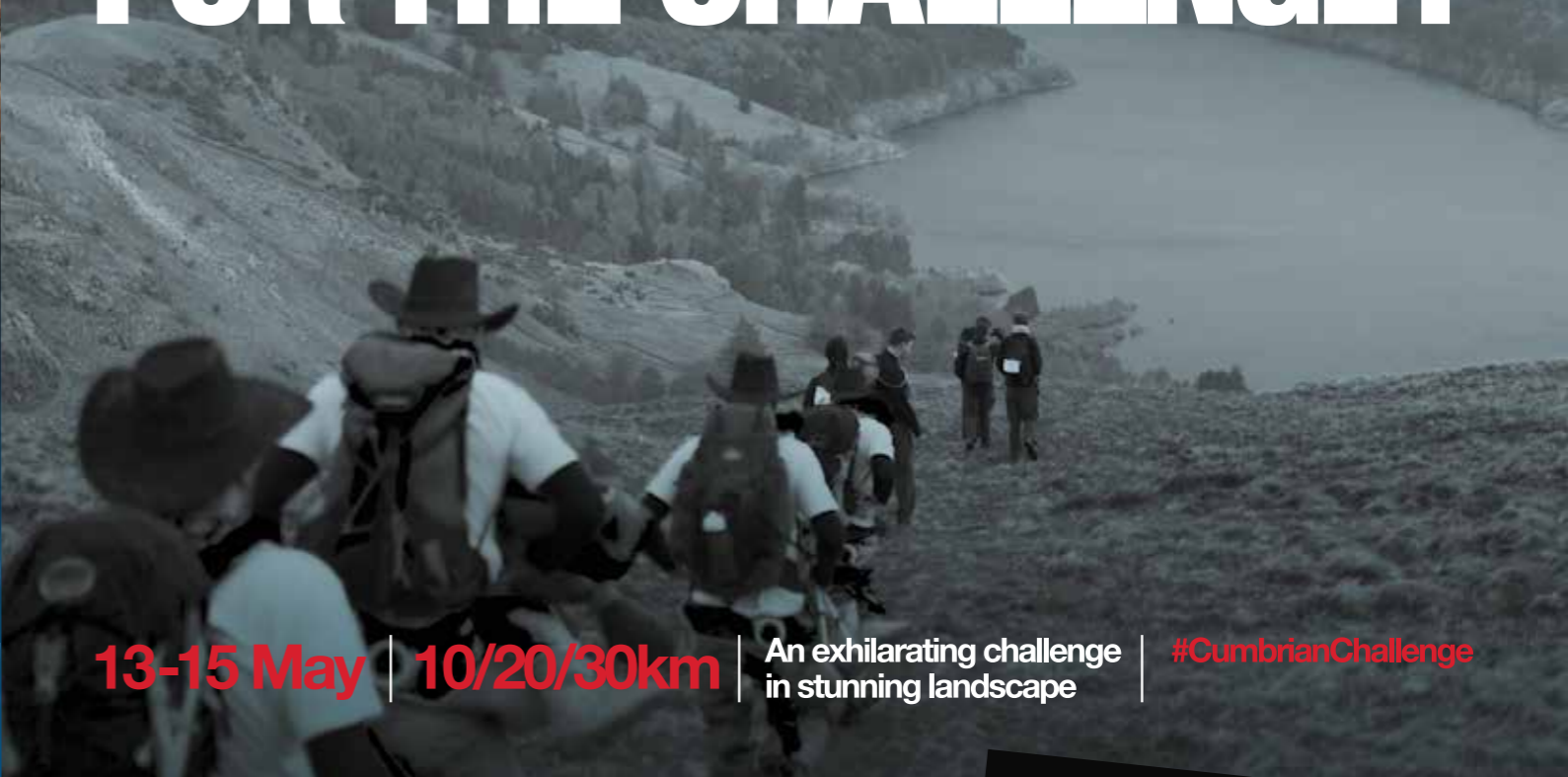
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2016 CUMBRIAN CHALLENGE



IS YOUR TEAM UP FOR THE CHALLENGE?

DON'T QUIT



13-15 May | 10/20/30km | An exhilarating challenge in stunning landscape | **#CumbrianChallenge**

THIS IS YOUR HOUR, SUMMON YOUR POWER
We're proud to support grass roots disability sport

Ray Lowrie was badly injured on a military exercise in Norway seven years ago, but that didn't stop him from pursuing an interest in rowing. As a member of the British Armed Forces team, he proudly competed in the 2014 Invictus Games, highlighting the power of sport to inspire recovery and support rehabilitation.



Finding long-term employment is one of the biggest challenges facing wounded servicemen and women hoping to lead a normal life after severe injury.

Walking With The Wounded's aim is to support all veterans with physical, mental or social injuries to gain the skills and qualifications required to develop new careers outside the military, re-integrate into society and provide long-term security for themselves and their families.

Irwin Mitchell has been supporting the work of WWTW and urges you to muster a team of four and challenge yourselves. Every team supports another veteran back into work.

“WWTW is an inspirational charity that supports injured service personnel. Their fundraising challenges offer everyone the opportunity to take part in an event that requires true spirit and determination, something which is regularly displayed by our injured soldiers who strive every day to overcome their disabilities.”

Andrew Buckham, Associate Solicitor, Irwin Mitchell

#DontQuitDoIt www.irwinmitchell.com/dont-quit-do-it

With your help we aim to raise enough funds through the 2016 Cumbrian Challenge to support a further 200 wounded veterans back into employment.

Find out more and register at wwtw.org.uk



COMPLEX TRAUMA & AMPUTATION REHABILITATION

A Lifelong Commitment for Service Personnel

by Geraldine McCool

Irwin Mitchell's commitment to rehabilitation following injury was reinforced by the Military Injury Claims team annual conference held in Birmingham last year.



Our key note speaker was Dr Emily Mayhew of the Royal British Legion Centre for Blast Studies at the Imperial College, on the theme in her book "Wounded" which considers how medical lessons from amputation in the First World War were lost in the intervening years.

Emily has written the first comprehensive account of medical care at the Western Front and pays tribute to the courageous men and women who saved hundreds and thousands of lives and who were skilled in dealing with the injuries arising out of that conflict.



Emily was passionate in urging that the medical lessons learnt from amputation in Afghanistan should not suffer the same fate.

The audience of Welfare Officers, Charity Workers and Medical Personnel then heard from veteran Andy Reid and Stephen Cruse of AIM who contrasted the experiences of military and civilian amputees and later from Ken Bellringer, a former Army Technical Officer who was part of the Barclays START programme for veterans transitioning to civilian employment.

The fact that pain is a barrier to rehabilitation was the subject of a detailed presentation by Dr Kosheen Ford and we were also enlightened by Steve Seccombe of Blatchfords on state-of-the-art prosthetics and orthotics.

The day allowed plenty of time for formal and informal discussions and afterwards we asked delegates about the key themes, which were explored.

To see more, you can watch a video taken at the conference by visiting our **You Tube channel** – simply search for '**Military Complex Trauma and Amputation Rehabilitation Conference**'.

You can also follow Andy Reid of AIM on Twitter **@andyreid2506**.

Here are a selection of questions we asked delegates after the conference and their responses.

Have you seen a soldier whose pain management regime was successful and if so, what made the most difference?

"Well managed pain relief, plus emotional and physical self care."

"Soldiers tolerate pain in many different levels. There has not been enough money and research into pain management and I have not yet met with a successful regime."

"This comes down to the individual and the support they receive at home. Sadly those who have little support and are struggling due their immaturity or dysfunctional family dynamics have the most problems."

Do you agree with HRH Prince Harry that "employment is the key to independence and long-term stability for our wounded" and if so, what should employers be encouraged to do?

"Yes, I agree but employment does not necessarily only mean paid or full-time. Employers need to look at a wider spectrum of employment opportunities to include part-time/flexible hours, voluntary/mixed skill work roles."

"Agreed, although housing is also important as the two go hand in hand. Once a veteran has a place to live then he is free to look for employment."

"Yes, but pain management and psychological trauma also need to be managed."

Is there a danger that specialist rehabilitation centres are becoming too centralised?

"Not if they develop a good working relationship with local centres."

"Sadly this is the result of cutbacks but in my opinion, better to have fewer yet better resourced centres even if that means extra trouble for the individual. We only have one Headley Court and that works."

"There are lots of unidentified clinics and rehabilitation centres that are yet to be utilised. I have recently found the government finally released £30 million to support Olympic rehabilitation centres countrywide. The main rehabilitation centre is in Tottenham Court Road and is open to all patients with a referral from their GP."

Do you think that grading amputee patient complexities is a useful treatment tool?

"Yes, it is a good idea for management of appointments and skills for complex patients."

"I did not really agree with the grading system. There are too many complexities with injuries to grade individuals. It will inevitably lead to amputees in the wrong group or grading."

What was the main thought that you have been left with from the day?

"That our servicemen and women who are injured in conflict deserve the best and we have to continue to fight on their behalf to ensure they get that."

"We must also focus on the bigger picture - a stable life free of injury or pain. Veterans need to be socially, physically and mentally stable. If we can achieve the physical and social parts then the mental stability will fall into line."

"That it is very reassuring that organisations such as yours are taking an interest in the welfare of our veterans."

CONCERNS FOR SERVICE PERSONNEL OVER LARIAM SIDE EFFECTS

by Kevin Timms

The anti-malarial drug mefloquine, also known as Lariam, has been in the headlines as it continues to be prescribed by the MoD to British troops stationed in regions of the world where malaria is a concern, such as Kenya and Sierra Leone. There have been calls to ban its use within the military with immediate effect.

Since 2007 it has been known that the drug, which is manufactured by Roche, can lead to adverse psychiatric side effects and severe mental illness. The MoD figures show the drug is given to around 14 per cent of troops needing malaria drugs, and was prescribed to more than 17,000 between 2007 and 2015.

The MoD confirmed mefloquine, or Lariam, for many years was the first choice antimalaria drug prescribed to service personnel, despite other drugs being available which did not induce mental health-related side effects in individuals. But the MoD did apologise after admitting it might have broken the manufacturer's guidelines and wrongly prescribed drug Lariam to troops without an individual risk assessment to check they were safe to take the drug.

Our expert Military Injury Claims team has been contacted by a number of current and former service personnel who were prescribed Lariam and who describe a range of mental health issues, including depression, severe anxiety, paranoia, hallucinations and panic attacks.

We are currently investigating the post-prescription effects of the drug and would like to hear from service personnel who have suffered similar side effects.

Kevin Timms, a specialist group actions solicitor who is leading the investigation into the use of Lariam in the Armed Forces, said: "Serious concerns about the use of Lariam have been well known for a number of years, particularly its use by the MoD as the first-choice anti-malaria drug for large numbers of British troops. These concerns have still not been fully addressed and it is vital this is rectified immediately".



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"We are concerned that, at least since 2007, it has been public knowledge of the potential for severe psychiatric injuries for some of those using Lariam, but service personnel about to be deployed continue to be prescribed the drug, despite the military environment being more likely to trigger Lariam adverse events."

MAINTAINING ARMED SECURITY

for Military Bases by Simon Harrington

The Military Provost Guards Service (MPGS) was formed in 1997 to rationalise armed guarding arrangements for military establishments. Since that time, those serving in the MPGS have been primarily responsible for the key role of maintaining security on MoD sites. It is a growing organisation that recruits from all three services and reserves, offering all the perks associated with military service but without the deployments.

The MPGS consists of around 3,500 personnel working across 106 UK sites. They therefore represent a not insignificant proportion of our armed services.

There are however a number of key differences between the Military Local Service Engagement (MLSE) contracts signed by all MPGS personnel and the Versatile Engagement under which all other army personnel serve. It is therefore vital that your solicitor fully understands the terms of your engagement when considering the impact an injury may have on your MPGS career as part of any civil claim for damages.

The MLSE is a three year renewable contract which can provide for service up to the age of 55. An extension will be granted as long as the individual is able to pass all necessary criteria and is of good conduct.

Specialist knowledge and, in particular familiarity with the workings of PAP10, are crucial for understanding the potential impact any injury may have on a claimant's ability to renew their contract. Injury need not only affect the length of your career. It will often impact on promotion prospects as well. All soldiers accepted for MPGS service start in the rank of private, irrespective of their rank in the regular Army.

As such, a significant number of MPGS new entrants were former SNCOs. Such individuals will often have served for a full career in the regular Army gaining lots of relevant experience and already be qualified for promotion within the MPGS. As such, these individuals may reasonably expect to promote quicker than others.

Unlike the regular Army, DASA does not produce statistics for average rates of promotion. As such it is important that your solicitor understands the opportunities for promotion and the selection process so as to be able to properly consider the impact your injuries may have on that process.

MPGS promotion is run on similar lines to the regular Army. Soldiers are promoted on a merit based system based on annual appraisal reporting which selects those most suitable, capable and sufficiently experienced to be employed in the next highest rank. Centralised promotion boards place promotion candidates in order of merit on the basis of their appraisals and other relevant factors.

However, unlike the Army, there are often limited positions to promote into. For example, there were no promotions to LCpl in 2012 or 2013 and no promotions to Cpl in 2013, 2014 or the first half of 2015.

Promotion opportunities may be limited even further dependent on your geographical preference. Those who are prepared to move to a different area will have more opportunities for promotion than those who wish to stay in the same place permanently.

Understanding the impact an injury may have on promotion could be key to quantifying your loss of earnings. However, it is also vital that your solicitor understands the pay scales which apply to the MPGS.

Pay scales in the MPGS and regular Army both reflect an enhancement on the pay associated with similar civilian employment plus an enhancement known as the X factor. The regular Army has an X factor of 14.5%. The X factor for MPGS pay scales is 5% to reflect the fact that the role is non-deployable.

MPGS soldiers are engaged on the same pension arrangements as regular soldiers but when joining the MPGS their previous service can be "carried forward" in terms of their pension rights. This creates further complexity in the assessment of any claims value and is yet another reason to ensure that specialist solicitors are instructed.

Irwin Mitchell's Military Injury Claims team has assisted MPGS since its inception nearly 20 years ago. We have unrivalled experience in the unique issues arising out of the MLSE and are happy to offer advice and assistance to any MPGS soldier who requires our specialist services.



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#LESTWEIFORGET



As we marked Armistice Day in November, we enlisted the help of some of our team who come from military backgrounds.

Armistice Day takes place each year at the 11th hour of the 11th day of the 11th month and marks the Armistice Treaty, which ended the First World War on November 11, 1918.

We are deeply proud of the work our Military Injury Claims team does to fight for justice on behalf of injured servicemen and women and wanted to commemorate the occasion to ensure those who have made sacrifices to protect our freedom, are not forgotten.

“As a veteran of our armed forces and someone who has suffered a career ending injury I know only too well the hardships being faced by our service personnel.”

Gary Cox
Former Unit Commander,
Royal Anglian Regiment, National Home Office
Welfare Paralegal, Court of Protection

“I understand how the common law duty of care should be applied when service personnel are on military exercise or just going about their day-to-day business.”

Paul Weston
Former Captain, Intelligence Corps
Solicitor, Military Injury Claims team

“I have witnessed the dedication, courage and sacrifice shown by our service personnel first hand and it spurs me on to defend their rights tirelessly.”

Andrew Buckham
Former Major, Army Legal Service
Associate Solicitor, Military Injury Claims team



Helping you to be there for life's big moments

Personal Injury - If you've suffered a personal injury or illness, you'll need a specialist team of solicitors on your side. At Irwin Mitchell, we're committed to helping our clients and their families get the best possible advice, rehabilitation and support. Because compensation is only part of the story. Call us to see how we can help you.
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