

# Turning Point

A magazine from Irwin Mitchell • Winter 19

*Enjoying  
Every Day*

Jason's determination helps him get the best from life after a road traffic collision

## Inside

What we're doing to support staff with mental health issues

Superheroes here, there and everywhere

Our partnership with England Rugby kicks off



## Features

- 08 A look at how we've made mental health part of our agenda
- 16 How Jason gets the most from life after a road traffic collision
- 26 Our partnership with England Rugby kicks off
- 38 Superheroes here, there and everywhere

## Welcome



Turning Point is our chance to shine a spotlight on some of the incredible people and partners that we work with and are proud to support.

On the cover is Jason, the latest star of our I Am Able campaign. Turn to page 16 to discover how he's living life to the full after being seriously injured during a holiday seven years ago. Jason is just one of a long list of amazing clients we've been able to support during my time here.

Mental health is a big talking point at the moment, and rightly so. Go to page 8 to learn about the strides we've taken to improve our employees' work-life balance, and what we do to support our clients. It's great to see a renewed focus on the importance of a healthy mind.

After a fascinating two months of rugby in Japan, head over to page 26 to see how we're hoping to inspire the next generation of players through our role as England Rugby's Official Legal Partner.

Finally, I wanted to mention that in April 2020, I'll be retiring after 25 years as a partner at Irwin Mitchell to free up more leisure time and pursue other interests outside of law. In the next edition I'll take a brief look back at what I've learnt along the way and all the work we've done together to secure the best outcome for our clients, while continuing to improve the quality of life and access to justice for those who've suffered personal injury.

We'll also introduce you to our Personal Injury leadership team who'll continue to deliver *the Expert Hand, with the Human Touch* that we all pride ourselves on.

We hope you enjoy the magazine and, as ever, we'd love to get your feedback at [turningpoint@irwinmitchell.com](mailto:turningpoint@irwinmitchell.com)

**Stuart Henderson**  
Managing partner of personal injury

# Pedal Power

Specialist equipment helps Jacob achieve his cycling dream.

Jacob Moore was diagnosed with cerebral palsy shortly after his birth, but his family have always focused on what he can do, not what he can't.

However, the eight-year-old from Weston-super-Mare was left frustrated when his dream of learning to ride a bike was hampered by a lack of leg strength and core balance.

Eleri Davies, a solicitor at our Bristol office who's investigating the care that Jacob and his mother Elizabeth received during his birth, learned about his efforts through the family's client liaison manager Jennifer Appleby.

The pair arranged for Jacob to trial a Tomcat trike – a specialist form of tricycle designed to ensure those with different physical needs can access both exercise and the joy of cycling. From the very first moment, he absolutely loved it.

**Elizabeth, Jacob's mum, said:**

"The issues that Jacob faced with riding a bike were something I'd only mentioned in passing, but Jenny and the rest of the team went away to try and see what they could do about it. Jacob has some memory issues but after the trial all he talked about was being able to go on it again."

With the trial proving so successful, Eleri and Jennifer got the trike resprayed to Jacob's favourite colour of red and were then delighted to present it to him.

“

**Elizabeth said:**

"We're absolutely delighted that Jacob has his new red trike. We're all just over the moon with it and think it will make a massive difference to his life and how he gets exercise. He loves every minute with it."

You can find out more about custom-made Tomcat trikes at [tomcatuk.org](http://tomcatuk.org)



**Eleri said:**

*"We always want to do what we can to help our clients, and our client liaison managers are a core part of how we understand the wider needs of those we work for. We hope Jacob has hours of fun on his new bike."*



# I am able to be happy



World Cerebral Palsy Day is always an important time for us to reflect on what we can do to ensure those with the condition have the same opportunities as everyone else.

We're very happy to have met and been inspired by children with cerebral palsy through the years, including Jacob and 11-year-old Kit Van Berckel, who was the youngest client to feature in our recent I Am Able campaign.

We were delighted to help Kit and his family secure important financial support following mistakes made during his birth. He now has access to specialist accommodation and a host of equipment that helps him get the most from life. Recently, Kit was able to live his dream when he was a mascot for his beloved Manchester City, in their home game against Aston Villa.

Kit has been able to thrive thanks to the love and support of his amazing family, including his younger brother Oliver.

Nine-year-old Oliver has always provided selfless support to his brother Kit, and that's why he was chosen to receive the Young Carer prize at the Yorkshire Children of Courage Awards in Leeds this year.



Oliver and Kit

In a video produced for the awards, Oliver revealed how he performs essential brotherly duties, such as playing Xbox with Kit and ensuring he's always stocked up on sweets when they're on car journeys together.

The pair share a love of football, and Oliver happily gave up his own training so he could join his brother at sessions run by a local disability team. He always goes above and beyond and is clearly a credit to his family.

## World Cerebral Palsy Day

Is a movement of people with cerebral palsy and their families, and the organisations that support them, in more than 75 countries. Their vision is to ensure that children and adults with cerebral palsy have the same rights, access and opportunities as anyone else.

To find out more visit: [worldcpday.org](http://worldcpday.org)

# Health and *Happiness*

A look at how we've made mental health part of our agenda.

It's a sad truth that modern life can sometimes be overwhelming. However, one of the most positive developments in recent times has been the growing acceptance across society that *it's OK to not be OK*.

Held in October, World Mental Health Day demonstrated perfectly how people are talking more honestly and openly than ever before. This can only lead to a better understanding of the difficulties that we all face every now and again.



## We take a look how the issue of mental health affects our work and what we're doing to support our staff.

### Support at a tough time

Separation and divorce can be incredibly difficult for everyone involved. To mark World Mental Health Day, we polled our specialist Family Law team to get a sense of the work they do to help and support clients during the process.

The research found that 87% had seen clients suffer from anxiety, depression and mental health issues during divorce. Of these 92% stated that such issues became apparent during the first six months of a separation or proceedings related to children. Despite how the mental health conversation has developed in recent years, many also suspected that their clients were reluctant to ask for help.

Reacting to the figures, Ros Bever, the national head of our Family Law team, said the job of our solicitors was to ensure clients get the best outcome for their situation, which means providing all kinds of support when it's required.

### Ros explained:

"Our clients often open up to us as we're their main pillar of support at what can be a very vulnerable and distressing time. We signpost our clients to the relevant services where possible including GPs, therapists and and counsellors. We're providing more mental health training for all our staff to help them better support clients as well as themselves."

One of the respondents of the survey outlined how clients could think seeking mental health support during a separation may negatively influence the outcome, when in fact, it's regarded as a sign of strength to get support.

“

### Ros added:

*"Understandably, people may want to look strong in front of their former partners and children, but putting a brave face on things isn't always the answer."*

*"It's important for those going through a divorce or embroiled in a battle over their children to make sure they look after themselves and their family's mental health."*

### Striking a balance

While we're committed to helping our clients in any way we can when it comes to their mental health, we're also focused on ensuring all of our staff remain happy and healthy too.

Work is a big part of many people's lives, but the 24/7, digital world we live in can mean it's very difficult to switch off from daily pressures. A survey by the Mental Health Foundation highlighted that working longer hours means you spend more time thinking about work when you're away from it.

We've tried to encourage our staff to take the approach of working smarter and not harder, whether that's through boosting their organisational skills or maintaining a regular dialogue with managers on workload and commitments. A key part of our efforts has been the introduction of flexible working arrangements to help our people organise their hours in a way that suits their lifestyle.

Our corporate social responsibility manager, Kate Rawlings, is just one individual who has taken up this opportunity to give her more time at home to spend with her family.

“

### Kate said:

*"Flexible working has had a major impact on my life and general wellbeing, as it's meant I can still effectively do the job I love while maintaining a proper work-life balance."*

### Being flexible

Of course, while many businesses may be keen to embrace initiatives like flexible working to boost their staff's mental health, introducing such schemes isn't always straightforward. Fortunately, that's where employment law experts like those behind our IMhrplus service come in.

Our IMhrplus service helps you stay up-to-date with employment law and gives you advice on managing employment and HR issues in your business.

This service has offered many businesses a helping hand on a range of mental health matters in recent months, with its structure meaning that organisations are able to get support whenever they ultimately need it. Our tailored support service is available for businesses of all sizes, and it operates on a fixed-fee basis which means there's never any contract commitment.

A popular way to access the service is by purchasing a bank of hours, which means companies can always get legal advice that meets their needs.

You can find out more about our service at [imhrplus.com](https://imhrplus.com)





# Making a Difference

*Discover how we helped trainee doctor, Aoife, head off to provide vital neonatal support in Zambia.*



Aoife

Every parent hopes their child will be able to enjoy the best possible start to life and have access to essential treatment should they need it. But a lack of specialised neonatal expertise has meant that hasn't always been possible in the Zambian capital of Lusaka.

The charity Zambia Anaesthesia Development Program (ZADP) noticed this during trips to the city to provide teaching to the country's anaesthetic trainees. So they created a neonatal life support course which trained more than 350 staff and students in 2018. The organisation then worked with professionals including West Yorkshire-based paediatric trainee doctor Aoife Hurley to create a neonatal fellowship to support the improvements.

Aoife became the first person to take up the voluntary unpaid role, and our specialist Medical Negligence team in Leeds were delighted to provide a professional grant to support her. She flew out to Lusaka in February and spent six months on a neonatal intensive care unit based at the University Teaching Hospital in the city.

“

**Aoife on her trip:**

“The head of the neonatal department is Zambia's only formally trained neonatologist, Dr Kapembwa. Under her leadership, the team have managed to reduce the mortality rate through simple measures such as hand washing and feeding guidelines.

“It's only meant to have capacity for 40 patients, but there are regularly more than 100 present as well as up to 20 admissions daily. There was no safe way to ventilate infants on the unit, while it also often runs out of oxygen supplies.”

»

## Valuable Work

Despite the intense pressure faced by staff on the unit, Aoife undertook a host of valuable work in Lusaka. She worked on projects to tackle issues like hypothermia and neonatal life support, as well as nursing teaching days and projects to improve parents experience of the neonatal unit. While her fellowship ended in August, the work is now being continued by the local team.



**Aoife said:**

“The fellowship has been invaluable on a personal and professional level, as it allowed me to work in another culture and take on a more leadership-based role.

*“It was incredibly difficult seeing patients pass away from preventable causes, not having the same chances that they’d have in the UK, but so much of the work I was involved in was deeply rewarding too. I’m thankful to everyone who gave me the opportunity to help.”*

## Strengthening Bonds

Social Stitchers is a Leeds-based initiative that sees the city’s employees, including staff from our office, come together to create handcrafted items for good causes.

When the group heard about Aoife’s fellowship, they knitted bonding squares and baby clothes for her to take out to Lusaka. Bonding squares can be particularly important in neonatal care, as they can be swapped between a parent and child, meaning a baby being treated in an incubator can smell their mother at all times, helping to form their bond. These squares also helped mothers with breast milk production during difficult times.



Changing life stories

Give the gift of reading to a disadvantaged child

**387,385 children** in the UK don’t own a single book. A donation of £7 can help to change a child’s life story by giving them their first ever book to choose and to keep.



Give the gift of reading today.

Text **GIFTOFREADING 7** to **70490** to donate £7\*  
or visit [literacytrust.org.uk/donate](https://literacytrust.org.uk/donate)

\*this costs £7 plus a standard rate message. The National Literacy Trust is a registered charity no. 1116260 (England and Wales) and SC042944 (Scotland).



# Enjoying Every Day

Jason's determination helps him get the most from life after a devastating road collision.

Not many people look forward to the bustling traffic of the school run. However, Jason Miller enjoys tackling it more than ever these days, as it's one of a number of tasks that, at one point, he thought he may never be able to do again.

The latest star of our I Am Able campaign suffered injuries including a broken back and severed spine when he was hit by a car while cycling during a family holiday in Portugal seven years ago. Doctors told Jason he would never walk again.

Weeks of hospital treatment in Lisbon and Cambridge were then followed by several months of specialist support at the spinal unit at Sheffield's Northern General Hospital. Our International Serious Injury team supported the 50-year-old through this time, helping him to access essential treatment to assist with his rehabilitation. However, it was a discussion with his doctors that had a profound effect on his mindset.

**Jason explained:**

*"The specialists were quite realistic when talking about the pressures that families can face as a result of serious injuries."*



"As my family means everything to me, I was determined to do everything I possibly could to get my life back on track. I marked the date I was expected to leave hospital in my diary and used that as a target to push forward with my recovery."

Jason's determined attitude saw him head back to work at the coach company he runs with his brother after he returned home to Ely. His family made adaptations to the business so he could do his job – and he loves nothing more than getting in a bus to do the school run every day.

Jason said: "Not many people get too excited about doing the school run, but it's one of those things that I have a whole new perspective on, after what I've been through."

*"It's an absolute joy to see all of the kids and it really lifts my mood. Getting out and driving the bus is something that I never thought I would be able to do again, so having that responsibility and the chance to work means the world to me."*





A huge part of Jason’s life is working out at the gym – something he does at least three times a week with his personal trainer.

**Jason said:**

“Hero’s Gym in Kings Lynn has been an incredible support. I can go with my personal trainer or I go alone and know that someone will always be willing to help if I need it.

“Working out at the gym keeps my mind and body in shape for all the challenges I set myself. I’m constantly looking for new things to do. Recently a friend of mine put my name down for the Paris Half Marathon, thinking I wouldn’t do it, and of course I did!”

Perhaps the biggest change to Jason’s life came when his exoskeleton arrived. This is a powered frame which allows him to walk independently for short periods of time. The exoskeleton was secured by our team, who support Jason’s rehabilitation while also looking after his finances, so he can spend every day focusing on what really matters.

**Jason continues:**

“Being able to walk again is just amazing, especially together with my family. It has already allowed me to do so much, from simple tasks around the house to standing and enjoying a glass of champagne with my wife during a cruise. I’m really looking forward to being able to walk both my daughters down the aisle.



*“I feel like I’m able to live life to the full and I’m determined to ensure nothing holds me back in the future.”*



# Getting it Right

Our new partnership with Birthrights is all about the improvement of maternity care in the UK.

Earlier in the year, our Medical Negligence team announced a new partnership with Birthrights, a charity which works to protect human rights in childbirth.

Under the terms of the three-year agreement, we'll be supporting the organisation as it works to ensure that women across the UK have access to safe maternity care, which is respectful of their dignity and puts them at its heart.



Birthrights was founded in 2013 by human rights barrister Elizabeth Prochaska, and offers a range of advice and information on a woman's rights during pregnancy. The organisation's online factsheets, which cover topics including human rights in maternity care and consenting to treatment, were viewed more than 8,000 times in 2018-19. The charity also reaches around 1,000 healthcare professionals a year through training on rights-respecting care and speaking at key conferences and seminars.

### A range of support

We're set to help them in a number of ways, from providing pro bono advice and support with events to assisting with research in an effort to ensure all women can access quality maternity care.

“

**Amy Gibbs, the chief executive of Birthrights, said:**

“The partnership was underpinned by a shared agenda to promote choice, dignity and safety to prevent birth injury and trauma.

*“Our new partnership will help us invest in our core activities and put us on a firmer footing for the future. We're excited to grow the reach of our resources for women and explore collaboration on future research, such as on mental capacity.”*

Alison Eddy, partner at our London office, said: “I'm delighted that we've been able to partner with Birthrights, supporting the vital work they do in assisting women to make informed choices about their birth options as well as contributing to research and policy development in order to improve birth experience for all women.”

For more information visit [birthrights.org.uk](https://www.birthrights.org.uk)

# A Moving Tribute

The Police Unity Tour is an incredible event which we were pleased to support earlier this year.

Our Serious Injury team is vastly experienced at helping those affected by road traffic collisions, such as our client Jason, whose story you can read on page 16. In recent years they've been able to use that expertise to support police forces up and down the country.

In the past few years we've provided training to roads policing officers and family liaison officers working for 39 police forces across the UK. The sessions give us a chance to highlight the importance of offering the best possible support to those affected by such incidents.

## A time to remember

Earlier this year, we were delighted to take our support even further by backing the Police Unity Tour, a very special cycling event that pays tribute to officers who lost their lives while on duty.



Held at the end of July, the event saw more than 460 riders and support staff cycle from their respective police headquarters to the National Memorial Arboretum in Staffordshire. They then attended the annual Service of Remembrance organised by Care of Police Survivors (COPS), a national charity which supports the surviving families of police officers and staff who've died on duty.



Each cyclist wore a special commemorative blue band engraved with the name of a fallen officer and they were then presented to the officers' families at the service. Among the cyclists were the first ever participants from Avon and Somerset Police, who dug deep to tackle a gruelling 166-mile journey from Portishead to reach the service.

As well as attending the hugely emotional event, we were delighted to make a donation to the Police Unity Tour. Tim Buckley, the chief executive of COPS, said he was "blown away" by the weekend.



**Tim said:**

"We are entirely grateful to all our supporters across the wider police family and beyond.

*"A huge thank you to all of our fundraisers who make the weekend possible, in particular the Police Unity Tour and all their sponsors, who have raised a substantial amount of money over the years for COPS."*

Cressida Dick, the MET Commissioner, said that all of the cyclists had been "extraordinary", adding: "The riders are carrying a passenger with them on the tour, an honoured friend or colleague who has lost their life on duty – it means so much to the families."



## Brain Injury Identity Card



**My name is: Jonathan Smith**

**I have a brain injury and as a result:**

I have difficulty processing information

I have attention and concentration difficulties

I experience fatigue

I may have anxiety

**For 24 hour criminal legal assistance, please call:**



**0800 140 4031**



# A simple solution to a tricky conversation

For more information about the free Brain Injury Identity Card from Headway, visit [headway.org.uk/idcard](https://headway.org.uk/idcard)



the brain injury association



The past few months have served up some wonderful sporting action, with the rugby in Japan undoubtedly being one to remember.

It was thrilling to see the England men's team excel when the pressure was on, and we were delighted to back them every step of the way.

Under the terms of a multi-year agreement, we're now the Official Legal Partner of England Rugby for both its men's and women's sides.

Linking up with the organisation feels like a perfect fit for many reasons, not least because we both recognise the importance of a safe pair of hands.

# We Are With You

How we're working with England Rugby to ensure our national heroes inspire the next generation.



Official Legal Partner





## Looking to the future

While we're excited by everything that England has achieved since our partnership was announced, we have our eyes set firmly on the future.

As part of our partnership, we're going to work with England Rugby to create a new mentoring programme designed to ensure the next generation of talent can enjoy the game at any level.

In a move which demonstrates our human touch, we're developing an initiative which will create a community of mentors in rugby clubs across the country.

The objective? To provide support to more than 35,000, 14 to 18-year-old players, with the aim of retaining their talents within the game and helping their transition into adult-level rugby.

**Andrew Tucker, our group chief executive, said:**  
*"Through early discussions with England Rugby, it became clear that we may be able to assist with helping younger players remain in the sport."*

"Modern life is full of demands and younger generations are arguably facing more pressures than ever before. Finding a balance isn't always easy, but there are clear benefits to sticking with a sport with such great values. This is why we're creating the mentoring scheme."

The sentiments were echoed by England Rugby's development director, Steve Grainger, who described the programme as exciting. He explained: "Any opportunity we have to keep young people engaged in the game for longer is crucial. Having this community of mentors across the country will be invaluable for the players, and will only help to grow the game further."



Expert Hand. Human Touch.

## We Are With You



**Wooden Spoon**  
We've supported a range of different sporting causes in recent years and are proud that our partnership with England Rugby builds on our existing links within the game, including our sponsorship of Wooden Spoon.

Established in 1983, the Hampshire-based charity works to change the lives of disadvantaged children and young people with disabilities through a range of rugby projects held throughout the year.

Wooden Spoon has funded more than 1,000 projects across the UK and Ireland, totalling over £28 million. Their focus is to help children and young people through projects such as sensory rooms, playground and outdoor activities, health and wellbeing and specialist equipment.

It seems as though we couldn't have picked a better time to embrace rugby. We can't wait to see what comes next.

Life, like a game of rugby, is full of ups and downs. Whatever happens, if you need legal advice or support, we're here.

**So you're able to focus on what really matters.**

 [irwinmitchell.com](http://irwinmitchell.com)



Official Legal Partner

The RFU Rose and the words 'England Rugby' are official registered trade marks of the Rugby Football Union.



## Kicking off in style

Our new partnership with England Rugby was something worth celebrating, so we borrowed the largest rugby union stadium in the world to host a special event.

Guests arrived through the Spirit of Rugby at Twickenham before walking down the players' tunnel to the hallowed turf for the pitch-side event. The evening included a special video message from the England men's head coach, Eddie Jones, and a speech from former captain, Dylan Hartley.

We also held an auction during the event in support of Wooden Spoon, with guests being able to bid on items ranging from a signed England rugby shirt to tickets to a home international.



# Going for Gold

The countdown is on for the Tokyo Paralympic Games.

Not content with recently hosting a thrilling rugby tournament, Japan is now preparing for two more landmark sporting events. The country's capital is gearing up to host the Olympic Games next summer, followed by the Paralympic Games just a few weeks later.

Interest in the Paralympic Games has grown massively in recent years, with the last Paralympics held in Rio featuring more than 4,000 athletes from over 150 different parts of the world.

We're proud partners of both Paralympic icon Hannah Cockroft MBE and wheelchair tennis sensation Alfie Hewett, who will be aiming to add more medals to their trophy cabinets.

Hannah famously won two gold medals at the London Paralympics in 2012, and then added a further three in Rio four years later. Her preparations for Japan next year are undoubtedly going well. She secured both the 100m and 800m titles at the World Para-Athletics Championships in Dubai at the start of November, but also now holds the new world record of 16.77 seconds in the T34 100m.

Hannah has been determined to up her game, ever since the emergence of her British rival, Kare Adenegan.

Alfie will also be hoping to build on his recent successes on the court while in Tokyo. He retained his wheelchair singles title at this year's US Open before also winning the doubles with his partner Gordon Reid.

The Paralympic Games is always an inspiring event and we can't wait to cheer on Hannah, Alfie and the other British competitors when the action gets underway.



Hannah Cockroft on her new world record:

*"I haven't pushed that quick ever, so I'm not sure how I just did it. I think I had settled for silver in my head, so to come out on top, I actually got the medal I wanted."*



# Creating History

Not Repeating It

*Two decades on from the white asbestos ban, our experts are still working to help those affected.*

Health and safety regulations do so much to keep us protected from harm these days, but it's a sad truth that previous generations weren't always so lucky.

Our teams have fought hard on behalf of a huge number of people who've suffered injury or illness due to safety failings, as well as for the families of those who've passed away as a result of such issues. For more than 35 years, we've specifically supported those affected by asbestos-related diseases, and November marked the 20<sup>th</sup> anniversary of the ban on white asbestos in the UK.

## Devastating legacy

Examining just how important the ban in November 1999 was, our Leeds-based asbestos-related disease expert Nicola Handley explained: "It's very difficult to think of many substances or materials which have left such a devastating mark on so many lives.

“

The use of asbestos was once incredibly widespread. Any building constructed before 1980 may contain it, while it was also commonplace in industrial environments, shipyards and factories. In recent years we've even seen cases linked to public buildings including hospitals and schools.

*“Arguably the most heart-breaking aspect of the issue is that many employers were aware of the potential risks that the material could pose back in the 1960s and 1970s, but often did not take enough action to keep people safe.”*

## The battle goes on

Exposure to asbestos can cause a range of conditions, including mesothelioma, a cancer of the lining of the lung. The nature of the illnesses also means that the consequences of contact with asbestos only tend to come to light many years after exposure. This is why it's thought such diseases still claim more than 5,000 lives a year in the UK.

Nicola added: "While the ban on asbestos in 1999 was undoubtedly a watershed moment, the battle on behalf of those affected still goes on. Our primary concern is to ensure our clients can get justice regarding the terrible mistakes of the past, as well as funds to help them access first-class care, treatment and support.

"We also want to keep the conversation around asbestos going, so that future generations never forget what's happened and don't ignore the awful dangers posed by the material."

## Making a change

We're proud to have been involved in a number of landmark asbestos-related disease cases:

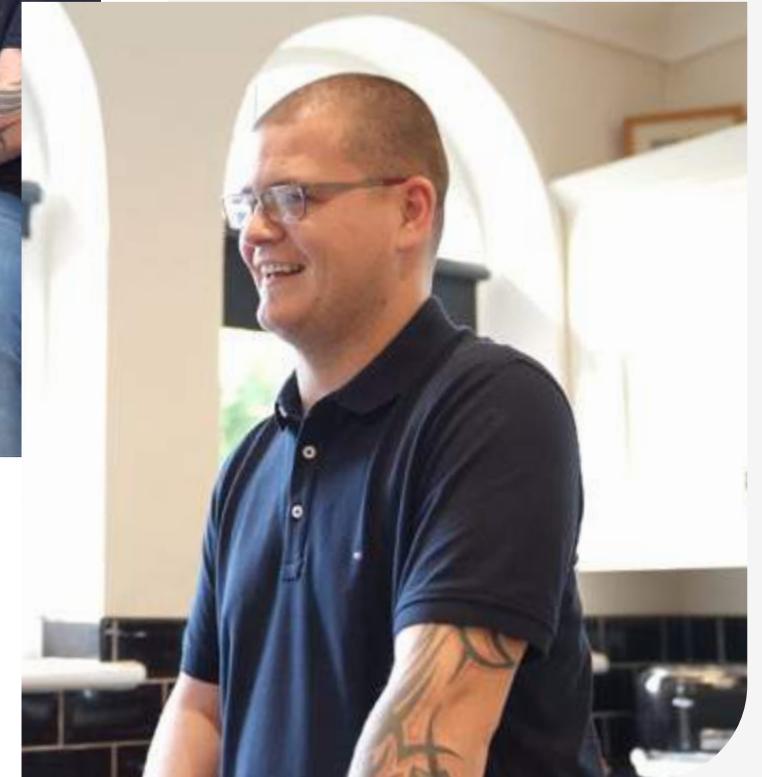
Acting for June Hancock in the first-ever case related to environmental asbestos exposure. She grew up close to a factory which emitted large amounts of the material into her neighbourhood.

Securing hospice costs as part of a settlement for the family of James Wilson in 2010. The case marked the first time that support for a hospice had been recovered in this way.

Acting in the first mesothelioma case where a periodical payment order was secured. The agreement meant our client had peace of mind that his future treatment would be paid for as part of his compensation package.

Securing a Tomlin Order which covered the costs of any future treatments that our client might need, including those still in development. The move was regarded as a crucial breakthrough, as new ways of tackling asbestos-related diseases are emerging all the time.

# Life Support



How our Court of Protection team provides peace of mind for the future.

**Lucy explains:** “Adam is now 29 and has a very high level of capacity, which means he can make many day-to-day decisions for himself.

“However, my job is to provide support with bigger decisions in relation to tax, investments and also wider budgeting issues.

“The fundamental aim is to ensure that his finances are managed effectively and Adam can focus on simply getting the best from life.”

Lucy visits Adam frequently to discuss all his needs, while she’s also available on the phone whenever he wants to talk. She’s helped him with a range of issues and also sourced a personal assistant for Adam, who helps him go to the gym regularly.

This has not only boosted his rehabilitation, but also means he has the energy to keep up with his two-year-old, Connor.

“

**Adam said:**

*“Ever since my accident I’ve had the attitude that I want to take one day at a time and just be thankful to be here. I genuinely still feel lucky to be alive and I love being able to wake up each morning and enjoy time with my family.*”

*“Lucy and the Court of Protection team have provided me with so much peace of mind for the future and their support has been invaluable. She’s become a real family friend and it was brilliant to invite her to our wedding. She is that important to us all.”*”

## What is the Court of Protection?

The Court of Protection is the judicial body responsible for making decisions on the management of finances or other affairs of people who lack the mental capacity to do it themselves.

Our experts in this area are based across the UK and can offer advice on a range of issues, from appointing a deputy and creating Lasting Powers of Attorney to personal injury trusts or health and welfare disputes.



# Everyday Superheroes

*Remarkable feats of bravery,  
unbelievable courage and  
triumph against the odds.*





We're used to seeing superhuman strength and courage on the big screen in Marvel blockbusters, but all that and more was on display at this year's Superhero Tri.

Held in August at Dorney Lake near Windsor, the Superhero Tri Powered by Marvel is the UK's only mass-participation disability sports series. The event was created to give anyone with a physical or mental condition the opportunity to challenge themselves in a major event.

More than 2,500 people took part in the triathlon, where they tackled swimming, cycling and running with as much or as little help as they wanted. With no cut-off times or equipment restrictions, the focus of the day wasn't on winning but simply on taking part.

We've supported the Superhero Tri since it was first held three years ago. We were delighted to send our biggest ever squad of 22 'everyday superheroes' – inspirational people who've faced some of life's toughest challenges – to compete alongside amateur sportspeople, celebrities and Paralympians.

On the next page we present the stories of three amazing individuals who spotted our signal in the sky and assembled their sidekicks to take part.



Meet the amazing individuals who assembled to tackle a sporting challenge with a difference.



### Ettie's endeavour

Fifteen-year-old Ettie Douthwaite has cerebral palsy and is unable to talk or move independently after being starved of oxygen at birth.

A happy and determined teenager who's campaigned on accessibility issues in and around her hometown of Frome, we knew she'd be the perfect choice to lead one of our six heroic teams at the Superhero Tri.

She's supported by our Court of Protection team and tackled the event alongside her intrepid sidekicks – who by day are known as mum Alison and dad Neil.

#### Speaking on behalf of Ettie, Alison said:

*"Ettie loves to be out and about and the Superhero Tri was a great chance for her to do that. She's had to say goodbye to so many things, but this was something she could actually say hello to instead."*

### Super Shane

Shane Booth has made a remarkable recovery after being seriously injured when a tractor pulled out in front of his motorbike during a holiday in Germany a decade ago.

He sustained life-threatening injuries and was in a coma for several weeks after the crash, with our International Serious Injury team securing him vital financial support to assist his rehabilitation.

Fast-forward ten years and Shane can now talk, walk with a stick and manage most of his personal care. He's also reinvented himself as an inspirational speaker. Our Court of Protection team manages his funds to ensure they continue to pay for the ongoing support he requires.

#### Shane said:

*"By being able to do as much or as a little as you like, the Superhero Tri is a great place for people with disabilities to start realising their potential."*

### No limits for Lucy

Lucy Scott has difficulty controlling her muscles and walking unaided as a result of her cerebral palsy diagnosis. However, the 11-year-old from Low Fell in Gateshead was never going to let that get in the way of participating in the Superhero Tri.

She was determined to highlight the value and benefits of disability sport by leading one of our six teams, with her dad Luke and sister Molly also coming on board to offer some sidekick support. The family is yet another supported by our Court of Protection team.

#### Lucy's Dad, Luke said:

*"We don't let Lucy's disability stop us doing things as a family and the Superhero Tri was a great way for Lucy and Molly to take part and achieve something together. It really was a truly incredible day and we were very proud to be able to lead one of the brilliant teams at the event. It was an absolute joy."*

# Road to Recovery

## One of our legal experts reveals all about serious injury work.

Our Serious Injury team regularly sees the consequences of road traffic collisions and works tirelessly to ensure those affected can access support to assist with their recovery.

Among those we've helped in recent years is Ainsley, another of the stars of our I Am Able campaign, who suffered a spinal injury while studying at university. But what does the work of a serious injury solicitor actually involve?

**David Withers, partner at our Sheffield office, reveals all.**

### How would you describe your role?

Varied and complex. Many solicitors and insurers commit to specific principles when it comes to serious injury cases. These include determining liability quickly, providing early access to rehabilitation, resolving claims cost-effectively in an agreed timeframe, while building an environment of trust and collaboration.

A key part of our role is to manage our clients' expectations in terms of recovery, while also arranging funding and introducing them to clinicians and therapists.

### How vital is early rehabilitation?

Very. There's often only a small window where clients can maximise recovery, so rehabilitation needs to be considered swiftly.

Effective rehab can vary though, so we have to consider the injured individual's situation and all of their needs. This includes everything from housing and equipment to financial security and medical treatment.

### What examples of best practice have you seen?

Collaboration with the defendant's legal team is always important. A commitment to resolving liability swiftly also helps, while the focus should remain on helping our client to recover.

It's essential that rehabilitation is tailored to every individual, as everyone is different and support has to reflect that. To try to ensure this we also attend multi-disciplinary team meetings with medical experts if possible, as there's a clear overlap between legal claims and the treatment a person is receiving.

Finally, it's important to consider other legal services a client may need, such as employment advice or the execution of a Power of Attorney. This is a major issue for us, as we want to address our clients' legal needs so they can remain focused on what matters most to them.

### Which has been your most rewarding case?

It's hard to say, but a good example involved my client, Simon. He suffered a brain injury in a collision at the start of 2017 and we quickly got in touch with the insurer of the driver to get the claim started.

Although a criminal investigation was ongoing, the insurers agreed to fund rehabilitation assessments and, at a subsequent meeting, committed to putting Simon first.

Simon accepted he was partly responsible for the incident and we were able to agree a reduction in terms of the driver's liability. Despite this, the insurer continued to totally fund his rehabilitation, which demonstrated their commitment to him.

Early rehabilitation had a major impact on Simon and eventually a settlement was agreed. Furthermore,

the insurer also chose to fund all of his rehabilitation for another three months.

This case was very refreshing. Simon has been able to look positively to the future after a devastating incident, and his story is an example of what can be achieved when the individual who has been injured is the absolute priority.



# Introducing Brainwave

A look at how our charity partner is helping children up and down the country to achieve their potential.

On the final pages of every edition we're going to shine a spotlight on the unsung heroes across the UK who are making a real difference to so many lives.

Established in 1982 and originally known as the Kerland Foundation, Brainwave aims to help children with disabilities and additional needs to boost their independence.

The charity works with families to create a tailored Therapy Programme designed to meet their child's needs and unlock their potential. Brainwave's qualified therapists draw on their experience in a range of fields from physiotherapy and occupational therapy to speech and language therapy and learning development. They have three centres in Somerset, Essex and Cheshire, while also running satellite clinics in Scotland and London.

We're pleased with our links to Brainwave and their fantastic work, with many of our younger clients receiving advice and support from their qualified therapists. Every child should be given the chance to reach their full potential and this organisation is working tirelessly to ensure that's the case.



Hannah Jolley, a paediatric physiotherapist from Brainwave, discusses how she got involved with the charity and what her day-to-day work entails.

## What made you decide to train as a therapist?

I suffered an injury while playing hockey and after 20 weeks of physiotherapy I became set on the idea. It wasn't until about halfway through my degree that I thought about paediatrics and secured a placement at Brainwave. I loved the added challenge of trying to encourage the child to engage with the therapy by making it fun and playful.

## Can you describe a typical session?

That's difficult, as it varies so much. It depends on the child, the condition, their abilities and their willingness to cooperate with us on the day. Our role is to assist the child's development by improving their gross and fine motor skills, balance, coordination and strength.

The exercises in the Therapy Programme aim to help the child to be more functional in day-to-day life, but our work is about more than just mobility. It's known that physical exercises can also help with other areas including communication and educational goals.

## What's the most rewarding aspect of your work?

Seeing the difference that the therapy makes to the child's abilities and confidence – allowing them to do more, helping them to reach milestones or achieve something they couldn't previously do. Both the children and the parents come back so happy and proud of what they've achieved.



**Brainwave** believes  
in a world where  
every child with  
disabilities reaches  
their potential

01278 429089  
[www.brainwave.org.uk](http://www.brainwave.org.uk)



I am able to focus on  
what really matters



Whether it's business or personal, we understand that everyone's situation is different. If you need legal advice or support with your financial planning, we're here to offer *an expert hand with a human touch*.