



Supporting you after a military injury

IM, irwinmitchell



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We understand military culture and the unique issues connected with having an accident on duty. Our specialist team, which includes former service personnel, can guide you through this difficult time and help you or a loved one get the compensation you deserve.

Serving in the Armed Forces is a dangerous job. There are risks involved in combat and it's inevitable that people will be injured. But the Ministry of Defence (MoD) has a responsibility to minimise those risks where possible.

If you suffer an avoidable injury during military service, just as in any other job, you may be able to claim against the MoD for failing to properly protect you.

“

I'd like to thank Irwin Mitchell for everything they've done. They fight incredibly hard to ensure that injured soldiers, like my son, get the support and compensation they deserve.

Diane Dernie
Mother of our client, Ben Parkinson



ACCREDITED
Personal
Injury



ACCREDITED
Clinical
Negligence



EMPLOYER RECOGNITION SCHEME
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Proudly serving those who serve.

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

0800 023 2233

Your team of experts

You're at the centre of everything we do. We aim to build a special relationship based on openness, trust and honesty.

Our experienced team is available across 17 offices in the UK, including London, Manchester, Cardiff, and Glasgow. Together, they provide a sympathetic and understanding service, supporting you throughout the claim process.

This also applies when a military incident has led to the death of a loved one and the claim is being brought by relatives.

We can support and guide them through the military inquest process and fatal accident claim.

Our promise to you:

Your claim will be pursued fearlessly and tirelessly, with confidence that we can achieve a positive conclusion

We'll support you every step of the way

Each stage of the process will be clearly explained, so you understand exactly what we're doing on your behalf

Our initial consultations are no-obligation, and we understand that talking to a solicitor about a claim can be sensitive, especially when you're in the military, so you can be sure that our service is strictly confidential.

Campaigning for improvements

We have a long history of campaigning, fundraising and working with leading organisations.

These include: Army Families Federation, Army Welfare Service, BLESMA, Blind, Combat Stress, Defence Medical Welfare Services, Help for Heroes, Pilgrim Bandits, Regimental Associations, SSAFA Forces Help, The Royal British Legion, ASDIC, Rock2Recovery, Royal Marines Association, RAF Association, and White Ensign Association.

Together with these organisations, we seek improvements in health and safety, quality of life and levels of compensation for service personnel who've suffered injury or been involved in fatal accidents.

Our legal support for the campaign of Ben Parkinson helped to introduce a significant increase in Armed Forces compensation awards for seriously injured servicemen and women.

We can represent you in a wide range of military claims. Our specialist solicitors will fight hard to secure the best possible compensation and do everything we can to support you every step of the way.

Common causes of personal injuries while serving in the military include:

Assault courses and adventure training

Aviation incidents

Bullying, harassment and assault

Diving and maritime vessel accidents

Equipment failures

Hearing loss due to noise exposure

Negligent discharge of weapons

Non-freezing cold injury

Parachuting

Road traffic accidents on and off duty

Training exercises

Vehicle-related incidents

Weapons, fires and explosive incidents.



When can I make a claim?

The time limit for most claims is three years from the date of the accident, or when you realised you were injured. That limit varies depending on the type of claim, where it happened and the facts of your case.

You can make a claim if you're still serving, have left the Armed Forces or are about to be medically discharged. Unfortunately you can't make a claim against the MoD for accidents or illnesses caused by events occurring before May 1987.

We can offer clear advice about the time limits that apply to your claim. Contacting us promptly allows us to begin our investigations into the circumstances of your injury, which is crucial to securing the evidence and documents needed to give your claim the best chance of success.

Do I have a case?

If you can prove that either the MoD or someone else was at fault, and you can prove your injuries and illness are related to work, you can make a claim for compensation.

Even if you're unsure whether you have a claim, or you think you may be at fault, it's always worth giving us a call. We'll assess your case free of charge, tell you what we think and then you can decide if you want to go ahead.

What are my chances of winning?

We have a long track record of winning compensation cases where our clients initially thought they didn't have a claim. We'll give you realistic advice on the chances of winning based on the information you provide. It's not possible to give a definitive answer on any case, but the more information we have, the more accurate an assessment we can make.

Off duty accidents

We also represent members of the armed forces who are injured off duty due to the fault of another person, such as road traffic collisions. Whether this happens on home soil or abroad, we can help, and our clients have the benefit of knowing that their solicitor has an excellent understanding of the impact of their injury on their military career, and the financial loss that may result.

How much will it cost?

There's no need to worry about legal costs. Contacting us for initial advice about your claim will cost you nothing. If we advise you to pursue a claim with us, we'll review all the options with you for funding your claim, including a 'No Win No Fee' agreement*.

Options for funding your claim:

Conditional fee agreement – commonly known as a 'No Win No Fee' agreement*

PAX Legal Expenses Insurance – offered as part of PAX Personal Accident Insurance

Legal Expenses Insurance – as part of your household or car insurance you may have legal expenses cover to help with any legal costs.

When we discuss your claim in more detail we'll also be able to look at the funding options available to you.

If you don't have access to legal expenses insurance, your best option may be to consider a 'No Win No Fee' agreement*.

Legislation

The government introduced some changes to how legal costs and funding for personal injury cases will work from April 2013. These changes mean you can no longer recover all of your legal costs from your opponent.

It's likely that you'll still recover the substantial majority of your basic legal costs.

*Subject to entering into a 'No Win No Fee' agreement and complying with your responsibilities under its terms.



‘No win no fee’ agreements

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

If you win:

Your opponent will pay the majority of our basic legal costs and disbursements (e.g. court fees, medical reports)

Any costs not payable by your opponent will include:

- The premium for your insurance policy to protect you fully against any risk of legal costs
- Some of your basic legal costs which cannot be recovered from your opponent
- A ‘success fee’ which compensates us for the risk that we wouldn’t recover any legal fees at all if it was unsuccessful

You won’t have to pay a penny out of your own pocket until your claim has successfully come to an end and then any of the costs not paid by your opponent will be deducted from any compensation awarded to you

If any disbursements can’t be recovered from your opponent these will be covered by your insurance policy

To help you with your legal costs, the government has provided a 10% increase in the amount awarded to you for your pain, suffering and loss of amenity.

If you lose:

We can promise you there’s no financial risk to you if your claim is unsuccessful*

There will be no charge to you

You’ll be fully covered by your insurance policy for any disbursements

You’ll be fully protected by your insurance policy from any of your opponent’s legal costs.

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

* To make a No Win No Fee claim, you need to enter into an agreement that’s linked to a suitable insurance policy. We’ll explain this in more detail before we start your claim.

How much compensation will I get?

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

Individually assessed

We'll advise you at the outset on how the court approach the assessment of compensation, and how that will apply to your case. It's important to bear in mind that everyone is different, and the consequences of the same injury in terms of working life and home life will vary from person to person.

We have a track record of specialist knowledge in assessing compensation that can be claimed, including as a result of discharge from the armed forces and any rehabilitation and support needs. Many non-specialist solicitors may not understand the complex calculations that relate to loss of armed forces benefits and pensions. We've been at the forefront of ensuring that our clients maximise their award so they're fully and fairly compensated.

Armed Forces Compensation Scheme

As well as making a civil claim, you might be able to claim through the Armed Forces Compensation Scheme, which was designed to compensate people who are injured while serving in the military. Our dedicated Armed Forces team will advise you on the scheme and tell you if you're eligible for this when you contact them.

Keeping you informed

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

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



What else can we help you with?

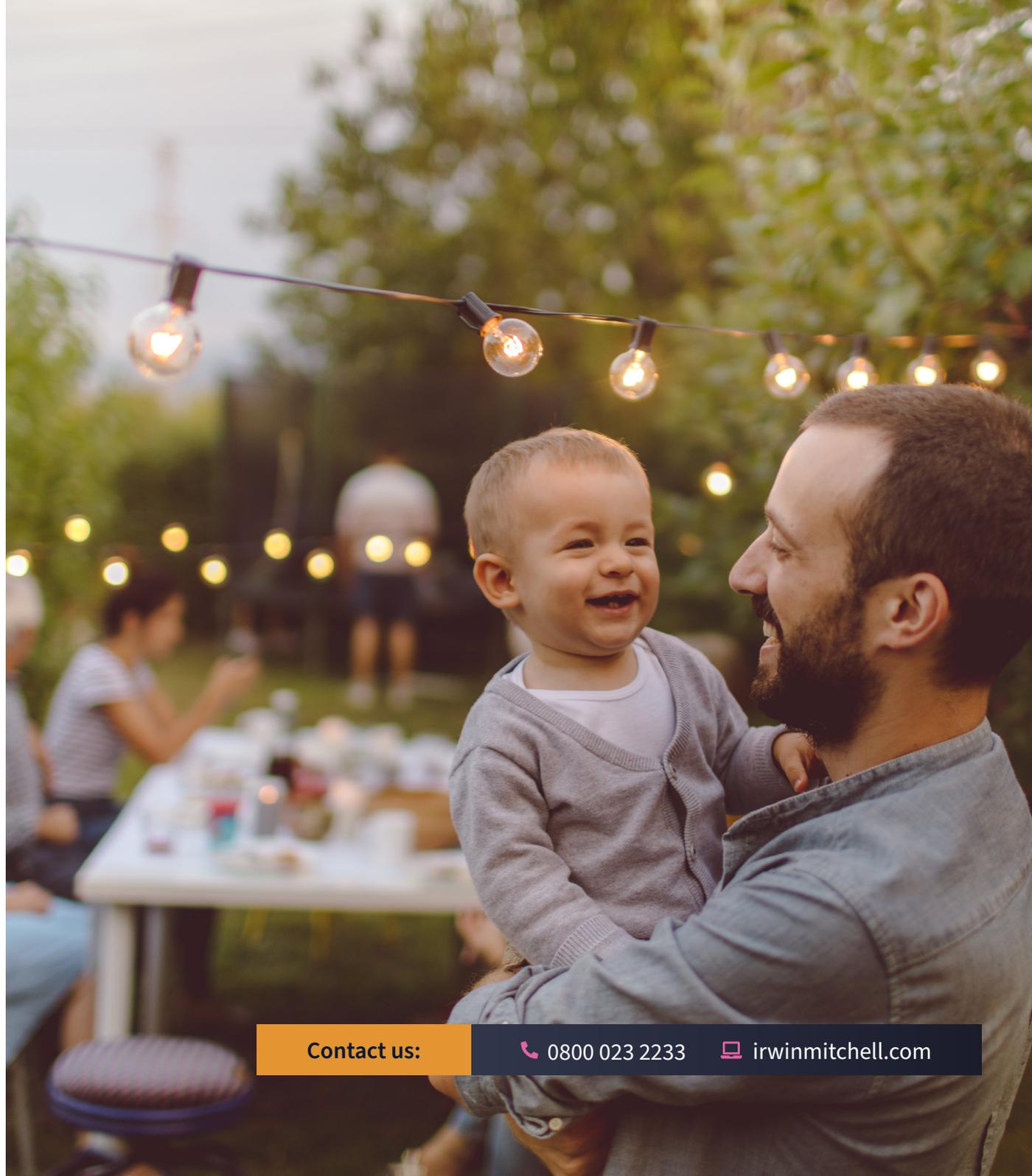
Whether it's business or personal we understand that everyone's situation is different.

If you need legal advice or support with financial planning, we're here to offer expert advice tailored to your circumstances, so you can focus on what really matters.

We're here to help you with:

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

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



Contact us:

☎ 0800 023 2233

💻 irwinmitchell.com

Useful contacts

Blesma, The Limbless Veterans

Blesma, The Limbless Veterans helps all serving and ex-service men and women who've lost limbs, or lost the use of limbs or eyes, to rebuild their lives by providing rehabilitation activities and welfare support.

☎ 020 8590 1124
✉ info@blesma.org
🌐 blesma.org

Combat Stress

Combat Stress help former servicemen and women with mental health problems such as anxiety, depression, and post-traumatic stress disorder (PTSD). The work they do is life-changing and often lifesaving.

☎ 0800 1381 619
✉ helpline@combatstress.org.uk
🌐 combatstress.org.uk

Help for Heroes

Help for Heroes supports those with injuries and illnesses attributable to their service in the British Armed Forces. No matter when someone served, they believe that those prepared to put their lives second, deserve a second chance at life.

☎ 0300 3039 888
✉ getsupport@helpforheroes.org.uk
🌐 helpforheroes.org.uk

Pilgrim Bandits

Pilgrim Bandits was established by a small group of Special Forces veterans in 2007 and registered as a charity in 2010, with the sole aim of using their unique training and experience to help and inspire injured personnel to live life to the full.

☎ 07702 852 541
🌐 pilgrimbandits.org

RAF Association

RAFA, the Royal Air Forces Association, provides welfare support to the RAF Family, including all serving and ex-serving personnel and their dependants.

☎ 0800 0182 361
✉ enquiries@rafa.org.uk
🌐 rafa.org.uk

The Royal British Legion

The Royal British Legion provide lifelong support to serving and ex-serving personnel and their families. This includes providing expert advice and guidance, to recovery and rehabilitation, through to transitioning to civilian life.

☎ 0808 8028 080
🌐 britishlegion.org.uk

Rock2Recovery

Inspiring the fight against stress in our armed forces, veterans, and their families.

☎ 01392 642 960
✉ support@rock2recovery.co.uk
🌐 rock2recovery.co.uk

Army Families Federation (AFF)

The AFF is the independent voice of Army families and works hard to improve the quality of life for Army families around the world – on any aspect that is affected by the Army lifestyle. They're independent of the Army and offer confidential advice.

☎ 01264 554 004
🌐 aff.org.uk

Army Welfare Service (AWS)

The AWS is the Army's professional welfare provider. It delivers a comprehensive and confidential welfare service responsive to the needs of individuals, families, and the Chain of Command, to maximise the operational effectiveness of service personnel.

☎ 020 7218 9000

✉ veterans-uk@mod.gov.uk

🌐 army.mod.uk

Defence Medical Welfare Services (DMWS)

DMWS is an independent charity providing medical welfare to those who have, and continue to, operate on the frontline. They place trained professional welfare officers in locations throughout the UK to deliver much-needed additional support for those who are on the clinical pathway.

☎ 0800 999 3697

✉ referrals@dmws.org.uk

🌐 dmws.org.uk

Association of Service Drop-In Centres (ASDIC)

The ASDIC represents and links veterans' drop-ins across the country. They offer a variety of welfare and mental health support, together with comradeship and a sense of well-being, to the ex-military community and their families.

☎ 01622 278 110

✉ admin@asdic.org.uk

🌐 asdic.org.uk

White Ensign Association

Free independent advice for all serving and former members of the Royal Navy, Royal Marines, Royal Fleet Auxiliary, and their families.

☎ 07384 575 598

✉ office@whiteensign.co.uk

🌐 whiteensign.co.uk

Blind Veterans UK

Blind Veterans UK provide veterans with rehabilitation, training, practical advice and emotional support. They believe every vision-impaired veteran should be able to lead the life they choose.

☎ 0300 111 22 33

✉ supporter.services@
blindveterans.org.uk

🌐 blindveterans.org.uk

SSAFA

SSAFA, the Armed Forces charity is a trusted source of support for serving personnel, veterans, and their families in their time of need. Their vision is a society in which these people can thrive.

☎ 0800 260 6767

🌐 ssafa.org.uk

Royal Marines Association

The Royal Marines Charity is the central pillar of the Royal Marines Family, drawing together those who aspire to join, those who serve, those who have served, and those who support and enable us. They aim to provide support, advice, and friendship.

☎ 023 9298 1920

🌐 rma-trmc.org

 0800 023 2233

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