

Edition 5 - Summer 2017

Focus

on Military



Commando Challenge

Hear from a Reservist

When AFCS is not enough





Front cover photo courtesy of photo-fit.net sports photography

Welcome...

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

I am delighted to introduce our fifth edition of Focus on Military with the now familiar mix of charity challenges, team news and food for thought in terms of solutions to some of the problems that service personnel face.

The highlight of recent months has, for me, been attending the unveiling of the memorial on Victoria Embankment to those who served in the Gulf Region, Iraq and Afghanistan 1990 – 2015. It was a memorable and poignant event and very satisfying to see the conclusion of the campaign that The Sun started on Remembrance Sunday 2014.

Once more, I have managed to avoid the more gruelling physical fundraising activities of our own team and it was, once again, the Southampton team who led the way in the Royal Marines Commando 10K Courage Challenge.

Assisting service personnel in complex Armed Forces Compensation Scheme claims has rapidly developed into a key area for us and Amanda Marsh has been on the road in the past year outlining her experience and expertise. We have held workshops at Bury Fusiliers Museum and the Victory Services Club in London for those who assist service personnel with these claims and we are currently analysing the latest Review whilst continuing to campaign for change on certain aspects. This has brought Amanda into contact with a number of MPs who demonstrate an interest in the Scheme and how it operates for their constituents.

I hope that you enjoy the summer and the highlights we have picked for you. We also look forward in this edition to the Invictus Games in Toronto in September.

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Commando Challenge

On 8 October 2016, the Irwin Mitchell Southampton specialist military team recruited nine members of the South Coast office and successfully took on the Royal Marines Commando 10k Courage Challenge in Lympstone, Exmouth. We raised £1237.23 for the Royal Marines Charity.



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Photo courtesy of Sairer Coley-Spencer

The event was a great success, and the hardship of the Commando Course encouraged smiles, cheers, and supportive messages of “keep going”.



Photo courtesy of photo-fit.net sports photography

The Royal Marines Charity is an organisation providing support to Royal Marines, their families, veterans and cadets. They offer a range of support from financial assistance, funding innovative mobility aid projects, to helping with the transition into civvy street.

To show our support, raise awareness and fundraise for this charity, we took part in the endurance training course usually tackled by the Royal Marines recruits when training for their coveted Green Beret. This involved crawling, running and taking on eight obstacles, known as the ‘Commando Tests.’ The Commando Tests are set out to test the four core values at the heart of being a Commando: courage, determination, unselfishness and cheerfulness. The event is held on Woodbury Common- the same course where recruits from the Royal Marines’ Lympstone training base take their first Commando test.

Despite warming up and being debriefed by the Royal Marines volunteers, nothing could prepare us for what would lie ahead! After running up steep inclines and making our way down uneven gravel declines, we faced obstacles that included crawling through pitch black pipes of gravel and wading across pools of thick mud. The last obstacle we faced had the highest fear factor, as it involved an underwater culvert known as the dreaded ‘Sheep Dip’.

The Sheep Dip is the last obstacle that is said to give nightmares to even the toughest of Commandos - it involves a dive through a short underwater tunnel. Luckily for the Irwin Mitchell team, the Royal Marines were on hand to make sure we got through this safely and quickly, although this was overshadowed by the anticipation of being dunked in murky sub-zero degree water!

After emerging from the Sheep Dip soaking wet and freezing cold, we were soon able to get our body temperature up by finishing the assault course with a 5km run through the rough moorland and woodland of Woodbury Common.

Alongside a great turnout of fundraisers, Superman actor Henry Cavill was also put through his paces by the true men of steel, who made the experience that little bit more gruelling. The volunteers certainly revelled in ensuring everyone was adequately covered in mud from head to toe, and Superman himself was no exception. Henry Cavill is the Royal Marines Charity Ambassador and in the run up to the event, he posted several superhero inspired workouts in preparation for the real thing!

Everyone in the Irwin Mitchell team completed the challenge. We managed to complete the course in a time of 2:03:32, with a great sense of achievement that made the Sheep Dip (and the drinks in the bar in the evening) totally worth it!

Broken Eagle

by James T Crouse



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It was during the 1986 BIH Chinook North Sea crash that I first worked closely with James T Crouse, then at Speiser & Krause. We filed the law suits for United Kingdom clients in New Orleans and I took several trips to see Jim. We remained friends through the Aviation Section of the American Trial Lawyers Association and I was honoured to attend Jim and Edna's wedding in San Antonio which was a memorable event combined with a local fiesta.

Jim is a retired US helicopter test pilot who flew over 1,500 hours in his 26 year active and reserve career. He retired at the rank of Lieutenant Colonel. As a Lawyer he has been active in the field of aviation and aviation safety. Jim has taught aviation law at Duke Law School, The George Washington School of Law, and has had his own firm for many years in Raleigh, North Carolina.

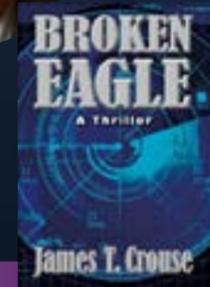
I was therefore somewhat surprised to see that Jim had written a novel called 'Broken Eagle'. It is the story of a Raleigh Attorney, Jake Baird, who takes on a case for a widow whose husband, a US Army helicopter pilot, has been killed on a crash test flight. The novel explores the question of aircraft certification and the relationship between the US Military, its Defence contractors and the Federal Aviation Administration.

I took the novel on holiday with me, not quite knowing what to expect. The sheer volume of documentation I read during the day means that I only read for pleasure on holiday. It did not disappoint. It is a fast paced book of political intrigue with great technical detail and characters that you care about. There are also murders and cover-ups and Jim has created real tension.

Jim has consistently talked in interviews about the fact that military personnel have no choice about the products they use at work and he hopes that the novel will result in a change of public perception as to how military personnel and their families are treated. He is interested in the accountability of manufacturers, government officials and agencies and the importance of crash investigation and learning from that process.

Jim is currently working on 'Wild Horses' which sees Jake Baird investigating corporate expansion in North Carolina's Outer Banks where the wild horses of Corolla have roamed for over 500 years, as well as other projects entitled 'Gulf' set in Florida and 'Airliner'.

'I am delighted to recommend Broken Eagle to anyone who is interested in military and aviation safety, although it is fundamentally a good novel which will appeal to a wide readership.'



Broken Eagle is available from amazon.com and barnesandnoble.com

Prenuptial & postnuptial agreements

In recent years we have seen an increasing demand for prenuptial and postnuptial agreements. Military clients with AFCS or civil damages are increasingly asking for advice following some well publicised military divorce cases.

Traditionally prenuptial agreements have been considered unromantic. But in modern times, many people consider them to be an essential part of their wealth management. Prenuptial agreements are particularly popular for people entering into second marriages or for people when they have had children from previous relationships. Many couples have their own businesses and wish to keep them separate during the course of their marriage.

People now consider that taking control of their finances by entering into a prenuptial agreement is a pragmatic and sensible way to enter marriage, to make sure that in the sad event that the marriage does not survive, there is no uncertainty about the division of their assets especially those that were accrued prior to the marriage.

It is essential if considering a prenuptial agreement that parties make the decision to enter into one well in advance of any wedding. Also it is important that each party appoints their own solicitor to advise them on the contents of the prenuptial agreement and the drafting of the same. It is

essential that solicitors are involved for the Court to give credibility to a prenuptial agreement. It is helpful for couples if they have thought out in advance what they want to achieve and how they want to achieve it. Solicitors can help couples to be extremely creative and constructive in the way that prenuptial agreements are put together so that they not only provide protection in the event of separation but set clear foundations for how the couple will run finances moving forward.

Our Bristol team are extremely familiar with the issues involved for couples in their financial planning and particularly in relation to prenuptial and postnuptial agreements.

Nicola leads the Irwin Mitchell Family Law team in Bristol. She has been a family law specialist for over 20 years, with extensive experience in both the financial implications and Children Act litigation that can arise out of a relationship breakdown. She is also collaboratively trained and has built up a substantial practice in this alternative way to resolve the issues faced on separation.

Contrary to popular belief, many family law solicitors consider them a sensible step for couples to take. They show an openness and balance in a relationship.



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Honouring

those who fought in the Gulf Region,
Iraq and Afghanistan 1990-2015



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I had a great sense of privilege as I attended the unveiling of the Iraq and Afghanistan Memorial in Victoria Embankment Gardens on 9 March 2017. The sun shone on the guests gathered in Horse Guards Parade including many members of the Royal family, gathered for the Drumhead Service with music from the Band of HM Royal Marines Collingwood, the Band of Scots Guards and the Band of The Royal Air Force.

I was situated by the memorial itself where Her Majesty The Queen and His Royal Highness The Duke of Edinburgh moved to unveil the memorial. I sat with the Prime Minister, Theresa May and Lord Stirrup, Chairman of the Board of Trustees. The antics of two year old Alfie Lun who had been picked to present a bouquet to The Queen, featured in the coverage but The Queen appeared unfazed and everything ran smoothly.

The sculptor, Paul Day was on hand as we examined each side, one honouring military participants and the other civilians, including those who worked for charities and non-government organisations who played a role in the conflict.

Lunch was then taken in several marquees back on Horse Guards Parade and our group was joined by Their Royal Highnesses, The Duke and Duchess of Cambridge and His Royal Highness The Duke of York. This reception was generously supported by The Royal British Legion who were a key delivery partner for the event. I also had contact with Atkins, who supported the Trustees in enlisting the sculptor and managed the delivery of the memorial through design and construction.

I was delighted to be reunited with Craig Woodhouse of The Sun who spearheaded a campaign to honour participants of these conflicts. In 2015, Craig spoke at an event we held at Bath University by Mike Knott, a partner in our Court of Protection Team in Bristol.

We showcased the film Kajaki to numerous sporting personalities and members of the Bath Rugby Foundation and helped raise proceeds for the memorial in an auction.

Irwin Mitchell also made a separate donation to the campaign. The fundraising appeal had been started by The Sun on Remembrance Sunday 2014 and the Government committed financial support via LIBOR Funding.

I was situated by the memorial itself where Her Majesty The Queen and His Royal Highness The Duke of Edinburgh moved to unveil the memorial.

The Souvenir Programme commenced with a message from Her Majesty The Queen indicating that she was sure the new memorial would provide a fitting opportunity for all to reflect upon the events of that period and to remember the many examples of personal courage and achievement in adversity, and the great sacrifices that were made.

I hope that if you find yourselves in London by the River Thames, you will visit the memorial and take the opportunity to pause and remember. It is also close to Westminster Bridge which was to become a scene of a very different event later in the same month.



Many service personnel are unaware that they can bring a civil claim in negligence through the civil courts in addition to a claim under the Armed Forces Compensation Scheme.

When AFCS is not enough



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In November 2016, we hosted a workshop titled 'When AFCS is not enough' showcasing our experience in the Scheme. The Victory Services Club in the heart of London, founded in 1907, provided the stunning venue for our interactive workshop aimed at non-solicitors who are involved in assisting injured service personnel.

In certain situations a claim under the Armed Forces Compensation Scheme is the best option for example where no negligence can be established, or where the three-year statutory limitation period has expired. However, a claim through the civil courts is more likely to result in significantly higher awards of damages due to the courts taking account of financial losses and heads of damage that are not provided for under the Scheme.

"Very worthwhile indeed."

Deciding upon the best option to achieve the optimum result for injured personnel can be a minefield and it was at this particular issue that the workshop was aimed. Our intention in planning the content of the workshop was to inform and educate those who assist injured service personnel in understanding the different options available and the considerations to take into account in terms of what is best for each individual injured person.

The day was specifically tailored toward welfare staff, military charities and those who may find themselves in a position to offer advice and assistance to injured personnel. We focused upon why the Armed Forces Compensation Scheme is by no means as straight forward as it may at first appear and tried to highlight particular challenges in dealing with the Scheme, how to approach these and practical steps that can be taken to tackle

and resolve issues. We also looked at the limitations of the scheme and the circumstances in which service personnel will gain from bringing a civil claim alongside an AFCS claim.

"Thank you and good luck with the campaign to change."

In planning the day we found that it was helpful to divide the sessions into three sections, namely why AFCS is not enough in cases that attract Guaranteed Income Payments (GIP), why it is not enough in non GIP cases and then a separate presentation specifically on the intricacies of the Armed Forces Compensation Scheme itself, its limitations and pitfalls and how these can be addressed.

I was absolutely delighted by the interest shown in the workshop and by both the number and diversity of the attendees. The workshop was very much a participation event and we all benefited from questions asked and information and experiences shared by those in the audience as it became more of a discussion than a presentation and allowed us to expand upon the subjects under consideration. I found it very enjoyable preparing and presenting the workshops and very much look forward to being involved in similar events in the future.

"Excellent organisation, presentation and identification of major factors."

The day was specifically tailored toward welfare staff, military charities and those who may find themselves in a position to offer advice and assistance to injured personnel.

Mental health: it pays to be positive

Mental ill health affects one in three of the working population. Yet this can be a difficult topic to broach in the workplace: both for employers and employees. Commonly, employees facing mental health difficulties can be fearful about being totally honest with their employers.

We support a wide range of businesses and individuals in navigating employment rights afforded to those facing mental health difficulties. Commonly, employees in these circumstances are protected under the Equality Act 2010 where their condition is serious and long-term. In such cases, employers must consider and make reasonable adjustments to support employees with mental ill health.

We provide pragmatic advice about how such adjustments can work for both parties, such as flexible working, adjusting roles or holding regular welfare meetings.

Since we started to help service personnel with AFCS claims for PTSD we have been engaging in issues of mental wellbeing.

It pays to be positive about mental health. Employers who adopt a positive approach to wellbeing can expect to see increased productivity, reduced absenteeism, better retention rates and an enhanced reputation in the marketplace. Positive steps can include mental health awareness training, implementing a wellbeing strategy or putting on wellbeing activities, such as knitting or a staff choir.

As well as advising our clients on mental health in the workplace, Irwin Mitchell has recently signed the 'Mindful Employer' charter: a national initiative for employers who are positive about supporting mental health and wellbeing. Over 1,000 employers across the UK have already signed the charter.

Becoming a 'Mindful Employer' is about:

- Raising awareness of mental health issues in the workplace
 - Establishing good employment practices
 - Making it easier for staff to talk about mental health issues.
-

We recognise that it is important to create an environment where everyone can flourish, to enable us to support our clients in the best possible way and particularly those facing mental health difficulties themselves.



Should you want to learn more about the Mindful Employer initiative or to speak to someone about an employment law issue, please contact:

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Hear from a Reservist

In February 2017, Major General Ranald Munro CBE, Britain's most Senior Reserve Officer opened a campaign to persuade more law firms to engage with the Armed Forces. The current defence strategy requires membership of the Armed Forces to reach 35,000 by 2020, up from 25,000 in 2015.

Here a Reservist with Irwin Mitchell gives an insight into his experience...

"I am a Royal Artillery Army Reservist and have been for over seven years. It is a role that has changed over the years and has given me a lot of valuable experiences in my personal and professional life.

I joined the Reserves when I left school and it was not something I had ever considered doing but a good friend convinced me otherwise and for that I am grateful. Early on in my Reservist career I was offered the opportunity to spend six months in Cyprus as a United Nations Peacekeeper and it was an opportunity I jumped at. The whole experience was exceptional and I took a lot away from it. I went from a school leaver to working in another country under a structured and regimented organisation. I was engaging with local people as well as my peers and seniors, at the age of 19 it was an eye opener and an experience which developed my

communication, discipline and work ethic. It was also a period where I found myself getting into trouble as following someone else's rules wasn't always easy but which also helped me learn valuable life skills.

At university the Reserves gave me an income, flexibility and an escape from studying. There was the flexibility which allowed me to work when I wanted but also I could take periods where I needed to focus on my university studies. The nature of the Reserves allowed me to do this. The Reserves meant that I was not just another student having done the same degree and extra-curricular activities as hundreds of other people on my course had done. I gained the ability to stand out in applications, to talk to people on a level playing field while respecting their position and engaging them in my experiences.

Now I am a solicitor, a role which I have been working towards for six years but I am also still a Reservist. The Reserves

gives me the flexibility to have a professional career, while my job allows me to have a life outside of the Reserves and keeps me doing something I enjoy. I work hard during the week (most of the time at a desk) and at weekends I can be engaging in training exercises (not always in the best conditions), practicing with the shooting team, undertaking adventure training and having a really great laugh with a group of individuals who had I not been a Reservist, I probably would never have crossed paths with."

I can honestly say that being a Reservist and the experience and skills which I have developed has allowed me to get where I am today.

Combat Stress

In March 2017, Kevin Timms of our Group Action team attended the Combat Stress Support Dinner at the National Army Museum. Irwin Mitchell was a dinner sponsor and was very pleased to show support for this charity.

More than 6,000 veterans across the UK are registered with Combat Stress who have seen a large increase in referrals over the past five years. We acknowledge the help needed by veterans with mental health conditions brought about by their military service and our specialist Armed Forces Compensation Scheme team, lead by Amanda Marsh, assist many veterans with claims for PTSD under the Scheme.

Kevin has worked with the Military Injury Claims team in the Larian case and was pleased to represent Irwin Mitchell on the night.

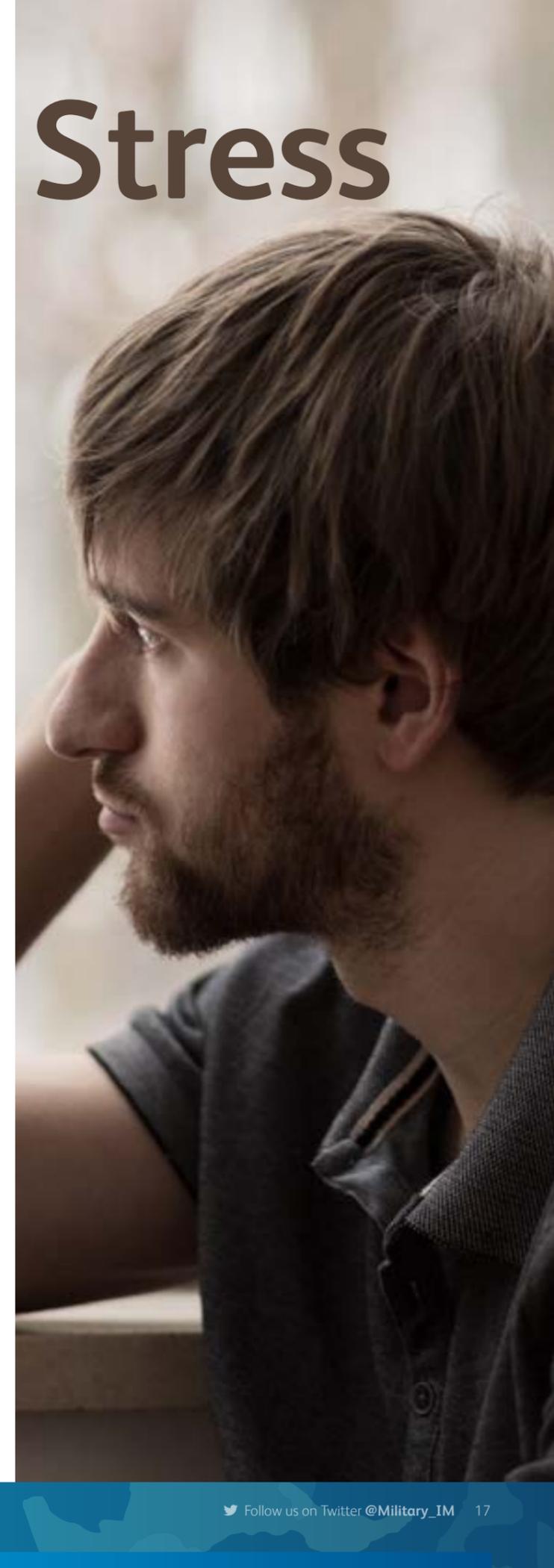
The evening commenced with a welcome from General Sir Peter Wall, Combat Stress President, followed by speeches from Sue Freeth, the Chief Executive, and Paul Smith, a veteran who received treatment from Combat Stress during 2016.

One of the auction prizes was a 'golden ticket' experience donated by James Blunt's manager, Todd Interland, including back stage passes to a London concert in November and an opportunity to meet James, who is a former Reconnaissance Officer for the British Army.

We have greatly enjoyed working with Combat Stress to date and we look forward to working with them on future challenges.



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Summer of Sport 2017



We at Irwin Mitchell are looking forward to a summer of sport, with the Invictus Games and the World Para Athletics Championships taking place in July and September.

Kieran Wood a previous Invictus Games bronze medalist is competing in the archery event in the Games this September.



NATIONAL SUPPLIER

Hannah Cockroft MBE will be competing in the World Para Athletics Championships in July, an event Irwin Mitchell are proudly sponsoring.

The Invictus Games this year will be hosted in Toronto, Canada on the 23-30 September 2017. Invictus, meaning “unconquered” or “undefeated”, enables wounded, injured or sick armed services personnel and veterans to compete in a range of sports. These sports include wheelchair rugby, Paralympic powerlifting, track and field, archery, indoor rowing, road cycling, sitting volleyball, swimming, wheelchair basketball and tennis.

The aim of the Games is to:

“Use the power of sport to inspire recovery, support rehabilitation and generate a wider understanding and respect for wounded, injured and sick servicemen and women”.

The name of the Games was in part inspired by the famous poem of the same name written in 1875 by William Ernest Henley and often recited during times of adversity. The poem shares Henley’s own struggles as an amputee and reflects the spirit of the grit and determination displayed by Invictus Games competitors.

Last year our long running personal injury campaign Don’t Quit, Do It won the Marketing Award at the Eclipse Proclaim Personal Injury Awards. The campaign focuses on encouraging people with disabilities to get involved in sports to support rehabilitation and features some top Ambassadors such as Hannah Cockroft MBE, Paralympic wheelchair racer. Another Ambassador is Kieran Wood who has been selected for the Invictus Games.

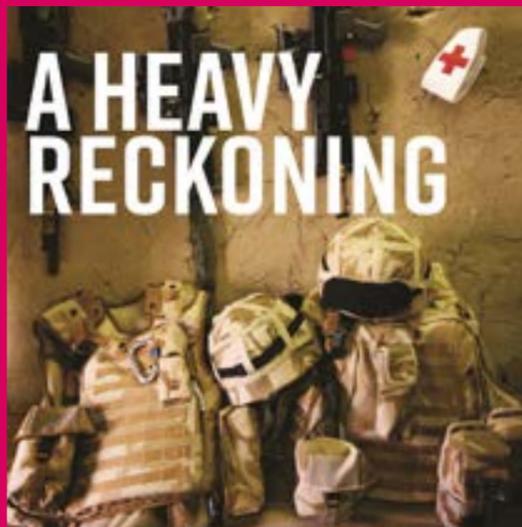
This summer Irwin Mitchell will be the Official Legal Services Provider of the World Para Athletics Championships London 2017. The event takes place at the London Stadium 14-23 July with athletes from over 90 countries competing for glory.

Irwin Mitchell will certainly be supporting all those competitors from around the world whose efforts go to making the Invictus Games a continuing success.

A Heavy Reckoning

Dr Emily Mayhew is a military medical historian in residence at the Department for Bioengineering at the Imperial College London, working with staff at The Royal British Legion Centre for Blast Injury Studies. She is a good friend of our team and inspires with her perspective on conflict and scientific challenges and advances.

Her latest book 'A Heavy Reckoning: War, Medicine and Survival in Afghanistan and Beyond' was published on 25 May 2017. It includes a section on Headley Court and rehabilitation and looks at the physiology of survival and bringing people back from close encounters with death. From WW1 to Afghanistan it gives insights into the frontline of medicine in what we anticipate to be the author's compelling whilst accessible style.



'A Heavy Reckoning: War, Medicine and Survival in Afghanistan and Beyond' is available on Amazon.co.uk.

Devastated



...soldier left partially blind after violent 'initiation ceremony' at Army barracks.

In November 2016, our client was in the news talking about an incident that led to the loss of his military career.

Oliver Scudder was left partially blind after a violent initiation ceremony. Oliver from Lincoln endured a volley of punches and a kick to the face during the attack at Kendrew Barracks in Cottesmore in December 2014, leaving him with a hole in his right eye.

The 20-year-old instructed Paul Weston of our team after the prolonged attack left his right eye so badly damaged, that he lost 90 per cent of his vision and would no longer be able to serve his country.

Oliver joined the Royal Anglian Regiment on December 1 2014 after completing his Phase 2 Training at the Infantry Training Centre in Catterick. He was injured just nine days later and was medically downgraded by military officials in July 2015 before being medically discharged in May 6 2016.

In a letter from the Service Prosecuting Authority, Oliver was told that there was insufficient evidence to bring a criminal prosecution against his attackers and instead, he now has to wait for his former commanding officer to decide on what punishment should be handed out.

We launched legal action against the Ministry of Defence (MoD), who, as Oliver's employer, owed him a duty of care.

Paul Weston

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Paul Weston, an expert military injuries lawyer and former Captain Intelligence Corps in our team, representing Oliver, said:

"Clearly being in the Armed Forces is a potentially dangerous vocation, but no soldier should face injury during downtime at their barracks – and not at the hands of members of their own regiment. In order to secure financial support for Oliver's future now that he faces civilian life with severe sight loss, we have to pursue a claim against the MoD. Oliver needs support to help him not only adapt back to civilian life, but also to adapt to being left partially blind. It will have an impact on his future prospects and we are seeking to secure the help he needs to overcome his injuries."

Oliver was just 15 years old when he went to the Army Careers Office to ask about joining the military, following in his older brother Harry's footsteps. Two years later he enrolled on the Army Foundation Course in Harrogate, designed to help young would-be recruits prepare for joining up.

But his dreams of being a career soldier ended on December 10 2014 when, as a new member of 10 Platoon, C Company, he was told he must 'run the gauntlet' – an initiation ceremony in which new soldiers run down a corridor lined with their comrades who kick and punch them as they do so.

Oliver said: "I felt I had no choice. I could see a guy who'd just been through it and he looked shaken up, but not badly hurt so I felt I had to go through with it. The pressure was immense and I feared the consequences if I said no."

As Oliver ran the length of the corridor he tripped – or was tripped – falling to the floor. But the violence continued as he was kicked in the face. At the time, he was unsure of the extent of his injuries and believed he had got something in his eye.

It was not until later when Oliver was at home on annual leave that he went to see his family GP who advised him to report to the medical centre at RAF Waddington from where he was promptly referred to Lincoln Hospital and on to Queen's Medical Centre in Nottingham.

It was at Queen's Medical Centre, where Oliver was given the devastating news that he had suffered a macular hole in his right eye but there was nothing medically that could be done further because the hole had healed and had left a scar. He had lost 90 per cent vision and would not be able to continue his military career.

Oliver said:

"I'm devastated. The Army is all I ever wanted. I joined as soon as I could and wanted to fulfil my 22 years' service. Instead I've been left with a sliver of peripheral vision in my right eye and no career in front of me. I'm angry that the military can let these guys get away with it when I have lost everything. There must be others like me, for whom the military was their life, who have been injured in similar circumstances. It must end."

Fortunately we do not have to deal with many incidents like this but even one is one too many.

Partnership

Our Partnership with Barrister Paul Kilcoyne

Paul has now been practising as a barrister in London for over 25 years. He specialises in military litigation and is pleased to say that he is regularly instructed by Irwin Mitchell. He is one of the few specialist barristers focusing on all aspects of military claims and has an exclusively based claimant practice.

“I am always pleased to be instructed by Irwin Mitchell. I know that the cases are always going to be exceptionally well prepared and it is always an additional bonus to work with a specialist Military team. We always have one goal in mind- the best result for the client.”

Paul’s cases have included:

- All aspects of personal injury claims relating to service personnel
- Inquest representation assisting the families of deceased service personnel
- Q fever litigation arising out of service personnel in Afghanistan. Chronic fatigue syndrome was developed after the initial fever (brought about by the bacteria *coxiella burnetii*) that had not been treated with the antibiotic, Doxycycline
- Non freezing cold injuries
- Clinical negligence by doctors, psychiatrists and medical personnel responsible for treating members of the Armed Forces
- Bullying and harassment claims.

Paul has been instructed by Geraldine McCool, on a number of high profile Inquests, including the case of Nicholas Rice (RAF Air Cadet involved in a mid-air collision over Oxfordshire in June 2009. The Inquest disclosed that Nicholas’s pilot who also died in the accident had a serious medical condition, Ankylosing Spondylitis, that could have restricted his ability to keep a look out or incapacitated him upon initial mid-air impact and thereby losing control of the aircraft). The civil litigation that followed concluded in 2014. He has also acted, through Geraldine, on a pro bono basis for a number of cases for the Royal British Legion.

“I have always found that it has been a privilege for me to represent the families of service personnel where a loved one has been killed in the line of duty. This was especially so with a number of Inquests I have been involved in arising out of service in Iraq and Afghanistan. The Inquest process can be stressful and personally painful and so it is important to support the family and to help them find out exactly what happened and possibly what lessons could be learned.”

“Unlike many other firms who are involved in military claims litigation, I have always found it to be a great benefit that the Military Litigation team at Irwin Mitchell includes ex-services personnel such as Andrew Buckham (Southampton) and Paul Weston (Sheffield). This provides for me and the client a special and valuable insight when assessing cases.”

Paul has strong views on how military claims should be handled:

“You always have to tread sensitively with any claim involving military personnel. You have to understand fully the military ethos. I have practised in this niche area now for the last 25 years, and so I feel confident that I have been able to understand this and I know that the team at Irwin Mitchell certainly do.”

When Paul is not battling in Court or seated around the negotiating table he is trying to find time to walk the South West Coastal path (not as yet completed), and to visit the occasional hostelry on the way.

Paul Kilcoyne
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Temple Garden Chambers
www.tgchambers.com

The Military Injury Claims team work with selected barristers both at Inquests and in Court. It is an important partnership. Paul Weston chose Paul Kilcoyne of Temple Garden Chambers for this insight.



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