

If you have been involved in an accident and have sustained a Spinal Cord Injury, you may be entitled to claim for compensation.

At Aspire Law, we are experts at dealing with Spinal Cord Injury compensation claims. We have produced this short guide to explain how the compensation process works.

Why make a claim?

The main purpose of making a claim is to secure for you and your family a sum of money that will allow you to live independently for the rest of your life.

The sums awarded can vary dramatically, but in broad terms you will be compensated to enable you and your family to continue to enjoy the same standard of living you would have had, if your accident had never happened. Spinal Cord Injury claims are often due damages of many millions of pounds.

There are two main elements to your compensation:

- Compensation for pain, suffering and loss of quality of life. These are often referred to as 'general damages'.
- Compensation for financial loss. This includes any income you have lost as a result of an inability to carry on working, as well as the future losses calculated to the date of retirement. Your Spinal Cord Injury may mean you require one or more full-time carers or personal assistants for the rest of your life, which is also included. Additionally your compensation can include sums for assistive technology, exoskeletons, adapted vehicles, adaptations to your home (and often a new property) and out of pocket expenses incurred by your family and friends.

Compensation payments can be made as a lump sum or a one off payment. They may also be spread across a number of years, index linked to inflation.

We will always provide you with advice about your options and you will receive expert opinion on the choice for you.

How long will the claim process take?

Compensation claims for Spinal Cord Injury can often take up to several years to conclude. There are a number of key elements to your claim that require input from medical experts and other expert witnesses, which can take time. It is, however, paramount



that we obtain the very best expert evidence, although at Aspire Law we understand that a case that drags on may not be in the best interest of our client, so we aim to get you the maximum level of compensation in the shortest possible timeframe.

We also work very hard to make sure we secure interim payments for you, wherever possible. Interim payments are payments made by the defendant's liability insurer, in cases where they have admitted liability either in whole or in part. These payments are extremely useful and can be made shortly after your accident has happened. For instance, they can be used to pay for adaptations to your home, first class private care regimes and the specialist equipment that you will need to become independent as soon as practicable.

“ Thank you so much for all that you have done for me. From the beginning you took great care to take the stress out of what would otherwise have been an unbelievably traumatic time for us. ”

Client quote

Normally you have three years from the date of your accident, or the date that you became aware of the injuries sustained, to make a compensation claim. Different guidelines apply for children under the age of 18 and for those who lack capacity for other reasons, for example due to a brain injury.

It is always a good idea to consult a specialist Spinal Cord Injury law firm like Aspire Law as soon as possible after the accident.

This will enable us to collect, for example, valuable CCTV evidence and witness statements whilst the details of the accident can still be easily recollected.

To make a successful claim for compensation we will need to prove that the defendant was to blame for your accident, so the sooner important evidence can be collected, the stronger your claim will be.

“ Thank you so much for finalising my claim and the energy and determination you showed in negotiating such an excellent settlement. You have been brilliant throughout, obtaining private rehabilitation for me and then substantial interim payments. I won't hesitate to recommend you to others, as you are an outstanding solicitor. ”

Client quote

How do I fund a claim?

At Aspire Law we fund the vast majority of our cases through Conditional Fee Agreements, which are more commonly referred to as no win no fee agreements. We will explain to you in detail how no win no fee works, but in simple terms if you win your case, your compensation and our fees are paid for by the defendant's liability insurer. If you lose your case, then you will not have to pay anything. This is a good option for many of our clients because it represents a no risk way of funding what can be a very expensive legal case.

Aspire Law is different from most other law firms. For personal injury cases, we do not make any deduction from your compensation award to pay for our fees. All our fees will be paid for by the defendant's liability insurer.*

Most law firms will charge you up to 25% of your general damages and past losses and also any shortfall in their costs, which means you could lose hundreds of thousands of pounds. With Aspire Law, you will always keep 100% of your compensation award.

If you are a member of a trade union, you may well be entitled to legal expenses insurance.

* Clinical Negligence cases and cases conducted under the Motor Insurers Bureau and the Criminal Injuries Compensation Award schemes will be subject to alternative funding arrangements. We will explain the specific details to you on a case by case basis.

It is a good idea to ask a member of your family to find all of your current insurance policy documentation because this may provide legal expense funding, a detail that could be buried within the small print. We will be happy to have a look through any insurance schedules that you have to see if such funding exists.

How else can a solicitor help me?

A serious spinal injury to you or a member of your family can sometimes mean that you are not able to meet your usual financial commitments, like paying the mortgage or other household bills. We can help you reduce some of the immediate financial concerns that you may have in a number of useful ways:

Insurance checks

We will be happy to review any insurance policies that you may have, to make sure you are claiming everything to which you are entitled. This can include sickness and disability insurance as well as legal expenses cover.

Help with your creditors

If there are any creditors chasing you for urgent payment, we will contact them on your behalf to explain about your injury and your compensation claim. We ask them to be flexible whilst the details of the claim are put together.

Interim payments

We will always look to obtain interim payments from the defendant as soon as possible. These payments will enable you to meet any immediate financial obligations you may have, as well as funding the purchase of any specialist equipment that will help you regain your independence.

Welfare benefits

If you or a member of your family has recently sustained a Spinal Cord Injury, you are entitled to a range of welfare benefits. The welfare benefits system is very complicated to navigate, particularly if this is the first time you are making such an application. We work very closely with our partners at the charity Aspire, who provide a dedicated Welfare Benefits Advice Service. We will refer you to them, so that you can get advice and support to help you to claim the payments to which you are entitled.

Help with your employer

If you are having any problems with your employer, perhaps relating to non payment of sick pay or a reluctance to negotiate a phased return to work, we can work with you and your employer to reach a solution.

Second opinion

You may already have spoken to a solicitor about your claim and you might be unsure about their expertise or being told you do not have a credible case. We come across this quite often and would recommend that you speak to us to obtain a second opinion.

Spinal Cord Injury compensation claims can be very complicated and require the intervention of a specialist and experienced legal firm like Aspire Law. It will not cost anything to ask for a second opinion

about your case, so if in any doubt, please call us on 0800 030 20 40.

If you have been allocated a solicitor by your insurance company and are unhappy with the way that your case is being handled, you are entitled to change solicitor. We will be happy to talk to your existing solicitor, and will make all the arrangements to take over your case.

Alternatively, your compensation claim may have gone to court and failed, or perhaps you did not receive the amount of compensation you expected. We will be happy to review the details of your case and let you know if we think you have grounds to challenge what occurred.

About Aspire Law

Aspire Law is a unique joint venture between Aspire, the national Spinal Cord Injury charity, and Moore Blatch LLP, a law firm with specialist expertise in Spinal Cord Injury compensation claims.

There are a number of factors that make us different from other personal injury law firms.

- We are the only law firm in the UK dealing exclusively with Spinal Cord Injury claims - providing you with the specialist experience that you need.
- We strive to achieve the maximum compensation as quickly as possible - so you can get on with your life.
- For personal injury cases will not deduct any fees from your compensation - so you keep 100% of your award.
- 50% of the profits made by Aspire Law go to the charity Aspire, to support people with Spinal Cord Injury. This way we also help those with Spinal Cord Injury who have no compensation claim.

Clients we have acted for include the Westminster Bridge attack of 2017 and also:

- Tetraplegic female aged 18, C6/7 complete, following a road traffic collision as a passenger
- Paraplegic male aged 34, T3 incomplete, pedestrian who was run over
- Tetraplegic male aged 25, C6 complete, passenger in an overturned vehicle
- Paraplegic male aged 43, T4 complete, following a motorcycle accident

In each of these cases we secured an interim payment within a matter of weeks, arranged immediate needs assessments and instructed a case manager.

We will be happy to talk to you or a member of your family about any of the issues contained in this factsheet. We can visit you at home or in hospital, whichever is the most convenient for you.

More client quotes

“ Thank you for the expeditious way in which my case was handled. Everything went perfectly. ”

“ I am more than happy with how you have looked after my case and I am very grateful for everything.

I would certainly recommend you. ”

“ Fantastic, kind and very, very professional. We cannot fault you in any way at all. ”

“ Thank you so much for the care you have taken on my behalf. You handled my case most professionally and I am very pleased with the outcome. ”

“ You were thoroughly professional. I was really pleased with the result, thank you. ”

Client Stories

Substantial seven figure compensation for mother seriously injured at work

Ms A was in her late 20s when she sustained a severe spinal injury, resulting in paraplegia. A busy working mum with two children, she was working in a London pub when the accident happened. Ms A was in the middle of a busy shift when someone left the trap door open to the cellar after they had gone to change a barrel. As a result, she fell 20 feet and sustained a severe Spinal Cord Injury that caused paraplegia.

Ms A's family instructed us very soon after the accident. That allowed us to take detailed and accurate witness statements.

We also obtained CCTV footage that showed us exactly how the accident happened.

The employer quickly admitted liability and that enabled us to obtain early interim payments to pay for the very best care and rehabilitation for our client.

Ms A was awarded a substantial seven figure settlement in compensation. The award has allowed her to live independently with her two children.

Compensation for passenger injured in car accident - and full recovery

Mr W was in his late 20s. After a period of unemployment he was looking forward to starting work as a handyman.

A friend offered him a lift in his car, but drove too fast around a corner and crashed the car into a tree.

The driver was unharmed, but Mr W was very seriously injured, sustaining a double undisplaced fracture of the vertebrae.

The police prosecuted Mr W's friend for driving without due care and attention, and he was found guilty.

We followed the outcome of the prosecution case very carefully, and used the findings to prove liability. This helped us to win the case and to secure compensation for Mr W.

We recovered a significant six figure compensation award for Mr W and we arranged a first class rehabilitation package. Eventually, he made a full recovery and started back at work.

Family with tetraplegic child all living in one room

Our client, child X, was born with tetraplegia and used a wheelchair to get around. He was living in one shared room with his parents and siblings at his grandparent's local authority home.

His family had been on the waiting list for four years because the local authority and a local housing trust could not agree who had responsibility for providing specially adapted accommodation.

We persuaded the local authority to cover the cost of adapting a suitable property provided by the housing trust and we ensured the correct package of adaptations was provided. Within six months, child X and his family had a fully adapted new home including a lift, an ensuite wet room, hoists and ramps.

Finding the right school for a child

EM was a child who used a wheelchair, was non-verbal, had occasional seizures and had been attending a special school on a day basis. When he was due to go to secondary school, the local authority decided that a day place at a local special school was suitable. His parents believed a residential place at an independent special school would suit him better, so they instructed us to appeal.

We represented EM throughout the Tribunal process. As a result, the local authority was ordered to fund EM's placement at an independent special school on a weekly residential basis - the parents' preferred choice.

Aspire Law has a dedicated team specialising in Spinal Cord Injury compensation claims. For a free and no obligation discussion about your claim, please call us on 0800 030 20 40.

Call us free on: 0800 030 20 40 Email: help@aspirelaw.co.uk



Spinal Cord Injury Solicitors

www.aspirelaw.co.uk