



CFG

Law

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**A simple guide to
brain injury claims:**
*the real value of claiming
compensation*



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Introduction

After a brain injury, it can be a challenging time for injured people and their families. Seeking access to legal help may be the last thing on your mind, but by speaking to a solicitor who has specialist experience in dealing with brain injury claims you can gain access to support and guidance over and above purely legal advice.

The process of claiming compensation can often include other services, including helping with financial problems, accessing early bespoke treatment and rehabilitation and aiding with the discharge process if you are still in the hospital.

Although the thought of getting legal advice may be daunting, we would always recommend that you obtain legal help as soon as possible so that you can start taking advantage of the extra support and guidance available to you and your family immediately.

This eBook will take you through the benefits of making a claim, including what you can expect and what compensation can be claimed, as well as how a claim works and the cost of making one. There are also some useful questions to ask when deciding on a solicitor to represent you in claiming compensation.



What are the benefits of making a compensation claim?



Often, people think making a claim is just about compensating a person for the pain and suffering they have sustained as a result of an accident. However, this is not the case. A brain injury claim can provide for much more than this.

Market research undertaken by CFG Law found that the most important thing to someone injured in an accident is their wellbeing and quick recovery, rather than the final financial recompense.

Making a claim for compensation with the right solicitor should allow for an absolute focus on your immediate needs and helping with access to support, treatment, rehabilitation and care to achieve the best quality of life.

These extra services are provided by utilising the claims process to access early funding from Defendant insurers to facilitate access to ongoing treatment, care, equipment and support.

What is included in a brain compensation claim?

A claim for brain injury compensation can cover a number of components. Your solicitor will be able to advise you on these components and gather further information about your losses with you and your family. This can include, for example:



Any pain and suffering you have sustained as a result of a brain injury



Past and future loss of earnings as a result of being unable to work



Funding for specialist equipment to improve mobility and independence



Housing modifications to help with discharge home



Bespoke rehabilitation and other medical treatment



Past and future care, including care provided by loved ones



Travel expenses for your family to come and visit you in hospital



How a brain injury compensation claim works

Most compensation claims are run on a no win no fee basis. This simply means that if your compensation claim is not successful, you do not have to pay a penny. If your case is successful, most of your legal costs, along with disbursements paid on a case are recovered from the Defendant insurers and are not directly payable by you.

Your solicitor will usually take a percentage of the damages awarded to you to cover the rest of their costs. This percentage will only be taken at the successful conclusion of a case and will be taken directly from the compensation awarded, so you will never have to pay any costs up front. This percentage is capped as a maximum of 25% of the part of your compensation

for past losses and your pain and suffering. This deduction cannot be made from the part of your claim for future losses and expenses, you are entitled to 100% of this part of your compensation.

If your case is unsuccessful, then you will not have to pay anything. These legal costs will be covered by an insurance policy that you will be advised to take out to provide extra security to you in pursuing a claim.

All of these things will be discussed in full with you by your solicitor should you wish to proceed with a claim.



Why working with the right solicitor is crucial

The main concerns after a brain injury for the injured person and their family are their immediate needs and recovery.

You and your family need to ensure you work with a solicitor with the experience and expertise in dealing with brain injury claims and who has an absolute focus on early recovery and will take matters into their own hands.

Solicitors without this experience will often only focus on the legal aspect of your claim and neglect to assess and provide for you and your family's immediate needs and concerns. A good solicitor should help you with early intervention and support to ensure your wellbeing from the outset, as well as continuing to help you with ongoing rehabilitation and planning to help you achieve a better quality of life.

This support should be offered alongside full legal advice and claiming the full compensation you deserve to lead as happy and fulfilling a life as possible, secure in the knowledge you have sufficient funds to do so for the rest of your life.

It is also important that your solicitor understands the complications and symptoms that brain injuries can cause and realises the real impact your injury will be having on yours and your families lives, to provide you with the full support and care you need.

Questions to ask when choosing a brain injury solicitor

When choosing a solicitor, you should ask specific questions to fully understand the solicitor's future plans and focus for your claim, as well as their experience in dealing with complex and serious brain injury claims. These questions should include:

- ◆ Who will be dealing with your case and what is their experience in handling brain injury cases?
- ◆ Will the team involved come and visit you and your family at home or the hospital?
- ◆ What is their approach to early rehabilitation and support?
- ◆ How will they communicate with you throughout your case?
- ◆ What accreditations or panel memberships do they hold?
- ◆ Do they have any links with charities and other support networks?
- ◆ As specialist solicitors, will they deal with your claim on a no win no fee basis?
- ◆ What other options do you have for funding a case?



About CFG Law

At CFG Law, we are specialist serious injury solicitors with over 30 years' experience and a track record of success in handling high value and complex brain injury claims. All members of the team share a common purpose: to help those affected by injury - together.

By making a claim with CFG Law, you will receive the support of a multidisciplinary team including both a Serious Injury Solicitor and a Client Support Manager (highly experienced Occupational Therapists and Physiotherapists), all on a no win no fee basis. Our Client Support Managers will assess your needs from day one and work to provide the support you and your family need immediately.

Get a 100% free, no obligation consultation with one of our legal experts to find out more about our services.

**Start your
claim now**

