

Personal Injury Review

2023 Caring for our clients | Commitment to our cases | Cutting edge expertise

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0800 358 3848

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Useful organisations

Headway

www.headway.org.uk
0808 800 2244

Limbless Association

www.limbless-association.org
0800 644 0185

Spinal Injuries Association

www.spinal.co.uk
0800 980 0501

Fieldfisher

www.fieldfisher.com
0800 358 3848

"The top PI team in the country ... a brilliant team taking on a range of challenging and interesting cases and getting incredible results."
- Legal 500 2021

Jill Greenfield

Partner | 0330 460 6778 | Jill.greenfield@fieldfisher.com



As we fully embrace hybrid working, our team - and caseload - continues to grow. We welcome partner Keith Cundall into our Manchester Personal Injury team and legal executive Jack Sales to our London office.

As our team grows, our focus remains fully on representing victims of catastrophic injury and helping them prepare for the future. I am delighted that Keith Cundall brings his vast expertise and expanding our Manchester practice and pursuing cases throughout the North-west. Deservedly, Claire Glasgow, Harvinder Kaur and Eman Hassan are also promoted within the team.

We currently represent several bereaved families whose relatives have died because of negligent behaviour by employers. We are currently investigating the tragic drowning of 11-year-old Kyra Hill at Liquid Leisure this summer. Keith Barrett also represents the family of Emily Lewis who died in a speedboat collision in the Solent; Emma Hall represents the wife and son of Sasha Rudyy who died on a building site in Birmingham when a wall collapsed onto him and the family of Zach Richardson who was crushed by a forklift; Jack Sales acts for the parents of a man in his 20s

killed on a construction site in Eastbourne when scaffolding materials fell from a crane and crushed him.

As the Government finally appears to be reacting to former client Matt Briggs' campaign to bring cycling laws in line with road traffic law, we continue to lobby for mandatory insurance to protect all road users - including cyclists and e-scooter riders - as part of our work for those catastrophically injured on the roads. We were also pleased to join our clients in the press to successfully campaign against the roll-out of smart motorways. We offer our ongoing support to the Limbless Association that offers help and advice to people undergoing amputation following serious injury such as on the roads.

Our expertise in running sensitive sexual assault cases keeps us at the forefront of the ongoing battle to stamp out pernicious and unacceptable

behaviour in the workplace and in society generally. Following our work for victims of Harvey Weinstein and Jeffrey Epstein, we currently represent an alleged victim of Kevin Spacey and continue to offer advice and support to anyone who has experienced sexual assault. We are part of the important initiative to implement an Independent Standards Authority within the entertainment sector to highlight bad behaviour and make it easier for people to report incidents without necessarily involving the police. Whenever appropriate, we engage with the media to keep this debate centre stage.

The whole team represents our ethos of fighting tirelessly for the very best outcome for every client and never shies away for speaking out to change attitudes and the law. I am immensely proud of their commitment and results.



"Jill Greenfield is a fierce, tireless champion who combines razor-sharp legal skill with wit and warmth."

- Chambers and Partners 2023

Working hard to get a young brain-injured client home to his family

Keith Cundall

Keith Cundall acts for a catastrophically brain-injured young man following a serious road traffic collision.



Tom*, 18 at the time, was a front seat passenger in a car driven by a close friend along a dark country lane in Sheffield. On a sharp bend, the car left the road and collided with a tree. The force of the collision rendered Tom and the driver unconscious. It also caused a fuel leak and the car burst into flames. Thankfully, passers-by and nearby residents came to Tom's aid and dragged him from the burning vehicle before calling emergency services.

As well as suffering burns all over his body, Tom suffered a catastrophic brain injury.

Tom was in an induced coma for more than a month after the accident and spent many months afterwards in the High Dependency Unit. His brain injury was so severe that Tom now has profound mobility and communication difficulties. He lacks

capacity to make his own decisions and requires carers to assist him with every aspect of his daily care. This is the likely to remain the case for the rest of Tom's life.

Fieldfisher is regularly instructed by injured clients or their families seeking a second legal opinion.

Tom's family instructed a local firm shortly after the accident, but came to Fieldfisher for the expertise of a law firm regularly engaged in supporting those with the most severe of injuries.

Tom and his family face a difficult and uncertain future.

Our priority is to ensure that Tom has a full package of rehabilitation in which he is fully engaged, to maximise his quality of life into the future. The package is very likely

to include physical therapies, a trained team of support workers, cognitive and behavioural strategies, and cutting-edge technologies to build upon Tom's retained motor ability through which he can hopefully communicate with his family.

Although he currently lives in residential care, before the accident he lived at home with his parents, siblings and extended family. Family is everything to Tom and there is nothing his family wants more than to have him back living in a suitable property, with the support he needs and his family around him.

We are working hard to make this happen. Tom's care requirements are complex, but he deserves to be in an individualised setting in his community surrounded by those who love him.

* name changed

Keith Cundall

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Support for family of Kyra Hill who tragically drowned at Liquid Leisure waterpark

Jill Greenfield and Harvinder Kaur



Jill Greenfield and Harvinder Kaur were instructed by the family of Kyra Hill following her death in August 2022.

Jill Greenfield and Harvinder Kaur were instructed by the family of Kyra Hill following her death in August 2022.

The 11-year-old was celebrating a friend's birthday at the Windsor waterpark when she drowned in an area of water designated for swimming. Kyra was a competent swimmer and a lifeguard was on duty at the time. Her family believe that Kyra could have been saved by trained staff working at the park had they reacted quicker.

The police meanwhile have handed over their file over to the coroner while the local council - the Royal Borough of Windsor & Maidenhead - continues a health and safety investigation to ensure Liquid Leisure complied with the relevant safety legislation. Jill and Harvinder are working with the council to gather information for a potential civil claim against the company for failings in care.

The case has been widely reported in the press, included a call for witnesses to contact Harvinder with any information or safety concerns they experienced at the park.

Harvinder told ITV and Sky News that the family needs answers about what happened that day.

"A key question the family needs answered is how Kyra went to celebrate a friend's birthday in a place where staff were employed to keep her safe, and didn't come home.

"We will be looking at what safety procedures were in place at the time, whether they were followed, and what went wrong."



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Successful claim for children of client who died from Covid following amputation

Jennifer Buchanan

Jennifer Buchanan and Lewis Ayre achieved substantial settlement on behalf of the three children of Mark* who originally lost his leg following a road traffic collision.



Mark's car broke down on a flyover and he was forced to stop. He and his passenger got out of the car and stood on the kerb. Having seen the car stop, a Vauxhall Vectra stopped behind Mark's car, but a BMW then collided with the stationary Vauxhall causing it to hit the pedestrians. Both were seriously injured and the BMW driver left the scene.

Mark was airlifted to the Royal London Hospital and underwent above knee amputation of his left leg. Despite his terrible injuries, he was engaged in full rehabilitation, had access to state of the art prosthetics, accommodation and therapies and was progressing well. Life was good. Tragically, he then died from Covid in January 2021.

Liability aspects of the case had already been fraught with difficulty in identifying the BMW driver, but this was eventually achieved through DNA testing, despite the driver never accepting he was driving the car.

The case moved on to determine whether Mark's death from COVID was attributable to his injuries. If so, we could recover a dependency claim for his three children but without which, the claim would consider past losses only.

Covea Insurance originally denied cover for the accident as the policy was cancelled the day before the accident. Jennifer therefore issued proceedings against the MIB and having tracked down the driver with a private investigator served him in Romania.

Following negotiations, the Defendant made a six-figure offer to include the dependency claim.

Mark's brother said:

"Fieldfisher gave my brother hope and inspiration from the very beginning. They were professional, patient and persistent. They secured settlement that means his children will have some benefit after his passing. My whole family wishes to thank Fieldfisher for their dedication and professionalism in dealing with my brother's case."

*Name changed

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Keith Barrett instructed in Solent boat tragedy

Keith Barrett



Keith Barrett has been instructed by all the passengers injured when a speedboat crashed into a buoy in The Solent off Southampton in August 2020, including the family of Emily Lewis who was killed after she was thrown from the boat. Emily's father and sister were also injured in what was intended as a fun day trip.



Eleven people were on board the RIB (rigid inflatable boat) which hit a buoy at speed off the village of Netley.

The police have charged Michael Lawrence, the driver of the boat, with gross negligence manslaughter and Michael Howley, the owner of the company running the boat trips, with failing to take all reasonable steps to secure that the boat was operated in a safe manner.

Both have pleaded not guilty to criminal charges and have also refused to accept liability in the civil claims.

Keith continues to pursue the civil claims on behalf of those involved and will ask the Coroner to investigate the safety of this type of high-speed sea craft with a view to the Coroner issuing a report to prevent similar deaths in the future.

"Keith Barrett has phenomenal work ethic and will always go the extra mile... He fights the unwinnable cases and wins."

- Chambers and Partners 2023



Keith Barrett

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£2.6m for man suffering personality change following accident at work

Claire Glasgow

Claire Glasgow settled a claim for £2.6m on behalf of TP, a man in his 20s, who sustained a head and leg injury in an accident at work in 2017.



Scan imaging and mood, cognitive and behavioural changes showed that he had suffered a frontal brain injury. He was not able to return to work and required significant support from his family with daily life.

During the time that it took for his injuries to stabilise and to finalise medical evidence regarding his head injury, Claire ensured



that TP had the rehabilitation support he needed to recover and manage his symptoms. This included a move to independent living in 2020 with the support of his case manager, rehabilitation team and interim funds obtained from the defendant. Fieldfisher's Court of Protection was also appointed his deputy.

TP's presentation was complex and required careful assessment by head injury experts before they reached final prognosis. Claire sensitively gathered witness evidence from TP's family about the significant changes to his personality, which affected family dynamics and relationships. She also gathered expert evidence from several specialisms regarding his physical and psychiatric condition and prognosis.

In 2021, the experts were able to give a final prognosis and the claim settled in early 2022 at a round table meeting for the substantial sum, based on TP's need for ongoing care and support for life, medical and therapeutic input and a significant reduction in earning capacity as a result of his injuries.

"We were both very happy with the way you handled the case and everything that went into it. We are very appreciative of how hard you and the Fieldfisher team worked over the years."

Claire Glasgow

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Alleged sexual assault claim for damages against actor Kevin Spacey

Jill Greenfield, Dushal Mehta and Claire Glasgow



Jill Greenfield, Dushal Mehta and Claire Glasgow represent a young man in a civil suit for 'aggravated and exemplary' damages for alleged historic sexual abuse by Kevin Spacey in London. Mr Spacey denies the charges.

The civil claim is being pursued alongside criminal charges against Mr Spacey for five charges of sexual assault against three men dating back 17 years. Mr Spacey will stand trial next year and denies all charges. The civil claim involves allegations of extensive mental problems caused by the assault. Fieldfisher's personal injury team is known for its expertise in pursuing alleged sexual assault claims against Harvey Weinstein and Jeffrey Epstein and for being a point of

contact for anyone needing advice regarding sexual assault. The firm is heavily involved in the current initiative to introduce an independent standards authority within the entertainment sector to support victims of sexual abuse or inappropriate behaviour. Jill Greenfield, Dushal Mehta and Claire Glasgow represent a young man in a civil suit for 'aggravated and exemplary' damages for alleged historic sexual abuse by Kevin Spacey in London.

Mr Spacey denies the charges. Head of Serious Injury Jill Greenfield has previously spoken to the press about the importance of maintaining anonymity for victims of sexual abuse, which is not automatic in the US, and about the historic moment that Harvey Weinstein was sentenced to prison in New York. You can read the anonymised account on our website from a client about the impact of reporting a sexual assault.

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Afghan family tradition integral to fatal smart motorway claim



Jennifer Buchanan and Lewis Ayre



Jennifer Buchanan and Lewis Ayre settled a fatal accident claim on behalf of the family of 19-year-old Zack Ali* who was killed on a section of the M1 in Bedfordshire with no hard shoulder.

Mr Ali immigrated to the UK with his family from Afghanistan as a child and went on to study law at Middlesex University. He was travelling with five other students to represent the university in a sports fixture.

The vehicle suffered a mechanical problem and pulled into an emergency refuge area. It remained stationary for about 12 seconds before re-entering the carriageway. It then stopped again on a smart lane, operating as a live lane with no hard shoulder.

Three cars were able to avoid the car but a lorry then crashed into it, killing Mr Ali and seriously injuring four others. At the inquest, the coroner issued a Preventing Future Deaths warning to Highways England arising from safety concerns around smart motorways.

Jennifer and Lewis represented Mr Ali's family including his two sisters living with

morquios syndrome. The claim against the driver's motor insurers was run on the prediction that Mr Ali would have become a lawyer when he graduated.

It was also based on Afghan tradition that the youngest son looks after his parents and family. Mr Ali would likely have entered into an arranged marriage in his 20s, providing such services to his family. Generally, fatal cases on behalf of teenagers only recover minor awards.

The defendant insurer sought to blame the driver of the vehicle Mr Ali was in and his failure to wear a seatbelt. All allegations were eventually dropped or defeated at trial in separate proceedings.

Jennifer Buchanan

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Jennifer and Lewis secured a six-figure settlement less than 2 weeks before trial. The settlement will provide Mr Ali's family with financial security and recognised that Mr Ali was entirely blameless in this tragic incident.

"Fieldfisher has supported our family in a very tough time. They provided amazing support and managed our case successfully. We want to thank them for all their effort and hardwork towards our case."

*Name changed

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PI team challenges automatism defence and wins settlement for cyclist hit by driver

Dushal Mehta and Charlotte Thorpe



Dushal Mehta and Charlotte Thorpe recently settled a difficult claim for £500,000 on behalf of a 62-year-old cyclist badly injured in a road traffic collision in a 30 mph zone in London.

The case was complicated by the defendant driver alleging he blacked out just prior to the collision and could not be liable for the injuries he caused because he could not be held responsible for his actions.

Our client, Adam*, was cycling carefully, close to the kerb and wearing a helmet. The defendant driver hit him head-on after suddenly veering off at speed along the wrong side of the road. He then mounted the pavement and came to a halt after hitting a lamppost.



Adam was taken to St Mary's hospital in London, suffering from serious orthopaedic and head injuries, including a brain injury, fractures to his spine, femur, ribs and tibia. He spent six weeks in intensive care and a total of four months in hospital. He runs of the risk of needing further surgery and possible risk of amputation in the future.

Because the driver's insurer continued to firmly deny liability, the case was listed for liability only trial. Previously, they made a settlement offer of just under £80,000 which, because of the extent of Adam's injuries, was declined.

The driver claimed he had no warning he was about to lose consciousness and had not previously felt unwell. He claimed he suffered from vasovagal syncope, whereby stressful triggers cause someone to faint.

Our cardiologist and neurologist experts found no evidence to support this argument,

Dushal Mehta

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either from medical records or their assessment of the driver. We therefore argued there was no medical explanation for what he claimed had happened.

Clearly, the case depended on the medical evidence from both sides, with a huge emphasis on the claimant's evidence as we proceeded to a settlement meeting ahead of liability trial.

We were aware the trial judge may accept the defendant's account that he blacked out and, if so, there would be no likelihood of appeal.

However, at a joint settlement meeting less than two months before trial, we were able to settle the case on Adam's behalf to allow him to access the care and support he needs every day at home. Adam was also compensated for the horrific injuries he sustained.

*name changed

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Six-figure settlement for grieving family of young boy electrocuted in beer garden

Keith Barrett and Jack Sales



Keith Barrett and Jack Sales settled the tragic case of seven-year-old Harvey Tyrrell who was fatally electrocuted in a pub garden in September 2018 as the result of illegal electrical wiring.

Harvey was with his parents in the King Harold pub garden in Romford, east London when, playing with a friend, he climbed a garden wall and touched one of the garden lights while also holding onto metal railings. He was pronounced dead in hospital about an hour later.

The owner of the pub, David Bearman, 73, later pleaded guilty to Harvey's manslaughter and to stealing electricity from an unmetered supply. He was sentenced at Snaresbrook Crown Court to nine years in prison in April 2021.

Keith Barrett

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Bearman's brother-in-law Colin Naylor, an experienced electrician who installed the lighting, was also jailed for a year after being found guilty of failing to discharge a duty under the Health and Safety at Work Act. Mr Naylor was acquitted of gross negligence manslaughter.

Keith and Jack were instructed by Harvey's parents and, despite Mr Bearman being uninsured, they secured a six figure settlement.

Jack Sales

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Takeover case for young man injured in road collision doubles settlement

Jennifer Kelly

Jennifer Kelly took over a case from another firm of solicitors on behalf of 17-year-old Michael* who suffered serious psychological injury in a car accident in which his sister died.



Michael was six-years-old when the driver of a car he was travelling in with his sister lost control on icy roads. The driver was later convicted of causing death by dangerous driving at Cardiff Crown Court.

Michael's mother, who had a history of depression, refused to see Michael for several years following the accident. Michael went on to suffer with behavioural issues and his academic performance became a serious concern.

Michael's father instructed a firm of solicitors to pursue a case and they agreed a settlement of £7,500 with the defence (the insurer of the driver), but without obtaining any witness evidence from Michael's father or his teachers or family friends. This settlement was not approved by the court, and the judge instructed the claimant to obtain further expert evidence from an Educational Psychologist.

The previous solicitors obtained this evidence and the expert mentioned the possibility of dyscalculia, but did not commit to a diagnosis. She also made recommendations for substantial additional input from tutors. The previous solicitors did not implement the recommendations, nor probe the potential diagnosis. They made further offers to settle the case, the most recent for £20,000.

Jennifer took over conduct of the case in July 2021. She worked with Michael's father to obtain detailed witness statements to create a full picture of the impact of the accident on Michael, including implementing recommendations of the Educational Psychologist that the previous solicitors had never done.

Our case was that the trauma of witnessing his sister's death had resulted in Michael's inability to learn in the vital early years in maths. We disputed that Michael had dyscalculia (a disability that would not have been caused by trauma, but rather something he would have suffered from in any event), and got him a private maths tutor.

Jennifer withdrew the Claimant's Part 36 Offer of £20,000 made by the previous solicitors, not least so that the case was eligible for the multi-track, meaning settlement and costs would increase. She then received an interim payment from the defence to fund the expert's recommendations. The case went on to settle for £50,000.

* name changed

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7-figure settlement for engineer crushed by descending lift

Harvinder Kaur

Barry Weller, a lift service engineer, was trapped for nearly two hours under a lift that descended onto him. He suffered a catastrophic injury to his right dominant arm, a broken leg, clavicle and wrist and a lacerated ear. Although he was lucky to be alive, the devastating injuries turned his life upside down.



Barry had been looking after his terminally ill father, particularly doing all the DIY and repairs around the house. Barry also supported his partner Lisa with her children, one of whom is blind and has her own care needs, plus grandchildren, whom he adored.

Barry stayed in hospital for six weeks following surgery. Upon discharge, he was no longer able to live with his father and instead went to live with Lisa in her rented home. Lisa provided around the clock care. It was obvious that Barry's injuries would have far-reaching consequences and that he would require care and support for the rest of his life.

Following additional surgery at the Royal National Orthopaedic Hospital, Barry understood he would never get back meaningful function in his arm. This was devastating and significantly affected him psychologically.

Meanwhile, because liability was complex and likely to take years to resolve due to the ongoing HSE investigation, we ensured Barry could access vital rehabilitation support under the Rehabilitation Code.

Harvinder obtained medical evidence and began Court Proceedings to force the defendants, the lift company, to deal with liability and a compromise was eventually

reached. Barry received a substantial interim payment and a new case manager, which gave him access to paid care, aids and equipment and therapies all of which significantly improved his quality of life – not least since he could go out independently into the community again.

The defendant, however, disputed the extent of Barry's needs and we collected significant evidence from experts in various fields.

Barry's case finally settled for a seven-figure sum at a meeting with the defendant. This compensation means that he will have ongoing access to care and therapies and will be able to find suitable accommodation. Barry will be able to continue to help other seriously injured people and be part of a voluntary project making furniture for disabled people.

Harvinder Kaur

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Building company director accused of Sasha Rudyy's death in Birmingham

Emma Hall

Emma Hall represents the family of Oleksander Rudyy, known as Sasha, in an employer negligence case after he was killed by a falling wall on a building site in Birmingham in May 2019.



The director of the firm appeared at Birmingham Magistrates' Court in August this year to hear the charges of manslaughter against him. Stonehurst Estates Ltd was also charged with corporate manslaughter and a breach of the Health and Safety at Work Act.

The charges centre on a 'gross breach of a relevant duty of care' to Mr Rudyy. Pleas will be entered at the Crown Court.

In her statement to the press, Mr Rudyy's widow Nelly described 'an emptiness inside of me that will haunt me every day for the rest of my life'.

The Rudyy's 26-year-old son Volodymyr said his father's death 'just splits your life in half... everything you have imagined will never come true'.

Emma continues to work with the authorities to investigate what happened in an ongoing claim for compensation against Mr Rudyy's employers.

The case was reported by the BBC and local news sites.

She said:

'The family has waited three long years to see justice for Sasha. We continue to work with the police and the coroner in our ongoing investigations as part of the civil claim for damages against Stonehurst Estates and those responsible for Sasha's death.'

'No-one expects to go to work and to die because of apparent failings by their bosses.'



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£360,000 for woman run over twice by van

Eman Hassan

Eman Hassan settled a claim on behalf of an 89-year-old client who was badly injured after a van reversed into her and ran her over twice.



The claim settled within six months of inception for £360,000 gross, including the cost of previously funded rehabilitation.

Mrs N was retired and lived alone. She was and had always been extremely active. She was on her usual morning walk when the van hit her, causing numerous severe fractures to her leg and shoulder and also left her with degloving injuries and at the risk of developing cellulitis. Mrs N was taken directly to the John Radcliffe Hospital for immediate treatment and support.

Within two weeks of instruction, we managed to obtain agreement for an Initial Needs Assessment and immediately afterwards, obtained agreement for a four-week stay at the Royal Buckinghamshire

Rehabilitation Unit under the Rehabilitation Code. This allowed our client to receive ongoing intensive rehabilitation to support her recovery and also to have care and support in place while she struggled with mobility.

Once Mrs N was discharged home and funding was put in place for an outpatient rehabilitation programme, including physiotherapy and occupational therapy alongside carers. It was a difficult time for Mrs N and her family so having the private input in place for both ongoing rehabilitation and care was key to ensuring that Mrs N was well looked after and felt reassured and safe at home following her discharge.

The insurers made an early offer and we quickly obtained medico-legal evidence to fully understand Mrs N's prognosis. Settlement has meant Mrs N can book carers to take her on shopping trips to local towns and accompany her on walks and many of her ongoing hospital appointments.

"Eman was exactly what we wanted in this case: a lawyer who put our family first throughout. Eman's clear familiarity with both the law and procedure allowed her to conduct the legal formalities while addressing our real-life and very human concerns that come with catastrophic injuries. We highly recommend her to anyone unfortunate enough to be considering legal proceedings following a serious injury."

Eman Hassan

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6-figure damages for scaffolder whose foot was crushed by forklift

Dushal Mehta and Charlotte Thorpe



Dushal Mehta and Charlotte Thorpe recently achieved a six-figure settlement on behalf of a man whose foot was badly crushed while he worked as a scaffolder on a construction site.

The Claimant, in his mid-twenties with young children, was badly injured when a fork lift operated by a colleague suddenly spun around and knocked him over. His colleague was oblivious to what had happened and reversed over the Claimant's foot, and then back again. The forklift was then stationary on the Claimant's foot for some time.

The Claimant sustained a crush injury and fractures to his foot. He underwent a k-wire stabilisation in hospital.

The man was unable to return to work following the accident due to the pain in his foot. He tried several other roles outside the construction industry, but struggled to stand for a prolonged period without experiencing pain, despite that he had orthopedically healed.

He was initially diagnosed with complex regional pain syndrome, but it was later confirmed that he was suffering from residual neuropathic type pain syndrome. He was continuing to experience occupational, domestic and



social limitations as a result of ongoing psychiatric and psychological issues.

The Claimant initially instructed a high-street firm, but subsequently instructed Fieldfisher. By this point the claim had been running for a number of years and the Claimant was anxious for the claim to be settled so he could move on.

Liability had been admitted and Dushal and Charlotte set to work to get him a further interim payment and obtained updated medical evidence to fully understand the

nature of the difficulties he continued to face, and what treatment he required now and in the future. Evidence was obtained from a psychologist and a pain expert.

The Claimant's ability to return to work, the type of work he could do and the impact of the psychological difficulties faced were key issues in the case. Settlement provided much needed relief that the subsequent financial security will allow him time to continue to recover and gradually return to work.

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CICA claim: five-figure settlement for family man assaulted while playing darts

Rebecca Drew

Rebecca Drew secured a five-figure settlement in a CICA (Criminal Injuries Compensation Authority) claim on behalf of AN.



AN was assessed by a neuropsychologist who confirmed the brain injury had impacted his cognitive ability and social functioning. Almost two years post-injury, AN still suffers the effects.

AN's life and the life of his family has been irreversibly changed. He was working full-time as a manual labourer and preparing for retirement. The extent of his injury has forced him to seek alternative employment and rely on his wife for daily assistance.

The award was made under the CICA 2012 scheme.

Rebecca Drew

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Shortly before Christmas, 57-year-old AN was assaulted on a night out while playing darts in his local club. As a result of the incident, he suffered a fractured skull, a brain injury that resulted in permanent loss of smell and taste and psychological injury. AN is married with two children.

AN was admitted to Eastbourne District Hospital. On arrival he was semi-conscious. A CT confirmed a skull fracture and a bleed on the brain. The same evening he was transferred to RSCH Brighton and admitted to the neurosurgery ward for further observations.

AN remained in hospital for two weeks before he was discharged home to begin his recovery. His physical recovery was very slow and behavioural changes, particularly mood-related changes began to show.



As part of our ongoing support for the charity Headway, we republish extracts from our web series 'See the Hidden Me' to mark Action for Brain Injury Week 2022.

Katie

Jennifer Kelly



Eighteen-year-old Katie applied to enrol on a college IT course. The principal knew Katie had sustained a brain injury as a child and had severe communication and cognitive issues.



**ACTION FOR
BRAIN INJURY WEEK 2022**
16-22 MAY

Katie discussed openly her on-going personal injury litigation and medical diagnoses, apparently demonstrating her insight into both of these aspects of her life. The principal was satisfied that the college would be able to support her.

During the first week of classes, things began to unravel. Katie could not keep up with the work and she became disruptive and rude. She made friends initially, but her inability to read social cues and her sometimes inappropriate language and behaviour saw her ostracised by her peers within weeks.

Katie's brain injury is complex. She was involved in a car accident, sustaining a brain injury, before she even started school. She suffered mood swings and behavioural problems and struggled when she went to school, academically and socially.

But from the age of five, Katie has had a case manager: a clinically trained professional, instructed by the lawyers involved in her personal injury claim arising out of her accident, to co-ordinate and manage her rehabilitation and welfare.

She has listened to medical and legal language for most of her life and can regurgitate it convincingly, but does not understand it. In fact, she struggles to tell the time. If anyone were to scratch her articulate surface, they would find Katie incapable of further scrutiny of the subject matter, or explanation of what she had just said – and this focus on her weakness would likely trigger her anger and rage.

Katie has a Financial Deputy, approved by the Court of Protection, since she does not have the capacity to manage her own money. She is vulnerable to manipulation by others. She also has an extensive therapy team to support her, including a neuropsychologist to help her understand and moderate her feelings and reactions and to make sense of the world.

Her speech and language therapist works with her to try to prevent scenarios such as that in college. The Occupational Therapist helps Katie with financial budgeting, as well as becoming more independent at home and in the community. Katie will need support for the rest of her life. It is unlikely that she will ever be able to live completely independently.

You could meet Katie in the Post Office, have a chat, and come away thinking what a pleasant young woman, or your trolley might bump into hers in the supermarket and you'd receive a torrent of verbal abuse. In either scenario, it is unlikely to even cross your mind that this young woman lives with a brain injury.

Jennifer Kelly

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Rosey Emma Hall

The strange thing about brain injuries is that they rarely leave obvious physical scars or clear disability, which means the everyday challenges facing those living with one also tend to be hidden.



ACTION FOR BRAIN INJURY WEEK 2022 16-22 MAY

In May 2022, as Rosey travelled home on her motorbike from her job as a bar manager, a driver hit her. The force of the collision threw Rosey 20m in the air; the force of the impact when she landed split her helmet in half. The driver fled the scene, leaving witnesses to call the emergency services, and Rosey was rushed to hospital with severe head injuries, including a fractured skull requiring emergency surgery. She spent more than months in hospital.

Prior to her accident, Rosey was an incredibly creative and sociable person and worked in a bar. The collision left her

struggling not only with the physical impact of her injuries, but with memory loss, lack of concentration, hearing loss, and speech and language difficulties.

When I first met her, she came across as a quiet and unassuming character. I watched her come alive as she spoke about her love of going to music events and creating cocktails. She explained that her goal was to own her own bar and live music venue. The creative side of her personality radiated from her.

Getting Rosey's creative side back became one of our main priorities when it came to her rehabilitation. We got a case manager on board who worked hard to put a strong therapy team in place, with the focus on finding ways to get her back out socialising and doing the things she loves.

If you were out on the town with Rosey, you might not realise she struggles to hear the music and people around her. If you sat next to her in a bar, you wouldn't know she was fighting to form words and sentences.

Rosey's therapy team have given her mechanisms to deal with these situations, for example offering pacing and various breathing techniques to allow her time to formulate what she wants to say.

Fortunately, there are Apps Rosey can download specifically designed for those who struggle with auditory processing, and specific exercises to help with her cognitive functioning in places full of background noise. Such tools may not seem like much, but they are helping her to become more independent and confident, something that she may not have thought possible in the early days of her recovery.

Emma Hall

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Meet the team

Jill Greenfield

Head of Serious Injury
0330 460 6778
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Jill has more than 27 years' experience acting for claimants and is head of the Serious Injury Team. Jill is recognised by Headway (the brain injury association) and various legal directories as a leading lawyer and specialist in dealing with such claims.

Keith Barrett

Partner
0330 460 6783
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As a seasoned Serious Injury Practitioner, Keith has represented victims of road crashes, accidents at work, accidents in public places and aviation disasters for over 24 years. Keith also has particular expertise in representing amputees, ensuring they receive the specialist rehabilitation and support they need.

Keith Cundall

Partner, Manchester
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Keith has more than 15 years' experience acting for victims of road traffic collisions, accidents at work, cycling accidents, injuries caused during 'adventure' sports and other public and private settings. He is known for taking on complex, difficult cases and fighting hard for his clients' best interests.

Dushal Mehta

Partner
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Dushal has specialised in high-value complex personal injury claims for a number of years. He joined the firm in 2009 and is a member of the Association of Personal Injury Lawyers. Dushal has particular expertise in brain injury claims, fatal claims and claims involving serious orthopaedic injuries.

Jennifer Buchanan

Partner
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Jenny works exclusively for claimants in high-value, catastrophic personal injury and fatal accident cases. She focuses on fully understanding a person's injuries, the impact on their lives and their long-term prognosis to be able to quickly access funds to provide financial support and rehabilitation. Jenny carries a caseload of complex cases, including brain injury and serious orthopaedic injuries, including amputees.

Harvinder Kaur

Senior Associate
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Harvinder has worked solely in the personal injury field for 13 years and represents claimants who have been seriously injured on the roads, workplaces or in public places. Harvinder has experience in amputation, brain injury and other complex cases and works hard to ensure that her clients have all the rehabilitation that they require. She runs her own caseload and also assists Keith Barrett and Jill Greenfield with their catastrophic cases.

Meet the team

Emma Hall

Associate
0330 460 6754
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Emma specialises in claims on behalf of consumers against the manufacturers and retailers of defective products. As a keen sportsperson, she has also carved a niche in acting for clients who have suffered catastrophic injuries because of sporting accidents and after using defective sports and fitness equipment. Emma also assists Jill Greenfield with her caseload.

Claire Glasgow

Senior Associate
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Claire is an Associate in the personal injury department. Claire has a varied caseload including clients who have suffered orthopaedic, psychiatric and neurological injuries. She has a highly regarded practice of complex and high-value personal injury claims which include claims for brain and spinal injuries.

Lewis Ayre

Associate
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Lewis joined Fieldfisher's personal injury team in 2019. Lewis is working on high-value serious injury claims involving neurotrauma, amputation, complex orthopaedic injury and victims of terrorism. Lewis assists Keith Barrett and Jennifer Buchanan with their catastrophic injury cases.

Meet the team

Rebecca Drew

Associate
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Rebecca began her career at Fieldfisher in the PIMN department in 2014. She qualified as a solicitor in 2017. Rebecca is developing her own case load, including supporting clients at inquest. She also assists Mark Bowman on a range of complex and high value birth injury, surgical and orthopaedic injury claims.

Hollie Ferris

Legal Professional
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Hollie joined Fieldfisher in 2021. Hollie works in the serious injury department and is working on a multi-claimant, crane collapse case as well as claims involving complex orthopaedic injuries, victims of terrorism and aviation cases.

Jack Sales

Chartered Legal Executive
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Jack is a Chartered Legal Executive in the Serious Injury team, having worked in Serious Injury for more than 10 years. He specialises in road traffic collisions, workplace accidents, public liability and occupier's liability claims for clients who have suffered life-changing injuries including traumatic brain injuries and complex orthopaedic injuries resulting from negligence.

Eman Hassan

Associate
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Eman joined Fieldfisher in 2021. She acts exclusively for Claimants suffering catastrophic injury, particularly brain injury, amputation and muscular-skeletal injury. Eman's focus is to intervene early to get rehabilitation and financial help in place quickly to ensure the injured and their family recover as best they can. She fights hard for her clients to achieve the best possible outcome.

Charlotte Thorpe

Solicitor
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Charlotte joined Fieldfisher's personal injury team in 2021. Charlotte is working on serious injury claims involving brain injury and fatal accidents, as well as industrial disease claims following exposure to asbestos.

Jennifer Kelly

Solicitor Graduate Apprentice
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Jennifer joined the Serious Injury team in 2019. Jennifer acts exclusively for Claimants who have suffered life-changing injuries. She is developing her own caseload, in addition to supporting Jill Greenfield in her high-value practice. She is currently working with Jill on Epstein Victims Fund cases and several multimillion pound cases.



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