

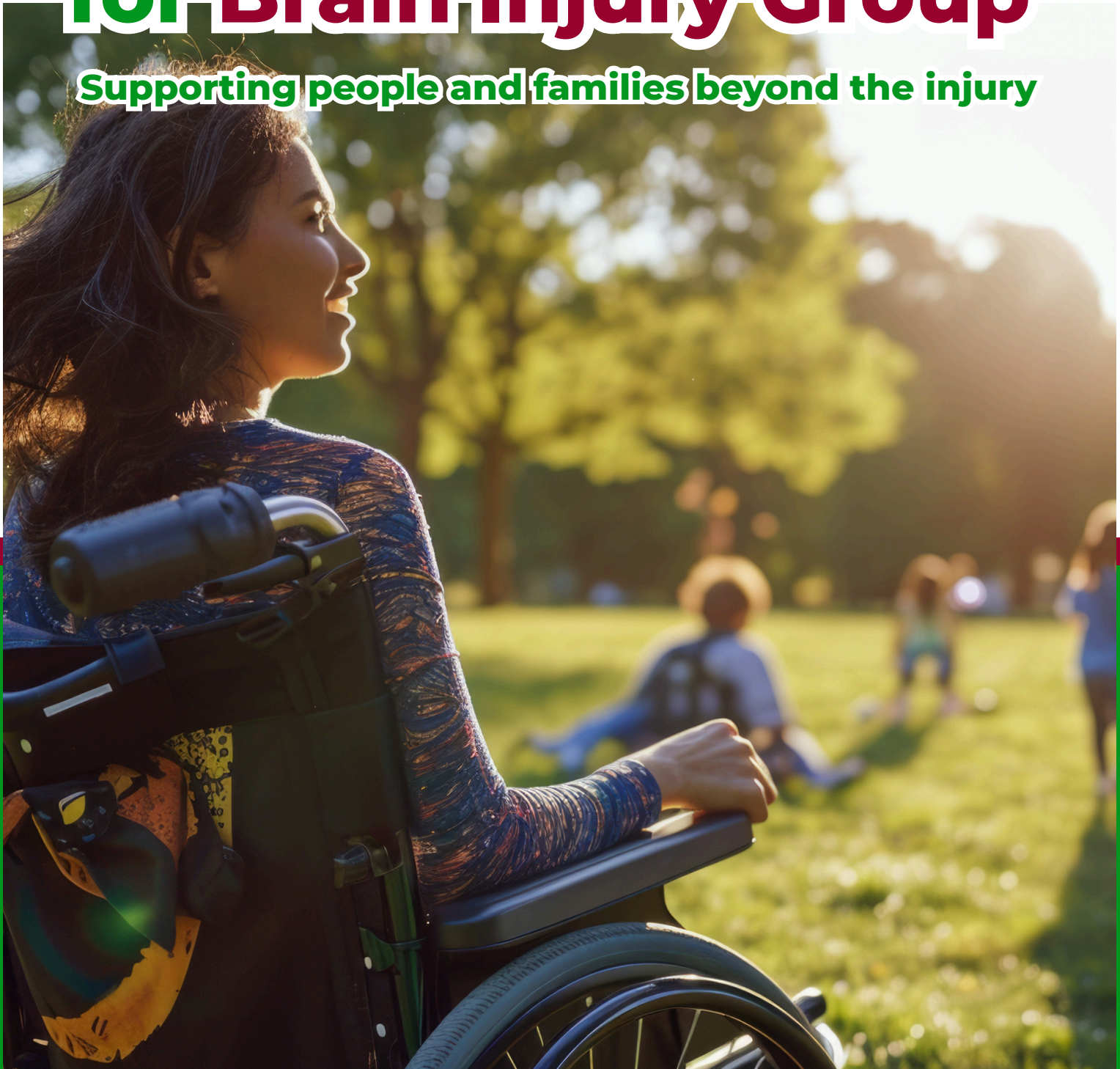


SIMPSON
MILLAR



A trusted legal partner for **Brain Injury Group**

Supporting people and families beyond the injury





Simpson Millar is a national law firm with offices across England and Wales, supporting individuals and families through some of life's most challenging circumstances. We are recognised for our expertise across Serious Injury, Medical Negligence, Court of Protection, Education Law, and Public Law and Human Rights, with many of our lawyers recognised by leading independent legal directories, including The Legal 500 and Chambers and Partners.

Every brain injury is different, and its impact can extend far beyond the initial injury. It may affect a person's independence, education, employment, finances and family life, whilst their rehabilitation, care and support needs can continue to change over time. The effects are often felt by those closest to them too.

Our specialist teams work collaboratively to provide trusted, expert legal advice that reflects each client's individual circumstances. By bringing together expertise across multiple areas of law, we are able to support clients with the legal issues that can arise throughout their recovery and beyond, helping them access rehabilitation, protect their rights, plan for the future, and make informed decisions at every stage. We also offer flexible appointments, including home visits, phone and video calls, making specialist legal advice more accessible for clients and their families.

We are proud to work alongside the Brain Injury Group and its network of professionals. Through this partnership, individuals and families can be connected with specialist legal advice when they need it.



Legal support after a brain injury

Following a brain injury, different legal issues can arise at different stages. Our specialist teams can provide support across three key areas: securing compensation and rehabilitation, protecting financial and welfare interests where capacity is affected, and helping children and young people access the education and support they need.

Compensation claims for serious injuries



Our Serious Injury and Medical Negligence teams support adults and children living with both traumatic and acquired brain injuries, including complex and life-changing injuries that may require significant rehabilitation, care and support. We can help where someone else may be legally responsible for the injury, as well as where concerns arise about the medical care a person received. This can include cases involving a delayed or missed diagnosis, failures in treatment or monitoring, neurological negligence, birth injuries and conditions such as encephalitis where the standard of medical care may have affected the outcome.

We take the time to understand how the injury has affected the individual's life now and what support may be needed in the future. Where appropriate, we work to secure interim payments, so rehabilitation and specialist support can begin before a claim concludes.

Compensation can help fund:

- Specialist rehabilitation programmes
- Neuropsychology, physiotherapy and speech and language therapy
- Case management and professional care
- Adapted or alternative accommodation
- Assistive technology and specialist equipment
- Educational support
- Loss of earnings and future financial needs

Our solicitors work closely with case managers, clinicians, therapists, rehabilitation providers, and other professionals so that the claim reflects the person's wider needs, rather than focusing on the injury in isolation.

Our aim is to secure compensation that helps clients rebuild their lives, maximise independence, and plan with greater confidence for the future.

Court of Protection

A brain injury does not automatically mean that someone lacks mental capacity. Capacity is both decision and time specific. Where a person is unable to make certain decisions for themselves, our specialist Court of Protection teams can provide the legal framework and ongoing support needed to protect their interests.

Property and Affairs

Our Property and Affairs team supports individuals whose brain injury affects their ability to manage their finances or property. This is particularly important where a substantial compensation award has been secured following a Personal Injury or Medical Negligence claim.

We can help with:

- Deputyship applications
- Professional Deputy services
- Management of compensation awards
- Day-to-day finances, bills, benefits and pensions
- Property purchase, sale or adaptations
- Paying for care, rehabilitation and support
- Working with investment advisors, managing investments and longer term financial planning

Simpson Millar Trust Corporation can also be appointed as a Professional Deputy, providing continuity and oversight through a wider specialist team rather than relying on one individual solicitor.

For clients who retain capacity but receive compensation, we can also advise on Personal Injury Trusts. These can help protect compensation from being taken into account in certain means-tested benefit assessments, whilst allowing the funds to continue to be used for the person's needs.

Health and Welfare

Our Health and Welfare team acts in Court of Protection matters involving decisions about a person's care and everyday life.

This can include disputes or decisions relating to:

- Where someone should live
- The care and support they receive
- Medical treatment
- Contact with other people
- Capacity to make particular decisions
- Best interests decisions
- Deprivation of Liberty safeguards

Our role is to ensure that the individual's rights, wishes, and feelings are properly considered, and that any decision made on their behalf is lawful, proportionate, and in their best interests.

Education and Children's Rights

For children and young people, a brain injury can significantly change their learning needs, development, and ability to access education.

Our specialist Education Law team supports parents, guardians, young people and professionals in securing appropriate educational provision where a child's needs have developed or changed following a brain injury.

We can advise on:

- Special Educational Needs (SEN) support
- Requests for Education, Health and Care needs assessments
- Education, Health and Care Plans (EHCPs)
- SEND Tribunal appeals
- Disputes about the content or delivery of an EHCP
- Independent and residential special school placements
- School exclusions
- Children who are out of school
- Home-to-school transport
- Post-16 and post-19 educational provision
- Judicial Review where a Local Authority fails to meet its legal duties

Education can form an important part of a child's rehabilitation and future independence. In complex cases, our Education solicitors may work alongside case managers, Serious Injury solicitors, Deputies and other professionals so that educational provision is considered alongside rehabilitation, care and wider support needs.

We represent children, young people and their families rather than Local Authorities, meaning the child's needs remain at the centre of the advice we provide.



A photograph of a woman with long, wavy brown hair, smiling warmly. She is wearing a green, textured turtleneck sweater. She is sitting on a dark-colored couch. The background is a blurred indoor setting with a window. A semi-transparent green overlay covers the bottom half of the image, where the text is located.

Client stories: supporting people after brain injury

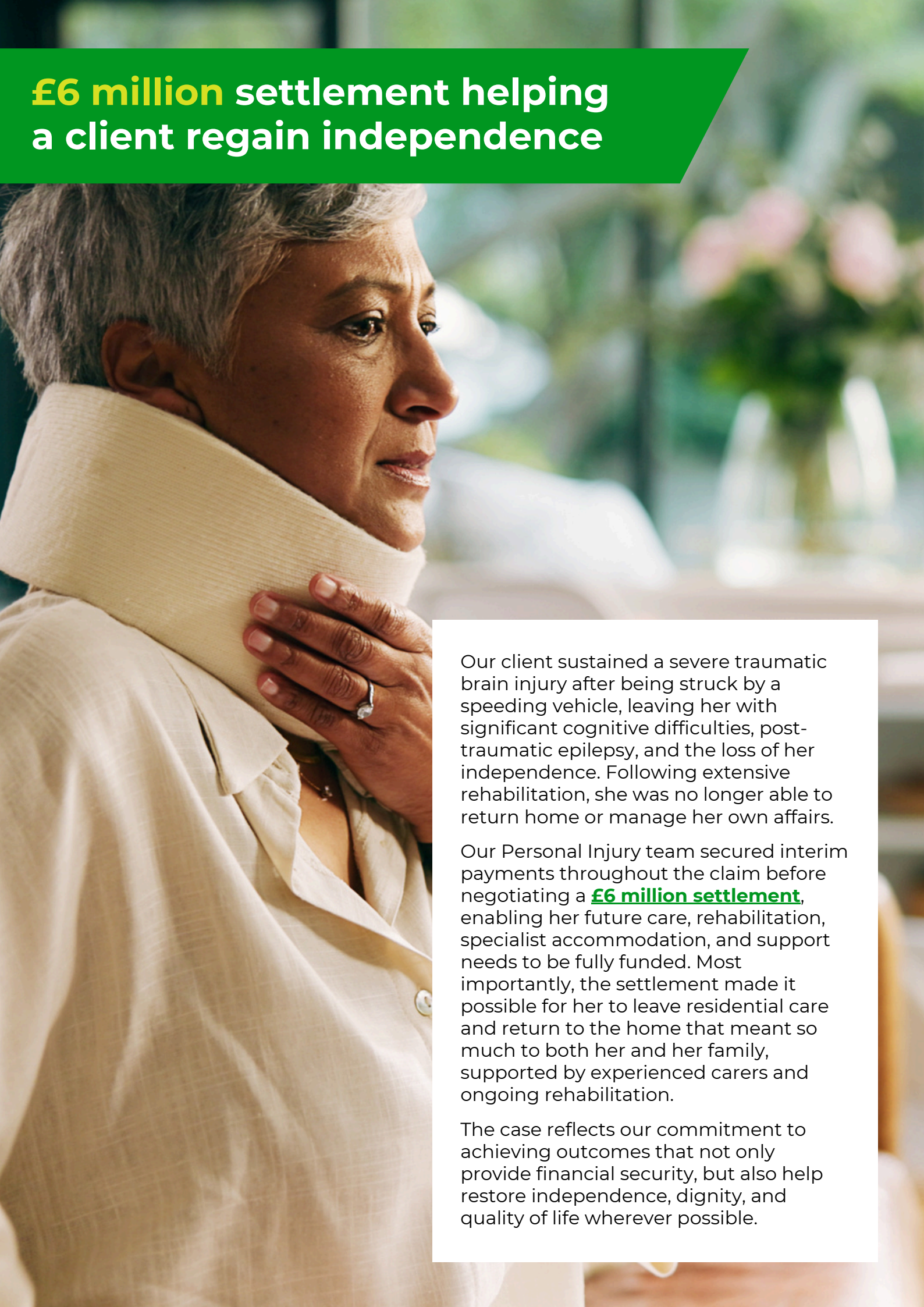
Every brain injury presents different challenges, and no two recovery journeys are the same. The following stories highlight some of the ways we have helped people rebuild their lives after life-changing injuries.

£7.5 million settlement following a catastrophic brain injury

After our client suffered a catastrophic brain injury in a road traffic collision, their life changed dramatically. They sustained a diffuse axonal brain injury alongside multiple serious orthopaedic injuries, requiring intensive care, specialist neurological rehabilitation, and ongoing mental health support. Despite the significant challenges presented by the claim, including complex medical needs and extensive involvement from healthcare professionals, our team worked closely with the client's Court of Protection Deputy, case manager, and treating clinicians to secure the evidence needed to support the case.

We secured a £7.5 million settlement to fund lifelong care, rehabilitation, specialist accommodation, psychological treatment, and professional financial management. The compensation provides long-term security, ensuring our client has access to the support they need whilst protecting their financial future through Court of Protection oversight.





£6 million settlement helping a client regain independence

Our client sustained a severe traumatic brain injury after being struck by a speeding vehicle, leaving her with significant cognitive difficulties, post-traumatic epilepsy, and the loss of her independence. Following extensive rehabilitation, she was no longer able to return home or manage her own affairs.

Our Personal Injury team secured interim payments throughout the claim before negotiating a **£6 million settlement**, enabling her future care, rehabilitation, specialist accommodation, and support needs to be fully funded. Most importantly, the settlement made it possible for her to leave residential care and return to the home that meant so much to both her and her family, supported by experienced carers and ongoing rehabilitation.

The case reflects our commitment to achieving outcomes that not only provide financial security, but also help restore independence, dignity, and quality of life wherever possible.

£3 million settlement supporting a child's future

Following failures in medical care shortly after birth, our client's baby sustained a serious brain injury that resulted in lifelong care and developmental needs. Working alongside leading independent medical experts, our Medical Negligence team investigated the circumstances surrounding the injury and built a complex claim on the family's behalf.

Before the matter reached trial, **we secured a £3 million settlement** that will fund specialist therapies, adapted accommodation, equipment, ongoing care, and support throughout the child's life.

Our support continued beyond the conclusion of the claim. Working closely with our Court of Protection team, we helped put in place arrangements for a professional Deputy to manage the child's compensation and ensure the funds continue to meet their changing needs throughout adulthood. This joined-up approach provides the family with reassurance that specialist legal support will remain available for many years to come.



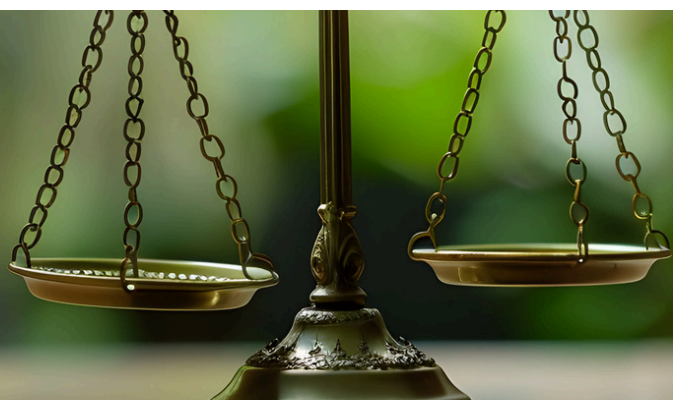
Supporting changing needs after a brain injury

Legal issues can arise long after the circumstances that caused a brain injury have been resolved. A person's care arrangements may change, a dispute with a public body may develop, or their family circumstances may create a need for advice in an entirely different area of law.

Simpson Millar brings together teams with expertise in these often-interconnected areas, helping Brain Injury Group and its network connect individuals and families with the right specialist legal support when a new issue arises, whether or not we were involved in any previous claim.

Our wider expertise includes:

- **Public Law and Human Rights** – protecting the rights of vulnerable individuals and challenging unlawful decisions by public bodies, including local authorities and NHS organisations. This can include Judicial Review, human rights claims and urgent challenges where timely intervention is important.
- **Community Care** – supporting people with disabilities and complex health needs where there are disputes about social care, care packages, assessments, accommodation or the support a local authority should provide.
- **Inquests** – representing bereaved families where questions arise about the involvement or responsibility of healthcare providers, public authorities or other organisations.
- **Claims against public authorities** – bringing civil claims where the actions or failures of a public body have caused harm or breached an individual's rights.
- **Family and Child Law** – supporting parents, children and wider family members where brain injury or disability intersects with care proceedings, arrangements for children, safeguarding or other family issues.



Funding legal advice



We understand that concerns about legal costs can sometimes prevent people from seeking advice. Funding options vary depending on the type of legal matter and the person's individual circumstances, and we will always explain the options available before any work begins.

Funding may be available through:

- ✓ **No Win, No Fee** – available for many Personal Injury and Medical Negligence claims, meaning there are usually no upfront legal fees. If we believe the claim is suitable, we'll explain how this works and answer any questions before someone decides whether to proceed.
- ✓ **Legal Aid** – may be available for eligible clients in a number of specialist areas, including Education Law, Public Law and Human Rights, Community Care, Court of Protection (Health and Welfare), Child Care Proceedings, and some Abuse matters, subject to the relevant eligibility criteria.
- ✓ **Fixed-fee services** – available for certain matters, including our Education Law team's fixed-fee Education, Health and Care Plan (EHCP) review service and initial consultations in some areas of law, where appropriate.
- ✓ **Private funding** – where Legal Aid or No Win, No Fee funding is not available, we will provide clear information about likely costs and discuss the most appropriate funding option before any charges are incurred.

Every situation is different, so we'll take the time to understand our client's circumstances and explain the funding options that may be available, helping them make an informed decision from the outset.

Meet our experts

Our specialist teams bring together lawyers with extensive experience supporting people affected by brain injury and their families across a wide range of legal needs. Below are just a few of our senior experts who help lead this work, supported by a much wider team of specialist lawyers across Simpson Millar.



Susan Vanden

Partner,
Serious Injury



Mark Howarth

Partner,
Serious Injury



Kate McCue

Partner,
Medical Negligence



Shareen Tanvir

Head of
Property & Affairs



Natalie Coates

Head of
Health & Welfare



Polly Kerr

Head of Education and
Children's Rights



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