



## Military legal services

May 2024



## Introduction

The duties undertaken by members of our Armed Forces set them apart from the experiences faced by the overwhelming majority of those working in civilian life. In terms of the day to day activities carried out, the locations in which they are deployed and the skill set required to undertake their roles, military personnel are uniquely placed and face unique challenges.



**Simon Ellis**  
Partner

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The legal issues that arise require specialist legal knowledge, experience and an expert approach, which most general law firms are ill equipped to deliver.

The degree of skill and pride exhibited by the serving personnel of our armed forces should be reflected in the confidence and expertise of their legal advisors. Whether this relates to a personal injury or disease claim, financial planning or assistance with wills and matrimonial issues, Hugh James can provide advice which reflects your special circumstances.

You should seek advice from a specialist law firm who are experienced in assisting and representing military personnel. Whatever your legal issues, our broad range of expertise means we can best represent your interests.

### Why choose Hugh James?

We have been assisting victims of injuries and industrial diseases for over 50 years. We have extensive experience dealing with the legal requirements for military personnel.

We have recovered compensation for hundreds of military personnel who have suffered injury or illness. We also have the expertise to advise on more complex legal issues, such as those associated with hearing loss caused through military noise exposure and those who have been subjected to sexual abuse whilst in the military.

We tailor our advice to assist clients with their wider needs, seeking funds from the defendant for rehabilitation and aids and adaptations where required. We can assist with applications under the War Pension Scheme (WPS) or Armed Forces Compensation Scheme (AFCS) claim.

We have a reputation as tenacious litigators who regularly take on cases other solicitors are unable or unwilling to consider. Our specialist military knowledge and expertise ensures you get the best possible outcome from your claim. We are proud signatories of the Armed Forces Covenant and are one of a very small number of legal firms to have been awarded the Gold certificate, recognising our commitment to current and former members of the Armed Forces.

## What you can claim for

Here are some of the ways we can add more value for you:

### Military deafness

Hearing loss or tinnitus (a ringing or buzzing sound in the ears) should not be an inevitable consequence of military life. Like any employer, the Ministry of Defence (MoD) has a duty of care to safeguard you from the risk of hearing damage – for example, by providing suitable and adequate ear protection against noise from:

- gun and artillery fire
- mortars
- explosions
- pyrotechnics
- aircraft noise
- vehicle engine noise

### Cold injuries

Cold injuries can occur when parts of the body (most often the hands and feet) are exposed to wet and/or cold conditions for long periods, without being dried and warmed up. Sufferers of Non-Freezing Cold injury (NFCI) may experience loss of sensation, pain on rewarming, blisters and sensitivity to the cold. Sufferers of Freezing Cold injury (FCI) may experience a fast onset of loss of sensation, blistering and swelling.

Cases range from mild to severe, with some injuries being so sensitive to cold that sufferers can't work outside and may end up being medically discharged. Cold injuries are the most common form of injury suffered on military exercises in cold and wet conditions. Many people don't realise that the MoD, like any employer, has a duty of care to protect you from unnecessary cold injury.

### Military accidents

Military personnel are often placed in dangerous situations. But a member of the armed forces is still eligible to claim workplace injury compensation if they are injured in military accidents during service. The MoD still owes a duty of care to their military personnel.

Hugh James military accident lawyers and employer liability solicitors deal with military accident claims for injured members of the Army, Royal Navy and RAF who have sustained injuries as a result of:

- road traffic accidents
- military training exercises
- parachuting accidents
- fires and explosives
- inadequate and faulty equipment and machinery
- fatal accidents
- mountaineering
- vehicles
- sports and adventure training (including assault courses)
- manual handling
- workplace violence
- chemical accidents
- exposure to harmful substances
- medical treatment



## What you can claim for

Here are some of the ways we can add more value for you:

### Military sexual abuse

Sexual abuse is a traumatic experience regardless of the circumstances in which that abuse happens. Many jobs in the armed forces expose people to dangerous situations by the nature of the work being done. Sexual abuse shouldn't figure into this equation. But, when sexual abuse does happen, it needs to be dealt with appropriately. Sexual assault or abuse can arise in many situations and can be considered complex because of the unique circumstances that often exist in a military setting. For example, so called "initiation ceremonies" frequently expose people to abusive situations.

### Toxic Exposure

Military personnel are often expected to serve in conditions which can give rise to exposure to various chemical agents or in conditions that can give rise to illness or injury. Recent examples of such exposure are those who have served as aircrew or pilots in Sea King helicopters, others have been subject to carcinogenic chemicals in challenger tanks or have served in areas with poor ventilation.



### Military clinical negligence

Medical negligence can be difficult to prove so it is vital to have dedicated experts on your side to assist you through the process. Often medical negligence in a military context relates to delayed diagnosis. You should not be asked to "soldier on" when you have been subjected to substandard medical care.

### Bullying and harassment

One of the most basic expectations one can have is to be treated with dignity and respect at work or in service. Bullying and harassment in service is a growing problem. Research has shown that bullying and harassment can take many forms and can often lead to significant psychological conditions such as PTSD.

"The firm has a thriving team dealing with military claims which is probably one of the larger such teams in the UK. Simon Ellis handles complex and difficult claims – ranging from noise induce hearing loss. Through non-freezing cold injury to chronic compartment syndrome."

The Legal 500





## Additional services

Here are some of the ways we can add more value for you:

### Independent financial advice

We provide professional and bespoke tailored solutions on all aspects of financial planning for current and ex-service personnel. Some of the areas we can help with include:

- Investments and wealth management
- Retirement planning
- Inheritance tax planning
- Income and life protection
- Mortgages

### Wills and probate

Even with the best training and equipment available, serving in the armed forces means exposure to risks most other people will never encounter. So, it's vitally important to make sure your affairs are in good order, and that you and your family are clear about your wishes if something happens to you.

Our team is specially qualified to draft wills. It could be a simple, clear-cut will between a husband and wife, or a more complex, tailored will covering estate planning, trusts and tax advice. Either way, you'll find our advice clear, straightforward and in plain English (we dislike unnecessary jargon).

Our services include:

- Wills (including more complex situations such as discretionary trust wills and life interest wills)
- Lasting powers of attorney
- Creating and administering trusts
- Inheritance tax advice and wealth preservation



# Some people who want to meet you

Our legal expertise is a given;  
we have some of the UK's  
leading lawyers who have vast  
experience across all types of  
military legal claims.



## Your key contact

Simon is head of the military department and has been at Hugh James for over 20 years. Simon has expertise in claims on behalf of current and former military personnel.



**Simon Ellis**  
Partner

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He specialises in claims such as hearing loss, non-freezing cold injuries, compartment syndrome and military injury cases. He is often asked to advise on more unusual claims in the military context.

Simon now specialises in advising current and former members of the armed forces suffering with various conditions, with particular emphasis on hearing loss. He currently leads a department of more than 40, handling over 3,000 claims on behalf of current and former military personnel from all over the UK. His case of *Inglis v MoD* [2019] EWHC 1153 (QB) recently won Case of the Year at the PI Awards 2019. In this case Simon recovered more than £500,000 for a former Royal Marine suffering with hearing loss.

The judgment has implications for the way in which future loss of earnings should be calculated in cases where the claimant is considered disabled.

**“Simon and his team have been excellent throughout the lengthy process. From start to finish, they have displayed the utmost professionalism and excellent levels of communication. I cannot recommend Simon and the team highly enough!”**

**Alastair Inglis**  
Client



EMPLOYER RECOGNITION SCHEME  
CYNLLUN CYDNABOD CYFLOGWYR

GOLD AWARD 2022  
GWOBR AUR 2022

Proudly Supporting those who serve  
Falch o gefnogi'r rhai sy'n gwasanaethu

## Our wider team



**Steven Horsley**  
Partner

Steven is a Partner in the Catterick Garrison Military Department who brings a wealth of experience to the Hugh James Military Team. Steven, former head of Military Law with a high-profile competitor specialises in niche high value complex military personal injury claims. He has experience in military clinical negligence, bullying and harassment in the military context and leads a team in the groundbreaking carcinogenic cohort of cases emanating from military service. Steven works closely with the Catterick Garrison military community and is fundamental to the development of Hugh James within the region.

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**Francesca Bamsey**  
Senior Associate

Francesca is a Senior Associate in the Cardiff Military Department. Francesca's primary focus is dealing with military noise induced hearing loss claims. In March 2023, just weeks before the matter was due to go to trial, Francesca successfully settled a claim on behalf of a former Army Soldier for the sum of £90,000 notwithstanding the fact that the MOD denied all aspects of the claim.

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**Ruth Davies**  
Senior Associate

Ruth is a Senior Associate in the Cardiff Military Department. Ruth has successfully concluded a claim for a former Royal Marine and secured over £750,000 in compensation for the claimant – Barry v MOD. As a result of this, her claim was shortlisted for Outstanding Case of the Year at the National Personal Injury Awards 2023. Ruth has been ranked in the Chamber & Partners Guide 2024.

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**Nia-Wyn Evans**  
Senior Associate

Nia is a Senior Associate in the Military Department in London. Nia specialises in Cold Injury cases and heads up a team of solicitors and paralegals based in Cardiff and London. Nia has a proven track record in securing settlements for her cohort of claims having secured just under a million pounds in compensation for her clients. Nia has most recently settled a Non Freezing Cold Injury Claim for a six figure sum at a joint settlement meeting just 1 month before the matter was due to go to trial. Nia was awarded Young Lawyer of the Year at the PI Awards in 2022. Nia has also obtained an APIL Senior Associate accreditation.

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## Our wider team



**Louisa Donaghy**  
Senior Associate

Louisa is a Senior Associate in the Catterick Garrison Military Department. She is the pioneer of the groundbreaking cohort of carcinogenic cases emanating from military service in or around rotary helicopters such as the Sea King Aircraft, achieving 7 figure settlements of national acclaim. Louisa has a proven track record in securing settlements in military cases involving catastrophic injuries, cold injuries, illness and medical negligence and she has developed a strong niche practice in claims involving bullying, harassment, and sexual assault.

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**Rachel Seddon**  
Senior Associate

Rachel is a Senior Associate Solicitor and APIL Accredited Senior Litigator. She is experienced in cases involving catastrophic injury, illness and medical negligence and is predominantly instructed in cases involving the Ministry of Defence. She has a particular interest in the more unusual cases and complex liability disputes. She has represented numerous military personnel and veterans in civil court proceedings for loss of career or financial dependency following death or medical discharge and she has helped many injured personnel and veterans access rehabilitation, and aids and equipment, after being seriously injured during training or after an assault.

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**Leigh Bowen**  
Associate

Leigh is an Associate based in the Cardiff Military Department. Leigh has been featured in the November 2023 issue of APIL's PI Focus magazine advising on how soldiers and veterans are having to fight for fair compensation for PTSD. Leigh represented Teresa Cole, widow to Jonathan (Jonny) Cole at an inquest into Jonny's death. At the inquest, it was noted that Jonny was medically discharged from service with no formal diagnosis of PTSD which was found by the coroner to be a failure. The lack of recognition materially contributed to the deterioration in his mental health and sadly, his death as a result of suicide by hanging on 9th August 2018. The inquest concluded in April 2023.

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**Matt Hale**  
Associate

Matt is an Associate solicitor based in the Cardiff Military Department. Matt specialises in bringing civil noise-induced hearing loss claims on behalf of veterans and serving personnel, regularly securing settlements that reflect a claimant's need for future hearing aid provision and the adverse impact of their hearing problems on their career. He also assists clients with receiving compensation through the War Pension Scheme and Armed Forces Compensation Scheme and has represented appellants at First-Tier Tribunals. Matt is a keen fundraiser for the veteran community and has run the London Marathon, as well as other half marathons for military charities.

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## Our wider team



**Hannah Baker**

Associate

Hannah is an Associate solicitor and APIL accredited Litigator. Hannah is based in Cardiff and specialises in military claims, including War Pension and Armed Forces Compensation Scheme claims. She has accepted instructions from the Royal British Legion to represent appellants at First-Tier Tribunals and routinely advises serving personnel and veterans on their ability to claim under the War Pension and AFCS schemes, enabling them to access the compensation they rightly deserve. Alongside this, Hannah also has a keen focus on civil noise-induced hearing loss claims and has secured over £850,000 in net compensation for her clients to date.

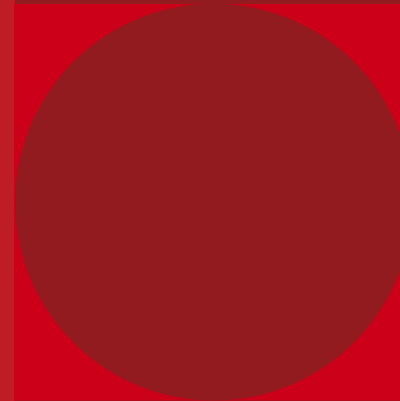
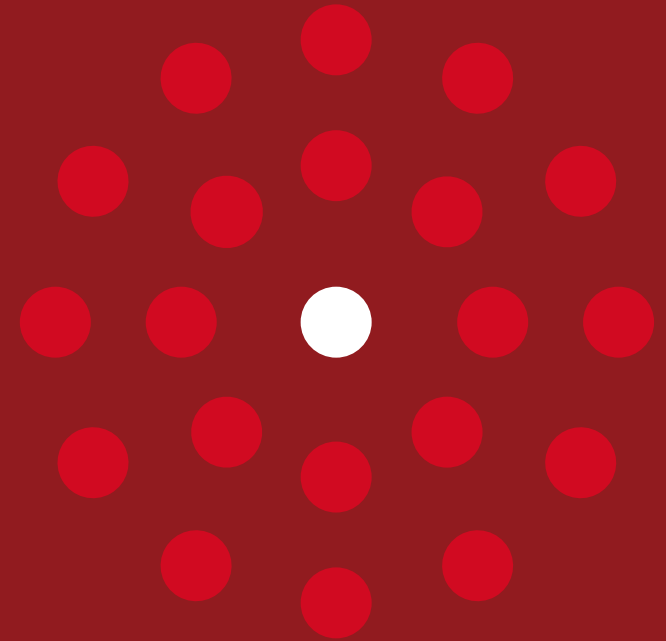
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# Get in touch

If you would like any more information on our services, or to discuss how we might be able to work together in the future, we would be delighted to hear from you.

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