

A top-down view of a surgical light fixture with multiple circular lamps, some of which are illuminated, casting a bright glow. The fixture is white and metallic, and the background is a solid blue color.

UK LEGAL GUIDE

Catastrophic injury claims

Third edition

Kennedys

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Introduction

Welcome to the third edition of Kennedys' catastrophic injury claims guide.

This edition reflects the very significant impact on catastrophic injury claims arising from the Court of Appeal's judgment in *Swift v Carpenter*, handed down on 9 October 2020. This landmark case made a fundamental change to the way that accommodation claims in catastrophic injury cases are quantified.

The Ogden Tables are now in their eighth edition. They take into account the slowing of improvements in life expectancy and multipliers are therefore generally slightly lower than in the seventh edition, especially for losses after retirement age.

The COVID-19 pandemic has necessitated innovation in serious injury healthcare and rehabilitation, leading to greater adoption of technological solutions in order to overcome supply chain disruption and infection risks. Since the previous guide, we have seen an increase in telehealth/telecare solutions for remote case management, therapies and safeguarding.

This guide is not intended as a detailed analysis of the law relating to catastrophic injury claims. We nevertheless explore many of the legal, medical and tactical issues that arise when dealing with these claims and offer practical guidance on best practice.

We have also launched the fourth edition of Claims Handling Law and Practice – A Practitioner's Guide, which helps empower compensators to become less reliant on their lawyers and includes a dedicated chapter regarding catastrophic injury claims.

These claims continue to present challenges, particularly in view of the high financial and human costs involved. We hope that our publications will provide assistance when dealing with the many complex issues that arise.



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