



LEGAL & OTHER PROFESSIONALS YOU MIGHT ENCOUNTER

<p>Advocate</p>	<p>An advocate is someone who helps more vulnerable individuals to speak up and have their voice heard. They support people to access information and services, express their views and concerns, defend and promote their rights and responsibilities, and help them to explore options. Advocates will often be called on if a person has no family able to support them and could be involved in official meetings or interviews, writing letters or speaking on an individual's behalf when they don't feel confident to speak for themselves.</p> <p>Anyone can request the help of an independent advocate if they feel they need support. In certain instances, people are legally entitled to the support of an advocate; this is known as statutory advocacy.</p> <p>Independent Mental Health Advocates (IMHAs) are trained to support certain patients under the Mental Health Act 1983.</p> <p>Independent Mental Capacity Advocates (IMCAs) are trained to support certain people under the Mental Capacity Act 2005.</p> <p>Care and Support Advocates can support certain people under the Care Act 2014.</p> <p>Local Authorities and the NHS will provide access to advocates as required, and several charities and help groups also provide advocacy support.</p>
<p>Attorney</p>	<p>Appointed by a 'donor' to help make decisions on their behalf in relation to their property and / or health. Usually close family or a friend, an attorney must be appointed whilst the donor still has capacity to make their own decisions. They are usually appointed to make decisions in the event of the donor losing capacity, but can be appointed to make decisions in relation to a particular matter or a specific time period whilst the donor retains capacity. (The role of an attorney in the UK is entirely different to that of an attorney in the USA where the term generally refers to a practising lawyer.)</p>
<p>Barrister</p>	<p>A legal professional who specialises in representing clients in court or in a tribunal. Barristers are often asked by solicitors to consider the nature of evidence in a complex personal injury claim and to offer an opinion on the chances of success.</p>
<p>Barrister – Queens Counsel (QC)</p>	<p>A barrister with particular expertise and seniority within the profession, a QC or 'silk' could easily have 25 years' experience. They may be instructed as lead counsel with a more junior barrister in particularly complex or high value claims.</p>
<p>Case Manager</p>	<p>Often appointed by a solicitor in the case of serious injuries, or by the individual or family affected, a Case Manager will assess the needs of the injured party and their family, and identify relevant and cost effective resources that deliver maximum benefit for the client; they will help to co-ordinate the rehabilitation process which might involve care, support, therapies and specialist equipment. Case Managers are generally clinically trained and</p>



	<p>could be qualified nurses, occupational therapists or physiotherapists.</p> <p>In the event of a serious injury claim where liability has been accepted by an insurer, it is possible for a case manager to be jointly appointed by the claimant's solicitor and the compensator (generally an insurer).</p> <p><i>Also see Insurance – Case Manager / Claims Manager</i></p>
Claims Assessor	<p>The aim of a claims assessor is to aid consumers to make compensation claims. They tend not to use solicitors and will not take legal action on behalf of a client; essentially their role is to negotiate a settlement between the two parties rather than resort to litigation. Claims assessors must be registered under the Compensation Act 2006.</p> <p>(Claims assessors in this sense should not be confused with employees in the insurance industry with the same title; their role is entirely different and is to manage claims on behalf of their employer.)</p>
Coroner	<p>The coroner is a lawyer or doctor responsible for investigating deaths in particular situations. They can arrange for a post-mortem examination of the body if necessary, and preside over inquests.</p>
Deputy	<p>Court appointed deputies are responsible for the management of the affairs of a person who lacks capacity. Deputies are regulated and monitored according to the requirements of the Mental Capacity Act 2005 and the Court of Protection. They could be family members or friends of the person lacking capacity ('lay' deputies) or professionals such as solicitors.</p>
Expert Witness	<p>A person whose experience, knowledge and skills in a particular field qualifies them to offer their opinion in relation to the facts of a claim. <i>Also see Medical experts.</i></p> <p>Multiple expert witnesses may be called on. For example, an accident investigator might review the scene of an accident that resulted in a serious injury to determine exactly what happened and who (if anyone) was at fault and therefore liable; rehabilitation experts might be asked to evaluate the scale and lifetime implications of the injuries in order to assess the support required.</p>
Independent Financial Adviser (IFA)	<p>An independent financial adviser (IFA) considers and recommends all types of retail investment products from firms across the market to meet the investor's objectives. Their advice will be unbiased and unrestricted. Qualified professionals authorised by the Financial Conduct Authority (FCA), they are entitled to charge a fee for their services.</p> <p>IFAs with particular expertise in supporting clients in receipt of a compensation award are able to address the many different issues involved both pre- and post-settlement including periodical payments, investment advice, personal injury trusts, welfare benefits, trustee and deputy support, accountancy.</p>
Insurance - Claims Inspector	<p>An insurance claims inspector investigates claims under insurance policies to help decide whether they are valid and deserve to be paid. If a claim is rejected, they will report to the</p>



	<p>policyholder on the reasons for that decision. If a claim is accepted, they will agree on a settlement and organise any necessary payments and any additional services provided by the policy.</p> <p>In addition, some claims inspectors collect information to help the insurer determine whether a policyholder is liable / responsible for an accident, and their work can involve visiting the scene of an accident, speaking with witnesses and liaising with other interested parties (eg. police officers, medical experts).</p> <p>On occasion they may also negotiate a settlement with the third party on behalf of the insurer.</p>
Insurance - Case Manager / Claims Manager	<p>Sometimes known as a Claims Manager, their role is to handle claims on behalf of the insurance company. They usually specialise in a particular type of claim and will oversee all aspects of the claims allocated to them from notification, through investigation, to negotiation and settlement.</p>
Insurance - Loss Adjuster	<p>Independent claims specialists who consider complex or contentious claims on behalf of insurance companies to determine the validity of a claim, assess the amount of loss or damage and recommend appropriate payment.</p>
Insurance - Underwriter	<p>Underwriting is the process of evaluating the risk of insuring an individual or business to decide whether accepting the risk is likely to be profitable for the insurance company.</p> <p>An underwriter will calculate the premium to be charged to accept responsibility for the client's potential losses.</p>
Investment Manager	<p>An investment manager is a person (or company) that makes investments on behalf of clients to meet their investment objectives. They can be responsible for all activities associated with the management of client portfolios such as buying and selling securities, monitoring a portfolio, measuring performance and complying with regulatory requirements.</p>
Joint Expert	<p>An expert instructed by two or more parties to a claim where the evidence is unlikely to be controversial, or in cases where the type of injury covered by the expert is likely to be a substantial part of the claim.</p>
Judges	<p>Judges are almost always former solicitors or barristers.</p> <p>District Judges preside over hearings in the County Court; Circuit Judges and High Court Judges in preside over proceedings in the High Court.</p>
Law firm - Associate Solicitor	<p>An experienced solicitor often on track to become a partner.</p>
Law firm - Equity Partner	<p>Usually a senior solicitor who owns part of the firm and receives a share of the firm's annual profits. Non-solicitors are now allowed to be partners in law firms.</p>
Law firm - Legal Executive	<p>A lawyer qualified in accordance with the requirements of the Chartered Institute of Legal Executives who can undertake all the work that may be undertaken by a solicitor under the supervision of a solicitor.</p>



Law firm - Paralegal	A person who may not have legal qualifications but may be very experienced and knowledgeable.
Law firm - Salaried Partner	A solicitor given the title 'partner' due to their experience, but they don't own a part of the firm; they receive a salary like other employees.
Law firm - Solicitor / Lawyer	A qualified legal practitioner who provides expert legal support, advice and representation to clients.
Magistrate	A magistrate, or justice of the peace, is a volunteer office holder serving in magistrates' courts. They do not need to have legal training or qualifications but will have the support of a trained legal adviser on hand. Magistrates' courts deal largely with routine 'minor' crimes, and will refer more serious crimes (eg. murder, rape) to the Crown Court.
Mediator	When two or more parties are trying to reach a settlement, a mediator may be introduced. They will be a trained negotiator and will listen to each party and communicate with them with the intention of facilitating a settlement.
Medical Experts	Often instructed as the start of a claim to undertake an independent medical examination and report on the injuries suffered, treatment received, the effects of the injury and a prognosis for recovery. Depending on the injury, multiple medical experts may be called on.
Risk Manager	Assesses and identifies potential risks that may hinder the reputation, safety, security and prosperity of their organisation. Once these risks have been identified and evaluated, risk managers work with others to implement processes and procedures to ensure that the business / organisation is fully prepared to deal with any potential threats. Their primary concern is avoiding threats and mitigating the effects of those which are essentially unavoidable. Clinical risk managers and patient safety managers are responsible for developing systems that place patient safety and clinical quality at the heart of all healthcare and for ensuring that lessons are learned from mistakes.
Solicitor Advocate	Most solicitors normally instruct a barrister to represent a client in the higher courts rather than do it themselves. However, solicitor advocates are able to undertake a similar role to a barrister and are permitted to represent clients in higher level courts. Solicitor advocates are usually civil or criminal law litigation specialists.
Welfare Benefits Adviser	The welfare benefits system is notoriously complex; it is possible that multiple benefits from several agencies may be open to individuals and families affected by brain injury. Expert welfare benefits advisers will be able to help make sure that families are receiving all the payments they're entitled to, with submitting and managing applications, and advising on appeals and tribunals.



This note is for information only and does not constitute legal advice.

The Brain Injury Group is a national network of legal and other professionals supporting individuals and families affected by brain injury.

www.braininjurygroup.co.uk