



Post traumatic stress disorder claims/ psychiatric injury FAQs

Post-traumatic stress disorder claims/ psychiatric injury claims alongside physical injuries?

Post-traumatic stress disorder and other psychiatric injury often go hand-in-hand with physical injuries. This can include driving or motorcycling phobias often suffered by motorcyclist, drivers, passengers or pedestrians, injured in road traffic accidents.

It may include depression or adjustment reactions, resulting from an inability to carry out normal work or other activities due to physical injuries.

Post-traumatic stress disorder claims/ psychiatric injury claims without physical injuries?

In some cases compensation may also be obtained for post-traumatic stress disorder and other psychiatric injury even where there is no physical injury. Such cases can be rather more difficult, because the law does put up certain barriers up to try to limit the post traumatic stress disorder claims/psychiatric injury claims that can be brought where there is no physical injury.

First, where there is physical injury the law will allow some measure of compensation even for stresses/anxiety falling short of a recognised psychiatric injury, e.g. needle-stick injury cases. If there is no physical injury at all a recognised psychiatric injury must be proved, e.g. post-traumatic stress disorder, clinical depression or adjustment reaction.

Second, generally compensation for purely psychiatric injury, including post-traumatic stress disorder, will normally only be allowed for “primary victims”.

These are people who are directly involved in the accident and well within the range of foreseeable psychiatric or physical injury, even if they escaped physically unharmed. This will often include rescuers.

Post-traumatic stress disorder claims from witnessing events?

“Secondary victims” are those who develop post-traumatic stress disorder or other psychiatric injury due to witnessing horrific events happening to others, e.g. witnessing the tragic events of Hillsborough on television.

Normally such secondary victims cannot obtain compensation through post-traumatic stress disorder claims/psychiatric injury claims.

However, exceptionally they are allowed to recover compensation for post-traumatic stress disorder claims/other psychiatric injury claims if:

- they had close ties of love and affection with the person killed or injured;
- the post-traumatic stress disorder/ psychiatric injury was caused by directly hearing or seeing the traumatic event or its immediate aftermath; or
- the claimant was present at the incident or its immediate aftermath.



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“Could not fault your service in any shape or form. Highly professional and proficient.”

Mr Routledge, Client

Meet the team



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