Victims of brain injury
The Silent Epidemic

- Very high incidence of MVA; “double global rate”
- Disproportionate number of TBI’s
- Very high incidence of PVA’s
- Very high incidence of paediatric TBI’s
The Problem of Brain Injury

• Very high incidence of TBI’s
• Often in the presence of alcohol consumption
• Frequently co-occur with other injuries
• Those injuries may be the focus of treatment
• Brain injuries can therefore be “overlooked”, or
• The severity of brain injury can be underestimated
Worrying Signs and Symptoms

• Very often very subtle

• Compromising the way the victim thinks;
  • Concentration and attention
  • Memory
  • Executive function

• Impacting the way the victim behaves;
  • Impulsive
  • Irritable and easily aroused
  • Egocentric
The Effect

• Relationships are damaged

• Changed behaviour can be attributed to “bad attitude”, mood disorder or post-traumatic stress disorder

• Sympathy runs out quickly

• The victim is isolated, marginalised and often ostracised

• Underlying these is, often, Executive Dysfunction
Impact of RABS

- Focus on physically evident disabilities
- Insensitivity to gross sequelae of traumatic brain injury
- Oblivious to subtle sequelae of traumatic brain injury
- Oblivious to the consequences and manifestations of neurocognitive and neurobehavioural sequelae of traumatic brain injury
Impact of RABS (2)

• At best, therefore, it is unsympathetic to the sequelae of traumatic brain injury

• It requires of victims of road accidents that they:
  • Are able to appreciate that they have suffered damages
  • Are able to appreciate that they can claim
  • Are physically able to satisfy the administrative requirements to claim
  • Are competent to appreciate the full extent of the damages they have suffered
Impact of RABS (3)

• A grossly disabled minor, dependent in all aspects of activities of daily living but not requiring acute or post-acute medical treatment, is effectively abandoned

• A young adult male, previously sportive and socially active and just entered the skilled labour market who is socially isolated, has no prospects of family life, has reached a career plateau and is irresponsible

• A young adult female who has “recovered totally from the accident” but cannot hold down a job
Impact of RABS (4)

- In all instances, the victims require intensive and specialist inter-disciplinary rehabilitation
- This is not accessible in state health infrastructure
- No alternative is provided for in terms of the RABS
- Little, if any, loss of income or residual earning capacity has accrued
- Profound loss of ability to enjoy those amenities of life not acknowledged or compensated for
Impact of RABS (5)

• The victim is probably not aware of the full extent of sequelae
• The victim is not able to appreciate, articulate and argue the damage that has accrued
• There is probably no prospect of a successful claim
• The victim is therefore not empowered in any way to re-enter the community, as intended by the RABS, but rather becomes identified as “pathological” and marginalised

• **Contrary to the objectives of the RABS!**