



Catherine Howells

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Call 1989

Practice

I specialise in higher value personal injury and clinical negligence cases. I am recommended within these fields by the Legal 500 as “commercial “ and “approachable”.

Education & Awards

Liverpool University: LLB Hons 2.1
Gray's Inn Entrance Award
Gray's Inn Goldie Award

Associations

Personal Injury Bar Association
Recommended by the Legal 500 for personal injury and clinical negligence

Profile

I practise exclusively in the fields of personal injury and clinical negligence representing Claimants and Defendants on an almost equal basis.

I am regularly instructed in catastrophic brain or spinal injury cases: one of my most recent such claims was valued in excess of £6.5 million. I also regularly represent parties in claims involving serious orthopaedic injury, fatal accidents, and higher value industrial disease litigation.

Whether acting for a Claimant or a Defendant I strive to achieve a just and reasonable result for the client. I aim to achieve this through a teamwork approach recognising that the lay client, the legal team and the experts should all work together. When representing a Claimant I never forget that their claim is unique and can be, to them, all consuming. My aim is always to leave the client happy that the best result has been achieved.

I am more than happy to discuss cases on an informal basis with my solicitors and travel nationwide to visit lay clients.

The areas in which I have particular expertise include:

- Brain injury (adult and paediatric)
- Spinal cord injury
- Serious orthopaedic injury
- Cases involving Sowden v Lodge issues

- Fatal accidents
- Industrial disease claims

Other areas include:

- Failure to educate claims including those involving dyslexia and ADHD
- Bullying and stress at work claims
- Chronic pain syndrome, somatisation disorder and complex regional pain syndrome claims

I have been instructed in clinical negligence involving:

- Mismanagement of labour
- Failed diagnosis of intra-cranial abscess
- Undiagnosed fractures
- Dental negligence

Example case studies:

JM was a happy outgoing 18 year old about to launch into a college course when she was catastrophically injured in a road traffic accident leaving her with severe brain damage. She required care for 24 hours a day from a team of carers. I represented the Claimant at all interlocutory hearings including successfully applying for interim payments to fund the care package to trial. I was junior counsel on the final 8 day hearing where a key issue was state funding of her care package: it was the Defendants position that, pursuant to Sowden, the local authority would fund the Claimant's care through direct payments. This argument was successfully defeated and the Claimant was awarded in excess of £6.6 million on full liability. The damages enabled the Claimant to live in a suitable adapted property, with her family and with a team of professional carers.

KW, when aged 13, was kicked in the head by a horse suffering a serious head injury. The Claimant's family were anxious to achieve the best result for their daughter and had initially been minded to accept the Defendant's offer of £900,000. On Counsel's advice, this settlement was not approved by the court. A case management and care programme was then put in place which enabled the Claimant to move into her own home (purchased by way of an interim payment) and participate in activities, including riding, which gave pleasure and structure to her days. A final settlement of £2.1 million was achieved (representing 70% liability).

ZR suffered a serious head injury in a road traffic accident a few days after her 21st birthday party. As a result she was unable to continue her work as a hairdresser, could not live independently and required a care and case management programme to be put into place. A settlement of £1.5 was achieved which enabled the Claimant to live in her own home with support.

JS suffered a traumatic brain injury when he was thrown from his pram aged 3 months. Despite his extensive injuries he had successfully completed A levels and wished to attend University. Nevertheless he remained extremely vulnerable with limited insight into his disabilities. A key issue arose as to whether he was a patient within the very limited definition provided in *Masterman- Lister*. The matter was resolved with a hearing on that specific issue before a High Court Judge. Ultimately the claim settled at a round table conference for £1.8 million.

CT was a professional woman in her 30s injured in a road traffic accident. Despite apparently modest initial injuries she was left with chronic back pain which restricted her work and leisure activities. The Defendants openly challenged her veracity and pleaded that she was fraudulently exaggerating her symptoms. I represented the Claimant at mediation where we achieved a settlement of £193,000. The Defendants had previously offered £20,000. The insurer who attended the mediation apologised directly to the Claimant for the allegations made against her.

KS brought a claim against a local authority alleging that he had suffered losses in

excess of £350,000 as a result of a fall in the street. I represented the Defendant highway authority and was successful in persuading the judge to reject the evidence of the Claimant and his witnesses, as it was so inconsistent as to be unreliable. The Claimant's account that he was about to obtain employment, having not worked officially for a number of years, was rejected.

SY was injured at work when her face was knocked by a step ladder. She suffered minimal physical injuries from which she would have been expected to recover within a few weeks. However, the Claimant developed somatisation disorder and chronic pain. The Defendants' experts contended that the Claimant was genuine in part but was consciously exaggerating her symptoms. The Claimant's expert confirmed that she was suffering from a somatisation disorder which was genuine and attributable to the accident save only that, with her pre-existing vulnerability she may have suffered similar symptoms in any event from unrelated causes. The Claimant was a very sensitive woman who needed to be gently handled. The claim settled shortly before trial, after careful advice in conference for over £100,000.

GC was tetraplegic following a previous accident at work. Whilst being cared for in his own home he was placed in a bath of scalding water by a local authority carer. Because he had no sensation below chest level he was unaware of the water temperature until he suffered extensive burns resulting in scarring over 50% of his body. The issues in the case involved the additional care that he now needed as a result of those injuries over and above his pre-existing disabilities. The Claimant had, understandably, lost faith in local authority care. His wife was under increasing pressure and finding it difficult to cope. I successfully represented the Claimant at a highly contested application for interim payments to obtain funding for a care package up to trial.