Personal Injury

Overview

Chris practices predominantly in multi-track litigation, representing both claimants and defendants. His practice encompasses all means of drafting, advisory work and court appearances, and he has particular experience drafting large schedules of loss in cases involving spinal injuries, brain injuries, fatal accidents and otherwise catastrophic injuries including schedules exceeding £9 million.

Significant areas of expertise are:

- Advising on quantum and liability issues
- Costs
- Cost Budget Hearings
- Joint Settlement Meetings
- Assessment of Damages/Disposal Hearings
- CICA Appeals
- Low Velocity Impact Litigation
- MOJ Process for low value RTA
- Employers Liability
- Public Liability
- Product Liability
- Appeals

Chris is also regarded as a costs specialist who is regularly engaged in technical costs arguments including premature issue and/or unreasonable exit from the MOJ portal process. Chris is considered by many to be a specialist in dealing with technical arguments and preliminary issues such as abuse of process, limitation and insurance indemnity.

He regularly conducts hearings involving arguments over res judicata, abuse of process, limitation arguments and arguments following the applicability of Lewis v Ward Hadaway; Johnson v Gore Wood and Gentry v Miller etc. Chris adopts a friendly and hands-on approach, seeking close involvement from the
outset of a case. He offers a swift turnaround of papers and welcomes his instructing solicitors to contact him directly by telephone.

Chris also regularly undertakes professional negligence actions for and against firms of solicitors who have been involved in alleged negligence arising out of personal-injury matters.
Cases

_JH (1) JT (2) v SHH Limited (2016)_ - the claimants were pedestrians when the Defendant mounted the pavement and collided with a lamp post which landed on top of First Claimant resulting in a complete spinal cord injury at T4. The incident was witnessed by the Second Claimant who suffered a psychological injury. The First Claimant has a reduced life expectancy and required a specially adapted property and significant amounts of future care. Schedule pleaded at £9.5 million – settled at a JSM for a lump sum of £3m with a considerable PPO which had a capitalised value of circa £7.2 million. Led by Amanda Yip QC.

_JD (1) ST (Deceased) (2) v MW (2017)_ – The claimants were involved in a much publicised incident whereby the defendant and the driver of another vehicle deliberately rammed the claimants vehicle off the road and into an adjacent building resulting in the death of the driver and catastrophic injuries to the front seat passenger. The defendant (and the driver of another vehicle) were convicted of causing death by dangerous driving and sentenced to 7 ½ and 6 ½ years respectively. The surviving claimant has been left with life changing injuries including a brain injury, serious internal injuries and has opted for an elective above the knee amputation of his injured leg. Case in its infancy but likely to be worth up to £5million. Led by Bill Braithwaite QC.

_FG v AS (2017)_ - The claimant was a motorcyclist involved in a RTA in October 2016 as a result the claimant suffered multiple severe orthopaedic injuries and he underwent a below knee amputation. Case in its infancy but likely to be worth in excess of £1 million.

_SG v LG(1) MIB (2) (on going)_ - RTA where Claimant was an unrestrained passenger in a vehicle which lost control and collided with a wall. Complicated issues regarding contributory negligence both in respect of the Claimant’s failure to wear a seat belt but also with regards to the Claimant’s alleged knowledge of the intoxication of the First Defendant in addition to eligibility arguments under the MIB scheme. The Claimant suffered a traumatic brain injury that has been classified as moderate to severe. Contentious application for an interim payment to ensure the Claimant receives full neuro-rehabilitative support is likely –preliminary estimate of value of case in excess of £1 million – being led by Gerard Martin QC.

_SJM (Deceased) v DHL Supply Chain Limited (2016)_ - Fatal accident involving a 31 year old married man with no children – significant claim for future financial and service dependency – settled at £175,000.

_MC (Deceased) (1) BC (2) v McGinley Support Services Limited (2016)_ - Approval hearing in Canterbury County Court – this case concerned a pedestrian who was fatally injured in a road traffic accident – liability was in dispute and the case settled at JSM for
£200,000 (circa £300,000 on a full liability basis) including a claim for future financial and service dependency – schedules updated following Knauer v MOJ [2016] UKSC 9.

KH v JM (on going) - Claimant was driving a classic convertible car that overturned following an RTA. The vehicle was not fitted with roll bars therefore the Claimant sustained a significant head injury which has had life changing consequences to the Claimant case pleaded at over £100,000.

TZ v PHL (2016) - The Claimant suffered an accident at work when his right arm was pulled into a wood chipping machine in which he suffered a serious injury. Settled by consent for £165,000.

SD v A firm of Solicitors (2016) - Defending a claim for professional negligence brought against a firm of solicitors – worth in the region of £100,000 – Chris successfully argued that the case was statute barred by operation of Page v Hewitt and Lewis v Ward Hadaway arguments – the firm of solicitors now have no liability to pay the Claimant even though breach of duty had been admitted.

IM v WB (2016) - The Claimant was involved in a RTA he suffered, amongst other injuries, a serious injury to the right dominant hand which included complex regional pain syndrome – Claimant was 60 at the time of the accident but was unable to work following the accident. Settled for £80,000.

ZW v London Fire & Emergency Planning Authority (2016) - Settled following JSM at £77,000.

R v V (2014) - Settled by Consent at £70,000 – the Claimant developed a significant spinal injury following a road traffic accident and she further developed a psychological injury.

R v Allied Healthcare Group Limited (2014) - Accident at work which settled for £100,000 at a JSM.

AJ v Walsall MBC (2015) - Liability disputed trial of a minor who participated in an after school judo lesson. As a result of alleged negligent tuition the Claimant sustained significant injuries that required over 8 invasive operations and has resulted in a permanent disability. Listed for a 2 day split trial on liability.

M v B&Q PLC (2012) - Chester County Court before HHJ Halbert; acted for a Claimant in a multi-track trial who had his finger amputated following the use of a defective mitre saw. After a contested 2 day trial the claim was successful under the Consumer Protection Act 1988 and during the trial expert evidence was heard for both sides concurrently in what Lord Justice Jackson refers to as “Hot tubbing”.

Re A (2013) - CICA Appeal Tribunal Manchester; acting for a Claimant who was
sexually abused as a child at the hands of a family member. As a result of the abuse the Claimant suffered from PTSD that significantly affected his future employment prospects. Notwithstanding the paucity of evidence in respect of what the Claimant’s employment prospects would have been in the absence of the abuse a significant award of past and future loss of earnings was made. The Claimant successfully appealed against the CICA’s initial award of £4,400 and was able to secure damages in excess of £125,000 on appeal.

_E v S(1) Aviva Insurance Plc (2)(2013)_ - Croydon County Court; acting for First and Second Defendant to defend an alleged fraudulent claim presented by numerous Claimants. Tactical use of Part 18 requests; Part 35 Questions and Amending Defence as per Charnock v Rowan [2012] EWCA Civ 2 resulted in an order that the Claimant’s medical expert attended for cross examination and which ultimately lead to the successful defence of the case.