

## Matthew Stockwell

Call 1998



### Clerks' Details

 Sarah Rotherham  
 0151 242 8887

### Appointments

- Honorary Life Member, Association of Personal Injury Lawyers
- Working Party member and contributor to the Guide to the Conduct of Cases Involving Serious Injury

### Memberships

- APIL
- ALBA
- PIBA
- PNBA

### Education

- Trinity College, Dublin
- Liverpool John Moores University
- Liverpool College

### Personal Injury

#### Overview

Matthew acts exclusively on behalf of injured people and their families in connection with life changing injuries, placing the needs of these clients at the heart of everything he does. He is consistently credited for his empathetic manner.

Matthew brings a proactive and focused approach to his cases, providing expert advice and reassurance with all aspects of the process from initial assessment and case planning through to settlement or trial. He draws on vast experience of successfully litigating difficult, unusual, and robustly defended claims.

He is praised for his technical knowledge, written and oral advocacy skills and attention to detail. He achieves excellent results for clients through hard work, responsiveness, and meticulous preparation.

His personal injury practice covers the following areas:

- brain injuries
- spinal cord injuries
- limb loss and amputation
- severe psychiatric injury including PTSD
- chronic pain disorders including CRPS and fibromyalgia
- severe burns, electrocutions and crushing injuries
- other catastrophic injuries

Matthew has extensive experience of drafting complex schedules of loss in high-value claims. His skills in the effective preparation and presentation of complex quantum claims are widely recognised. He adds value in every claim in which he is instructed.

He has acted in several cases that have shaped important aspects of the law, including:

- *Dunhill v Burgin* [2014] UKSC 18 – Leading authority on legal test for litigation capacity and compromise of proceedings by protected parties.
- *Uren v (1) Corporate Leisure (UK) Ltd (2) Ministry of Defence* [2011] EWCA Civ 66 – Successful appeal against dismissal of claim for damages following tetraplegia injury suffered during a negligently organised MoD Health & Fun day. Court confirmed duty to undertake a risk assessment was closely related to the common law duties of the employer and was non-delegable.
- *Threlfall v Hull City Council* [2010] EWCA Civ 1147 – Leading case on determining “suitability” under the Personal Protective Equipment at Work Regulations 1992.

His broader experience and involvement in personal injury law includes:

- Executive Committee of the Association of Personal Injury Lawyers (APIL) between 2007 and 2015 – as Vice President in 2012 and President in 2013. In recognition of his “outstanding contribution” to the work of the organisation on behalf of injured people, he was made an Honorary Life Member in 2015.
- Co-author of the Guide to Accidents at Work (Jordans / Lexis Nexis).
- Contributor to Personal Injury: Law, Practice and Precedents Service (Lexis Nexis).
- Member of APIL’s Training & Accreditation Committee (2010-2018), with extensive experience of organising and delivering specialist training to fellow professionals (for organisations including APIL, SIA, MASS, IPBIS, Westminster Policy Forum, BABICM), particularly on serious injury litigation and the overlap with mental capacity.
- Devised and delivered APIL’s Brain Injury training programme since 2013.
- Planning committee and chair/contributor for APIL’s annual Advanced Brain & Spinal Cord Injury Conference (formerly APIL Catastrophic Injury Conference) since start in 2010.
- Working Party member and contributor to the Guide to the Conduct of Cases Involving Serious Injury, which has been developed following years of collaborative work between APIL, FOIL and major insurers since 2013.
- Past Editorial Board Member, Journal of Personal Injury Law (2008-2011).
- Evidence to Commons Select Committee (Transport) Cost of motor insurance: Whiplash (2010).

## Publications

- Co-author of the APIL Guide to Accidents at Work.
- Chapter editor and contributor to APIL Personal Injury: Law, Practice and Precedents Service (since 2017).
- Specialist contributor to Judicial Review: Law & Practice (Jordans – 1st and 2nd Editions).
- Past Editorial Board Member, Journal of Personal Injury Law.

## Beyond the Bar

Outside work, Matthew's main interests are cooking (an early starter at 4 years of age), outdoor sports (including skiing, walking and scuba diving), travelling (highlights include trekking to Machu Picchu, diving and sailing around the Galapagos Islands, watching the sunrise from the Ganges River in Varanasi and visiting Mountain Gorilla families in the rainforests of Rwanda) and family (he is married with two small and boundlessly energetic children).

Matthew is also a Community Governor at Palmerston School, a state special school for boys and girls aged from 11 to 19, which nurtures and supports young people with more serious and profound learning disability.

## Recommendations

“He’s very meticulous and handles very high-value cases”

“Matthew has a great analytical approach to clinical negligence and complex personal injury claims.”

**Chambers and Partners 2024**

“Matthew is strong in identifying issues and considering solutions to problems when they arise. He works well with experts, identifying any weaknesses in their evidence which need to be explored, he is very good at planning ahead in the most serious of cases, and he is good at drafting high-value schedules of loss.”

“Matthew is strong in achieving outstanding outcomes for his clients. His approach to clients is sympathetic yet practical in seeing a way through very complex issues.”

**The Legal 500 2024**

“He thinks outside the box.”

“Matthew is incredibly intelligent and conscientious.”

“He is a very effective advocate. He makes really difficult concepts easy to understand.”

**Chambers and Partners 2023**

“Matthew has an encyclopaedic knowledge of the law relating to clinical negligence claims. His input to drafting the opening and closing submissions at trial is invaluable. He is always ready and willing to provide expert witness recommendations based on first-hand experience.”

“Matthew is thorough and gets to grips with the issues in a case. He plans the progression of cases well, knows the relevant law and addresses both liability and quantum in a practical and informative manner. He has good client skills, demonstrates empathy and puts them at ease. His advocacy is also good and he is helpful and approachable.”

**The Legal 500 2023**

“Great attention to detail and organisational skills. Genuine empathy with clients. Not afraid to take on complex cases.”

“Matthew is a fantastic legal mind but approachable with clients and lawyers alike. He is a superb tactician and is prepared to explore all avenues to drive a case to success. He will remain a go-to barrister for clinical negligence work.” **The Legal 500 2022**

“He knows the topics inside out and he knows the direction he wants cases to go in.”

“An excellent senior junior barrister - he really gets into the minutiae of the case.” “A superb tactician who is great on the detail and very approachable.” **Chambers & Partners 2022**

“He is very responsive and helpful in answering questions. His questioning of experts in conference is very well prepared and thorough. He is very clear with clients.”

“He is excellent at getting to the heart of cases. He has a very good knowledge of relevant case law and the CPR and I know that I can rely upon his advice. He has excellent client care skills too and is flexible in his dealings with the clients and experts. He knows how to gain their trust. He plans cases ahead of time. Always keen to be helpful.” **The Legal 500 2021**

“He has a good manner with clients.” **Chambers & Partners 2021**

“Is an encyclopaedia of forensic and tactical knowledge.” “He is an organised and persuasive advocate both in orally and in writing.” **The Legal 500 2020**

“He is an organised and persuasive advocate and an encyclopaedia of forensic and tactical knowledge.” **The Legal 500 2018/19**

“His recall of principle is encyclopaedic.” **The Legal 500 2017**

“His empathetic approach goes down well with clients. He works hard and achieves good results as a consequence.” **Chambers & Partners 2016**

“He is very capable and has a good approach to the work. Very straightforward and knowledgeable, he keeps up to date with the law and the process in this area.” **Chambers & Partners 2016**

“Well known for handling complex personal injury cases, particularly those involving brain injury and issues relating to mental capacity. Interviewees praise his high level of technical skill. “Out of all the barristers I deal with he has a unique ability to spot appeal points and persuade the court to accept his point of view.” “He is very good on paper and on his feet.” **Chambers & Partners 2015**

“Respected junior on the Northern Circuit noted for his skill in handling deprivation of liberty cases on behalf of the vulnerable adult. He has particular knowledge of cases stemming from acquired brain injury. “Delivers very passionate, well-balanced arguments.” Acted for the applicant in bringing a successful appeal to have an elderly woman with complex medical treatment needs released from a care home.” **Chambers & Partners 2015**

“Maintains a broad practice in judicial review proceedings, with a particular interest in health, social welfare, education, human rights and mental health issues. He acts for local authorities, government and individuals. “He gives calm, assured and authoritative advice.” Acted in the Supreme Court for the appellant challenging the refusal of the Health Secretary to make a referral to the First-Tier Tribunal to review her detention under the Mental Health Act.” **Chambers & Partners 2015**

“Strong in brain injury cases, including those involving mental capacity issues.” **The Legal 500 2014**

“An experienced judicial review and local government petitioner.” **The Legal 500 2014**

“Handles a range of public law matters including those pertaining to healthcare and social welfare.” **Chambers & Partners 2014**

“Liverpool-based Matthew Stockwell represents individuals, family members, local authorities and the Official Solicitor. “He can spot unusual points in a case which others might not be able to.” **Chambers & Partners 2014**

“Acts in a range of serious and catastrophic injury cases for claimant and defendant solicitors, including complex and catastrophic work relating to brain and spinal cord injuries and amputations “He’s a very competent and knowledgeable member of the Bar.” **Chambers & Partners 2014**

“Liverpool-based Matthew Stockwell...focuses on adult welfare issues, and frequently acts on behalf of local authorities. As a member of the Association of Personal Injury Lawyers, an organisation of which he is now Vice-President, he has been involved in challenging the Lord Chancellor’s review of the discount rate prescribed under the Damages Act 1996.” **Chambers & Partners 2013**

“Matthew Stockwell...is hailed for a practice that extends to health, social welfare, adult safeguarding and mental capacity issues. Sources emphasise that he is their advocate of choice before the Court of Protection. He has a huge breadth of experience thanks to his diverse work for claimants, local authorities and the Official Solicitor. Interviewees cannot praise him enough for his work ethic. “He works round the clock to deliver the most rigorous service to clients”, sources say.” **Chambers & Partners 2012**

“Matthew Stockwell...is the secretary of the Northern Administrative Law Association. Added to this, he has an impressive public law practice, principally acting for local authority clients in mental health and community care-related matters.” **Chambers & Partners 2011**

“Matthew Stockwell has recently been involved in several high value, complex PI and clinical negligence claims.” **The Legal 500 2011**

“Matthew Stockwell is praised for his expertise in community care law.” **The Legal 500 2011**

“Chambers has developed a local authority following for regulatory and public law instructions, spearheaded by Matthew Stockwell.” **The Legal 500 2010**

## Cases

Representative (concluded) cases:

MS (RTA) – Maximum severity brain injury and poly-trauma case on behalf of pedestrian – disputed mental capacity and quantum – liability apportioned following split trial –

approved settlement based on £7,750,000 valuation. (led)

CK & MH v MM (RTA) – Claim by three severely injured, young female passengers involved in high-speed road collision – contributory negligence (seatbelt and intoxication) and quantum in issue (representing two claimants, one died within a year of accident) – approved settlement of major claim based on £9,650,000 valuation. (led)

DE v Another (RTA) – Highly unusual claim in which C suffered serious spinal cord injury resulting in incomplete tetraplegia – C's condition allegedly deteriorated when the driver removed his passenger from the scene to avoid detection by the police – complex issues of causation, contributory negligence, and quantum – settled based on capital valuation of more than £13,000,000. (led)

SR v A Trust (PL) – Claim on behalf of prior paraplegic who suffered secondary orthopaedic and spinal injury as the result of negligently installed OT equipment, giving rise to increase care requirements – top up payment of £1,040,000 negotiated at JSM before trial.

KL v A Firm (EL) – Claim for employee following traumatic arm amputation and associated shoulder injury – circumstances disputed, and contributory negligence alleged – life-expectancy in issue against background of alcoholism, mental health problems and smoking – net payment of £1,250,000 negotiated at JSM before trial. (led)

JM (RTA) – Maximum severity child pedestrian claim resulting in settlement on 100% liability basis with £1,850,000 lump sum with lifetime PPOs rising to £285,000 pa – instructed alone to deal with liability and led on quantum – particularly contentious on the issue of life expectancy and complicated by issues of Sharia law.

KB (RTA) – Serious brain damage and orthopaedic injuries – complex issues regarding pre-existing state when compared with post-accident mental condition – provisional damages settlement (epilepsy risk) approved based on £2,750,000 gross valuation. (led)

KS v A Firm (EL) – Traumatic below elbow amputation of non-dominant arm – negotiated staged redeployment as part of three-way JSM agreement between C, employer, and EL insurer with gross settlement of £650,000 (net of agreed reduction for contributory negligence), including private myoelectric prosthesis provision.

JM v B&Q (PL) – Complex claim for damages following C's development of CRPS following minor crushing injury suffered whilst visiting the D's premises – causation and quantum in issue – allegations of fundamental dishonesty rejected at trial – case settled for £775,000 shortly before hearing of D's appeal, D meeting C's costs of proceedings and appeal in full.  
MO v A Firm (EL) – Complicated accident at work claim – employee suffering severe spinal fracture injury during corporate bonding leisure activity organised by employer – liability, causation, and quantum in issue – settled for £550,000 at JSM a few weeks before 1-week High Court trial on liability.

IC (RTA) – Claim on behalf of cyclist who suffered traumatic brain injury – liability admitted – complicated case involving six areas of medical speciality and complex career forecasting on behalf of graduate engineer, who made excellent recovery from injuries following

effective rehabilitation and retained employment – £475,000 at JSM before trial.

NH (RTA) – Pedestrian claim, C suffering fractured skull, brain haemorrhage, fractured pelvis, and fractured cheek bone – settled for £1,250,000 within proceedings.

PC v A Firm & another (RTA & PL) – Claim against HGV driver and occupier of supermarket premises for lady who suffered traumatic transtibial amputation and other orthopaedic injuries when she was run over in a car park – case settled for £1,900,000 at JSM following local authority prosecution of occupier under HSWA 1974.

SS v A Local Authority (PL) – Historical abuse claim on behalf of adult who had been groomed and sexually abused by a caretaker whilst at secondary school in 1980s – limitation, liability, causation, and quantum in issue – arranged extended psychiatric rehabilitation under a bespoke without prejudice settlement protocol leading to £400,000 settlement at JSM.

HP v MAAF (RTA) – Claim against French insurer on behalf of English chalet host injured in fatal collision in ski resort – seven figure (Euro) settlement.

SR v A Firm & Others (EL) – Claim on behalf of paraplegic (complicated by unrelated progressive retinitis pigmentosa condition resulting in loss of sight) – lump sum of £1,750,000 and periodical payments rising to £125,000pa negotiated at JSM. (led)

CD (RTA) – Unusual FAA claim – deceased had, in addition to salary as construction professional, derived a substantial amount of income from ‘flipping’ properties with two projects underway and two contemplated at time of death – settled on without prejudice basis within proceedings for £660,000 at JSM (including substantial allowance for labour replacement costs and loss of profit on future projects).

GT v Another (RTA) – Complex claim on behalf of pedestrian who suffered brain injury as the result an attempted ‘hit and run’ following a Christmas work party – accident reconstruction evidence and five clinical specialisms required – contributory negligence (intoxication and observation) and causation in issue – £600,000 negotiated settlement shortly before trial.

RS v Another (RTA) – £750,000 settlement of serious lower limb polytrauma case at JSM – contested claim for care, adaptations, and equipment.

SF v A Firm (EL) – £450,000 provisional damages award following fully contested quantum trial – employee suffered lower limb DVT following fall – investigation revealed genetic predisposition to development of DVT – lifetime risk of chronic ulceration, vascular insufficiency, subsequent DVT and lower limb amputation – chronic pain and swelling compromising mobility and pre-accident employment as professional driver.

BL v A Firm (EL) – £750,000 settlement (net of 10% agreed reduction and CRU) at JSM – aspiring yachtsmen suffered severe lacerations resulting in 90% loss of function to dominant arm – C independent for self-care, but complicated issues surrounding career



forecasting.

NW v MG (RTA) – £1,180,000 approved settlement following JSM frontal lobe injury, lower limb amputation and multiple orthopaedic injuries – liability, causation, and quantum in issue – life expectancy compromised owing to diabetes, peripheral vascular disease, and cumulative effect of major injuries. (led)

VB v A Company (EL) – Highly contentious and unusual claim on behalf of pregnant worker who fell at work suffering a placental abruption at 28 weeks gestation – employer denied that the placental abruption was caused by the fall, requiring expert obstetric evidence on causation to be tested at trial – claim on behalf of mother for severe maternal complications and psychiatric injury and associated fatal accident claim (child died 45 minutes following emergency Caesarean section) – settled on without prejudice basis for six-figure sum (Court door capitulation) – also successful in interlocutory appeal before the Honourable Mr Justice Lewis regarding case management directions over causation evidence.

GG (RTA) – C suffered minor head injury leading to delayed subdural haemorrhage, which in turn led to pituitary dysfunction – primary injury and causation linkages denied – six-figure settlement reached, when D's experts (neurology, neurosurgery, neuropsychology, and endocrinology) ultimately agreed with the C's team.

AD v MIB (RTA) – Six-figure settlement following contentious provisional damages application – multiple orthopaedic and internal injuries – provisional damages for lifetime risk of complications following repair of aortic rupture and pancreatitis.

SS (RTA) – Unusual FAA claim – whilst deceased had a temporary working visa, his widow was an over-stayer on student visa – D disputed couple's likely immigration status, when widow was barred from returning to UK having returned to Pakistan for husband's funeral – dependency claim ultimately established with expert immigration evidence – settled on without prejudice basis within proceedings for six-figure sum shortly before trial.

CP (RTA) – Subtle brain injury claim on behalf of HR professional – assessing impact of fatigue and specific cognition deficits on likely performance and career progression – settled on without prejudice basis within proceedings for six-figure sum.

Dr G v A Housing Association (PL) – Six-figure settlement on behalf of trainee paediatrician who suffered severely comminuted knee fracture following a slip in communal accommodation – complex quantum considerations with interruption and alleged compromise of professional development.

GG v CW (RTA) – Obtained six-figure award following contested quantum trial – HGV driver liable to suffer delayed post-traumatic arthritis with future impact upon employment – court preferred C's approach (deferred ongoing partial loss on multiplier / multiplicand basis) to that of D (Blamire).

PH v A Construction (EL) – Six-figure settlement for employee losing sight in one eye having

been provided with inadequate eye protection (provisional damages approved for risk of sympathetic ophthalmia following planned surgery).

HF v MIB (RTA) – Six-figure settlement for injured passenger arising from fatal road traffic accident – multiple orthopaedic, genitourinary, internal, and scarring injuries – major injury post-traumatic stress disorder (deceased driver was sibling) – negotiated and obtained court approval for appointment of professional case manager to facilitate successful rehabilitation of disabling psychiatric symptoms and other physical injuries.

GP v A Firm (EL) – 100% recovery at trial of manual handling / construction site accident – subsequently negotiated six-figure settlement of claim for development of CRPS.

LC v PR (RTA) – Six-figure settlement for pedestrian (trainee radiographer) suffering multiple orthopaedic injuries including capitata fracture – recovery complicated by late diagnosis and necrosis.

PC v WD (a firm) (EL) – Six-figure settlement at JSM (following successful rehabilitation) for employee suffering loss of sight in one eye and psychiatric injury following chemical burns at work.

LQ v MOD (EL) – Six-figure settlement at JSM (following successful rehabilitation of psychiatric symptoms) for soldier medically discharged following explosion during a training exercise – complex issues of career and pensions forecasting involving multiple experts.

HF v H Ltd (EL) – 100% recovery at trial of manual handling claim by female sales representative – subsequently negotiated six-figure settlement of future loss of earnings claim.

AQ v MW (RTA) – Six-figure settlement at JSM for motorcyclist suffering multiple injuries, including severe lower limb fracture.

VT v DS (FAA) – Six-figure settlement on behalf of dependents of pedestrian killed whilst walking along country road at night – use of accident reconstruction evidence to establish primary liability.

HW v CG (RTA) – Six-figure settlement on behalf of teenage motorcycle pillion passenger run over by construction vehicle – loss of child (22 weeks pregnant) and hysterectomy, severe orthopaedic, degloving and psychiatric injuries – claim for surrogacy expenses.

SM v A Firm (EL) – 100% recovery at trial in manual handling / construction accident – subsequently negotiated six-figure settlement of claim – employee developed chronic post-surgical pain following treatment for hand injury.

JB v AXA: SB v JB & AXA (RTA) – Represented C and Part 20 D in complex fatal road traffic accident – successful in resisting contribution proceedings, whilst securing wasted costs order against Part 20 C's original advisers (successfully opposed subsequent costs appeal before Butterfield J – unreported).

JM v A Firm (EL) – Six-figure settlement on behalf of self-employed building contractor who suffered a severe elbow fracture with post-traumatic arthritis, compromising future loss of earnings capacity as contractor and property developer.

LG v A Firm (EL) – 100% recovery at liability trial concerning injury to print operative – parties unable to agree settlement and six-figure award secured at quantum trial, Judge accepting C's pleaded case in full.

GH v A Firm (EL) – Six-figure settlement on behalf of employee suffering severe chemical burns to lower limb – chronic neuropathic pain.

CK v A Firm (EL) – Six-figure settlement on behalf of abattoir worker who suffered a severe crushing injury, traumatically amputating first toe and part of forefoot – substantial claim for care, aids and adaptations, loss of earnings and future orthotic provision.

ME v A School (FAA) – Six-figure settlement at JSM on behalf of wife and child dependent of self-employed contractor killed during negligently organised demolition works (represented family at jury inquest).

SC v A Firm (EL) – Six-figure settlement for employee losing sight in one eye following trauma (provisional damages approved for risk of sympathetic ophthalmia following anticipated future surgery) – successful vocational rehabilitation and redeployment with employer.

PB v A Firm (EL) – Six-figure settlement for construction worker following fall from height – loss of kidney, splenectomy, and psychiatric injury.

AO v Aviva (RTA) – Six-figure settlement at JSM for development of somatoform disorder – substantial care and accommodation claim.

ML v A Firm (EL) – Six-figure settlement at JSM on behalf of construction worker who suffered a fracture dislocation of the ankle causing permanent disablement – claim for loss of earnings, aids, adaptations, and transport.

SS v A Firm (EL) – Six-figure settlement on behalf of fiancée and dependents of insulation contractor killed when a scissor-lift malfunctioned (represented family at jury inquest).

JM v JH (RTA) – Six-figure settlement on behalf of motorcyclist who suffered multiple orthopaedic injuries in a fatal road traffic accident (represented C at inquest of third-party motorist who died at the scene) – claim for future treatment, retraining, loss of earnings, aids, adaptations, and orthotic provision.

HP v A Firm (FAA) – Six-figure settlement at JSM on behalf of wife and children of motorcyclist who collided with an oversized agricultural vehicle in the absence of an appropriate escort (represented family at inquest).

PS v Western Power (PL) – Six-figure settlement for C who suffered severe electrical burns whilst walking along footpath – underwent toe-to-hand transplant procedure to restore partial hand function – claim for curtailed career, consequential pension loss, aids, and adaptations.