

Andrew Ward

Call 2000



Clerks' Details

Neil Wright
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Appointments

- Attorney General's Regional Panel of Junior Counsel to the Crown: 2012 – 2018
- Attorney General's Regional 'A' Panel of Junior Counsel to the Crown: 2018 to 2028

Memberships

- Northern Circuit
- Personal Injuries Bar Association
- Northern Business and Property Bar Association

Personal Injury: Defence CV

Overview

Andrew is regularly instructed by Defendants in Employers' Liability, Public Liability and RTA catastrophic injury claims. He is recommended in the Chambers & Partners and Legal 500 directories as a leading personal injury junior.

Andrew has particular expertise in cases involving allegations of Fundamental Dishonesty pursuant to Section 57 of the Criminal Justice and Courts Act 2015 and CPR Rule 44.16. His recent cases include Michael Mantey -v- Ministry of Defence [2023] EWHC 761 (KB) and Brian Muyepa -v- Ministry of Defence [2022] EWHC 2648 (KB) (successful defence with a finding of fundamental dishonesty in a £1.5 million and a £3.7 million claim respectively).

Andrew was shortlisted for the "Barrister / KC of the Year" award at the Manchester Legal Awards 2023. He is a member of the Attorney General's Regional 'A' Panel of Junior Counsel to the Crown. He is also a tenant at 12 King's Bench Walk in London.

His experience includes cases involving:

- Allegations of fraud and / or fundamental dishonesty;
- Applications for committal for Contempt of Court;
- Serious traumatic brain injury;
- Subtle brain injury;
- Serious spinal injury;
- Amputation;
- Brachial plexus injury;
- Military claims (in particular, defending the Ministry of Defence in many Non-Freezing Cold Injury, Noise-Induced Hearing Loss and PTSD claims);

- Fatal accidents pursuant to the Fatal Accidents Act 1976 and the Law Reform (Miscellaneous Provisions) Act 1934;
- Chronic pain, CRPS, fibromyalgia, somatoform disorder and FND (functional neurological disorder);
- Serious psychiatric injury;
- Sports accidents;
- Accidents abroad, including disputes as to jurisdiction and applicable law under Rome II and the Private International Law (Miscellaneous Provisions) Act 1995;
- Industrial disease (including mesothelioma claims concerning the cost of immunotherapy treatment);
- Harassment, bullying and abuse claims; and
- Insurance disputes related to personal injury litigation (e.g.: claims involving the MIB's Uninsured and Untraced Schemes, Article 75 insurers and Section 151 of the Road Traffic Act 1988).

Andrew has particular expertise in defending military claims on behalf of the Ministry of Defence. **The Legal 500, 2022**, says that:

“Andrew is extremely well-versed and knowledgeable in all aspects of military claims. Andrew has an unrivalled knowledge of non-freezing cold injury claims, and has an excellent rapport and relationship with clients. His Advices are clear and consistent. He is very good on his feet, particularly in tricky JSM scenarios and in Court. Quick thinking, but with a practical aspect to benefit the client. I would not hesitate to instruct Andrew on any complex injury or military claim.”

Chambers & Partners, 2021, describes Andrew as:

“Very strong on military matters and earns the trust of his clients.”

Recommendations

“He is pleasant to deal with.”

Chambers and Partners 2024

“Andrew has an eye for detail and he is quick to identify the critical issues, the evidence required, and the relevant law and case law.”

The Legal 500 2024

“He is excellent.”

Chambers and Partners 2023

“Andrew is a very clever barrister.”

Chambers and Partners 2023

‘Andrew is a very measured and persuasive advocate at court. He is never flustered, he is scrupulously polite and he is devastatingly effective. He knows his specialist area of the law backwards, he rarely pursues bad points and he is a very sensible opponent.’

The Legal 500, 2023

“He is technically very good, with an eye for detail. He sees the overall picture but doesn’t lose sight of more minute detail that is important to the case. He also has a lovely manner with clients.”

Chambers and Partners 2022

“Andrew is extremely well-versed and knowledgeable in all aspects of military claims. Andrew has an unrivalled knowledge on non-freezing cold injury claims, and has an excellent rapport and relationship with client’s. Their Advices are clear and consistent. They are very good on their feet, particularly in tricky JSM scenarios and in Court. Quick thinking, but with a practical aspect to benefit the client. I would not hesitate to instruct Andrew on any complex injury or military claim.”

The Legal 500, 2022

“Very strong on military matters and earns the trust of his clients.”

Chambers and Partners 2021

“A lawyer of real quality. He is intellectually the equal of anybody. He has a wide and extensive knowledge of personal injury cases at the highest level and comes at them with balance, because he represents both Claimant and Defendant firms. Brings an intensity to cases that pays dividends.”

The Legal 500, 2021

“Responsive, available and has great attention to detail.”

The Legal 500, 2020

“Very good both on paper and on his feet.”

Chambers and Partners 2020

“His work on papers is very accessible, and he has a forensic way of looking at medical evidence in a case.” “He is an accomplished junior who is a pleasure to work with and has a keen eye for detail.”

Chambers and Partners 2019

“Very experienced in high-value catastrophic injury cases.”

The Legal 500, 2018/19

“Very approachable and able to relate to lay clients on their level and explain difficult concepts in easily accessible terms.” “Good on paper and a very good advocate at application hearings.”

Chambers and Partners 2018

“He is very accessible and good with the clients, and he takes a good common-sense approach.” “He is very smooth, very knowledgeable, and always in control.”

Chambers and Partners 2017

“He has excellent client-care skills.”

The Legal 500, 2017

“He has a great ability to deal with problems in a no-nonsense way.”

The Legal 500, 2016

“He focuses on high-value multi-track litigation, including amputee claims, fatal accidents and brain injuries.”

The Legal 500, 2015

Cases

Andrew's recent cases include:

- **Michael Mantey -v- MOD [2023] EWHC 761 (KB):** Andrew represented the Ministry of Defence in its defence of this claim by a former soldier for damages totalling £1.5 million for Non-Freezing Cold Injuries (NFCI). Although the Claimant discontinued his claim after the Defendant disclosed covert surveillance evidence, the Defendant proceeded to a trial before Eyre J. and obtained a finding that the claim was fundamentally dishonest pursuant to CPR Rule 44.16.
- **Brian Muyepa -v- MOD [2022] EWHC 2648 (KB):** Andrew secured the dismissal of a £3.7 million personal injury claim on the ground of fundamental dishonesty pursuant to Section 57 CJCA 2015 at a 12-day trial before Cotter J. involving oral evidence from 29 lay and 10 expert witnesses. This is also a leading authority on the duties of CPR Part 35 expert witnesses.
- **Brian Muyepa -v- MOD [2021] EWHC 2236 (QB):** Andrew represented the Defendant in its successful application before HHJ Auerbach to rely upon covert surveillance and social media evidence in relation to this Non-Freezing Cold Injury claim pleaded at £3.7 million.
- **Various -v- MOD:** Andrew is currently representing the Ministry of Defence in a significant number of high-value claims for Non-Freezing Cold Injuries (NFCI) and Noise-Induced Hearing Loss (NIHL) sustained by soldiers. These cases frequently involve limitation issues; difficult liability issues; complicated medical causation issues; significant quantum issues concerning the lost chance of a full military career with detailed loss of earnings and pension calculations; and complicated procedural case management issues.
- **James Barry -v- MOD [2023] EWHC 459 (KB):** Andrew represented the Defendant at an 8-day trial before Johnson J. in relation to this claim by a former Royal Marine for damages for Noise-Induced Hearing Loss (NIHL) sustained during his military service. The case concerned issues of contributory negligence, medical diagnosis and an Ogden 8 “disabled” future loss of earnings claim.
- **SL -v- MOD:** Andrew represented the Ministry of Defence in a claim by an Army WO2 injured in a Challenger Tank accident at Castlemartin Ranges, South Wales, in June 2017. The gun's obturator pad had been removed for cleaning and it was fired with the pad missing. Ignition gases backfired into the tank's compartment. Further propelling charges that were lying on the compartment floor exploded. They should have been kept in the secure charge bin. Two Corporals were killed and two others, including SL, were very seriously injured. SL's injuries included burns to 35% of his body requiring skin grafts; the loss of all digits on his left hand; and PTSD. There was disputed expert evidence as to whether he had suffered a hypoxic or traumatic brain injury. A confidential settlement

- **PR -v- TW and NFU Mutual:** During 2021, Andrew represented the Defendants in relation to this road traffic accident claim valued at between £500,000 and £1m. Issues of fraud, fundamental dishonesty and covert surveillance arise. The claim is ongoing.
- **Malcolm Carew -v- MOD [2019] 6 WLUK 858:** Andrew defended the Ministry of Defence at the limitation trial in June 2019 in this claim by a former soldier for damages for Non-Freezing Cold Injuries. The claimant alleged fourteen cold exposures between 2004 and 2016. Six of the cold exposures were ruled to be time-barred; six were permitted to proceed; and two were accepted to be in time. The claim settled following the limitation trial.
- **Watson -v- MOD [2016] EWHC 3163 (QB):** On 8th April 2016, Andrew acted alone against leading counsel in successfully representing the Ministry of Defence in its application before H.H.J. Yelton to adduce covert surveillance evidence three weeks before the start of a trial in a claim pleaded in excess of £2,000,000.
- **C -v- MOD:** Andrew represented the Ministry of Defence in a claim by an Indian soldier who suffered a traumatic below-knee amputation whilst participating in a joint training exercise with the MOD in the UK. The claimant returned to India. The case raised various difficult issues including the correct quantification of loss under English law where the claimant's rehabilitation will take place in India; the cost of care in India; the reasonableness of Indian prosthetic provision; the use of English and Indian experts; and consideration as to whether a different discount rate should be applied under the Damages Act 1996. The claim settled at a JSM in March 2020 for £700,000.
- **ERS -v- BTL:** Andrew defended a haulage company against a substantial claim by its motor insurer for the reimbursement of sums paid out to third parties following a serious road traffic accident when a lorry collided with a Metrolink tram in Manchester. The case raised difficult issues concerning forms of consent and assignment, material non-disclosure, Section 151 of the Road Traffic Act 1988 and unjust enrichment. The case settled at a Mediation in January 2020.
- **L -v- H and M:** Andrew represented the defendants in a claim arising from a riding accident at a livery yard in which the claimant fell from a horse and was rendered paraplegic. The claimant was represented by leading counsel. The claimant's schedule of loss exceeded £4 million. Andrew successfully negotiated a settlement of £150,000 in January 2018.
- **B -v- CPS:** In July 2016, Andrew successfully represented the Crown Prosecution Service in the Court of Appeal when the claimant's oral application for permission to appeal was refused. Andrew also successfully represented the CPS at the civil jury trial in February 2015 involving allegations of malicious prosecution and misfeasance in public office.

Education

- St. Bede's College, Manchester (1988 – 1995)
- B.C.L., M.A. (Oxon) (Jesus College, Oxford University)
- Astbury Scholar (Middle Temple, 2000)
- Winner of the Middle Temple Rosamund Smith Mooting Competition (2000)

Beyond the Bar

Andrew enjoys spending time with his young family. He is a Mansell Patron of Jesus College, Oxford.