

## Gerard Martin QC

Call 1978 | Silk 2000



### Clerks' Details

Chantal Campbell

0151 242 8881

### Appointments

- Accredited Mediator
- Former Recorder - Medical Law Association

### Memberships

- PIBA
- PNBA

### Education

- Cambridge, Law degree 2.1, 1974-1977

### Beyond the Bar

Former Chair of the board of trustees at a local children's hospice.

### Court of Protection CV

#### Overview

Gerard has a nationwide practice handling catastrophic injury claims of complexity and high value and has a particular expertise in brain injury litigation. He has specialised in high value cases since 1993, and over the last 10 years the majority of his caseload has been in acquired brain injury cases of the utmost severity. His work is almost entirely instructed on behalf of claimants.

He has spoken on capacity issues at local and national seminars. His professional and non-professional role as the former chair of trustees of a children's hospice has given him a real insight into many issues often associated with Court of Protection matters.

Gerard welcomes direct approaches to discuss potential cases and is always ready to meet the client at their home. He is a former Recorder of both the Crown and County Courts having resigned that position in order to concentrate on advocating on behalf of clients.

His practice has long involved him dealing with brain injury and the linked capacity issues that inevitably arise in such cases. He is familiar with the challenges that cognitive deficits cause to both the client and their family. His approach is to listen to, understand, and make time for the client and their family in order to communicate their thoughts and wishes. This level of attention and care, along with a proven track record in getting his clients the best outcome possible under the circumstances, are two of the key reasons he is in such demand and remains so valued by his clients.

## Recommendations

“He is hugely experienced.” “There is nothing he doesn’t know about amputation cases - the extent of his knowledge is unbelievable.” **Chambers and Partners**

“He is very knowledgeable in complex medical negligence claims and is extremely thorough. He leaves no stone unturned.” **Chambers and Partners**

“He always takes a sensible approach to cases.” **Chambers and Partners**

“His excellent understanding and knowledge helped to guide us through the case. He remained firm and supportive and is someone you want on your side.” **Chambers and Partners**

“He has excellent knowledge in the field of brain and spinal injury claims, making the complicated seem simple.” “He is a great advocate and has an exceptional client manner.” “Very impressive.” “He knows his stuff and knows his cases very well.” **Chambers and Partners**

“I find that he has the ability to crisply analyse the issues in the claim and succinctly condense expert evidence.” “A true expert in brain damage cases, both in infants and adults. Clients find him delightful, especially as he has the ability to demystify a complex area of the law.” “He has a wealth of experience in brain and spinal injury cases.” **Chambers and Partners**

“His knowledge of prosthetics and amputee injuries is phenomenal. He has taken it upon himself to know everything there is to know about prosthetics.” “He commands the respect of the court and his preparation is first-rate.” **Chambers and Partners**

“An organised and accessible QC who understands the benefits of a structured plan for cases.” “Not only reliable, but exceptional in terms of results. It’s always a positive experience for clients due to his exceptional bedside manner, and his track record speaks for itself.” **Chambers and Partners**

“His manner with clients is exceptional and his practical thinking helps everyone working on the case to achieve the relevant objectives.” “He is top-rate and particularly valued for his knowledge on amputee cases and his ability to build a strong relationship with our clients.” **Chambers and Partners**

“Much admired for his ‘robust demeanour and his ‘brilliant analysis of a case.’” **Chambers and Partners**

“His client work is second to none; he has a clear, practical attitude which the clients really appreciate.” **Chambers and Partners**

“Gerard Martin QC is particularly known for his successes in personal injury claims, but is also an excellent choice to handle high-value clinical negligence cases. He wins particular praise for his client care skills.” **Chambers and Partners**

“Gerard has excellent people skills helping to manage the client through a very stressful time. He is calmness personified.” **The Legal 500**

“Gerard has excellent people skills helping to manage the client through a very stressful time. He is calmness personified. Gets to grips with the salient points quickly and is a sharp negotiator. His experience and knowledge of his rivals is second to none.” **The Legal 500**

“Has an invaluable knowledge of catastrophic injury claims.” **The Legal 500**

“Very hardworking with the ability to demystify complex areas of law.” **The Legal 500**

“He is brilliant on difficult cases involving medical negligence.” **The Legal 500**

“He demonstrates great client care and excellent advocacy.” **The Legal 500**

“A favourite going back many years for his decisive judgement calls that stand the test of time.” **The Legal 500**

“I am indebted to Gerard Martin QC. He agreed to accept instructions, on a CFA, in one of the most complex cases I have had the pleasure of dealing with in my short career. Very early on in the case Gerard had to trust my judgment, in the absence of supportive evidence. That trust delivered when a settlement was reached in December 2011.”

**Grant Evatt, Senior Solicitor, Blake Laphorn.**

**Coordinator of the APIL Military Special Interest Group**

“Gerard has always proven to be an extremely approachable Silk, who consistently goes that extra mile for my catastrophically injured clients. His advice is always thorough, clear and comprehensive. Gerard is also tenacious and when it comes to fighting in relation to important issues he knows how to get it right...”

**Helen Shaw, Potter Rees Solicitors**

“Gerard is a first class QC and I would highly recommend him to any team. As a solicitor specialising in brain injury cases he offers everything my clients and I require. He knows the law, he has an excellent understanding of brain injury, he handles experts well, he is respected by his opposition and he has a good feel for what a judge is likely to do when presented with all the available evidence. Gerard is also friendly, approachable and excellent at putting my client’s at ease and talking to them at their level. Most importantly he will also fight when necessary to see that justice is done.”

**Julie Reynolds, Julie Reynolds Solicitors**

## Cases

### ADR

#### ***Guantanamo Bay Negotiations 2010***

Acted for two of the inmates in a two week mediation against five Government departments seeking compensation for human rights violations, successfully settled.

#### ***AB 2010***

Severe brain injury to a 60 year old passenger in a car, £7.5 million recovered, including annual payments for care and case management of £310,000.

#### ***CD2010***

Severe brain injury for a passenger exiting a moving taxi- successfully recovered £250,000.

#### ***EF 2011***

Spinal injury tetraplegic in his early twenties, complicated by his failure to use care package, £7.3 million.

#### ***GH 2010***

Young man of 16 at time of severe brain injury, passenger in car driven off Beachey Head, management of his care team made difficult by his amorous relationship with one of his carers, just under £6 million recovered.

#### ***IJ 2011***

Chronic pain case for a man in his twenties, video surveillance and credibility in issue, settled for £535,000.

#### ***KL 2012***

A lady in her fifties, amputee, loss of upper limb, just below shoulder, issues re use of myo electric prosthetics - £1.15 million recovered.

#### ***OP 2011***

Turkish speaking man in his fifties, severe brain damage, unable to walk by reason of neurological injuries, lost ability to speak English, severely distressed by his injuries, complicated by boney growths around his knees causing pain, £5.5 million recovered.

#### ***QR 2012***

Young lady in her twenties, severe brain injuries, rendered virtually blind, 3% sight remaining in one eye, severe anxiety problems, case complicated because we were the second legal team, called in to take over the case from solicitors with whom the family had become dissatisfied, very difficult care package to manage, £5.5 million recovered.

### **MN2012**

Lady in her fifties, suffers severe brain injury, as a result suffers the onset of bipolar disorder, a diagnosis agreed by Defence expert to be caused by accident. The disorder not yet controlled by medication. Has reverted to her first language of Sri Lankan, profoundly deaf.

### **B 2018**

Case settled with two days to go before trial on liability, tetraparetic client having fallen downstairs at home and broken her neck, fracture missed at hospital. Case required tough negotiation and sensitive handling of client and her expectations. We settled at 50% of full liability

### **H 2018**

Paraplegic case just settled for £3.3 m, good negotiated settlement and client managed well.

### ***International cases***

Two recent cases of interest both concern the management of cases abroad. One involves a man in his sixties, living in Tehran, who suffered what we believe to be a severe brain injury when knocked down as a pedestrian in London and the brain injury was missed by the treating hospital which focussed on the orthopaedic injuries. The client speaks no English.

The other is for a young man with a severe brain injury who resides in Kuwait City, little is known as yet what systems for rehabilitation exist in his home country. Little English is spoken and reliance upon interpreters is essential.