

Christopher Allen

Call 2012



Clerks' Details

• Sarah Rotherham
• 0151 242 8887

Memberships

- Northern Circuit
- Personal Injury Bar Association

Education

- LLB (Hons) Law, Hatfield College, University of Durham (Class 2(i) – June 2003)
- Legal Practice Course, College of Law, Chester (June 2005)
- Admitted as a Solicitor of England and Wales – March 2006
- Higher Rights of Audience (All Proceedings) – April 2009
- Called to the Bar by Lincoln's Inn – March 2012

Beyond the Bar

Away from work, Chris is married with two young children. He is a keen follower and player of all sport especially football, tennis and squash. He is an infrequent visitor to the gym and the holder of a thoroughly deserved high handicap in golf. Chris is a keen sailor and is a qualified RYA Day Skipper.

Personal Injury

Overview

Chris practices exclusively in catastrophic / serious injury. His practice encompasses all means of drafting, advisory work and court appearances, and he has particularly adept at drafting large schedules of loss in cases involving spinal injuries, brain injuries, amputees, fatal accidents and otherwise catastrophic injuries including schedules exceeding £10 million. He drafts schedules in Word, Excel and via PI Calculator according to his instructing solicitor's preference.

He is instructed as sole counsel in cases pleaded up to £2 million and often as led junior in cases worth in excess of £2 million. He has been involved in finalising multiple multi-million-pound settlements in the last year including a £19.5 million and £17.5 million settlement (see attached list of cases for examples). He appears frequently against Queens Counsel and has considerable experience in obtaining substantial interim payments after contested applications.

Significant areas of expertise are:

- Catastrophic injuries – brain / spinal / amputees
- Cases involving Fatal Accidents Act 1976 and Law Reform (Miscellaneous Provisions) Act 1934
- Military Claims including psychiatric injuries, NFI and other very serious injuries
- Interim payments
- Costs inc. MOJ
- Appeals

Chris is also regarded as a costs specialist who regularly achieves very favourable budgets at CCMC's. He is regularly engaged in technical costs arguments including premature issue and/or unreasonable exit from the

MOJ portal process as well as the application of the fixed cost regime particularly in cases which settle before allocation to the multi-track even if the settlement exceeds the fast-track limit. He has experience in making applications under CPR 45.29J. In addition, 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 has an extensive practice in military claims acting only for Claimants. He fully understands the nuances of the military structure, of establishing career projections and pension loss calculation. He has successfully settled many claims involving NCFI's at joint settlement meetings and has experience of dealing with other very serious injuries involving military personnel.

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.

Chris is friendly and approachable. He encourages solicitors to contact him directly by telephone or email at all stages of litigation even before formal instructions have been sent. He maintains a comprehensive and updated database of experts and welcomes the opportunity to recommend suitable experts at an early stage.

Cases

JLM v KSR (2021) - the Claimant was 7 years old when she was knocked down by the defendant in 2015. She suffered a very severe traumatic brain injury. Such is the severity of her injuries that she will require 24/7 live-in care with 2:1 daytime care and has no employment prospects. Case settled at a JSM for £19.5 million (£21.75 million gross of liability). Led by Bill Braithwaite QC;

CD v EF (2021) - the Claimant was a minor at the time of the road traffic accident suffered serious brain injury and significant future needs. Case settled for a lump sum of £4.5 million plus PPO's of £195,000 p/a which had a capitalized value of £17.5 million approved by Mr Justice Freedman. Led by Bill Braithwaite QC;

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;

AB v XY (2019) - cyclist v motorist collision leaving claimant with a very significant acquired brain injury. The claimant needs 24-hour care as well as considerable future therapies and the need for extensive adaptations to his property. At the CCMC Chris secured a budget of £600,000 in costs (90% of what was claimed). Case settled at a JSM for a lump sum of £6.225 million approved by Mr Justice Jay. Led by Bill Braithwaite QC;

JG v ERS (ongoing) – C was a young minor at the time of the accident sustained a very severe brain injury which requires adaptive accommodation; 24/7 care etc. Likely value in excess of £10 million. Led by William Waldron QC;

JD (1) ST (Deceased) (2) v MW (ongoing) – the claimants were involved in a much publicised incident whereby the defendant and the driver of another vehicle deliberately rammed the claimant's 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. After commencement of proceedings an investigation concluded that failures with the treatment he received via the NHS resulted in the amputation being necessary and therefore the NHS have been brought into proceedings as a Defendant. Damages settled at £5 million. Led by Bill Braithwaite QC and Gerard Martin QC;

MF v JS (2020) - the claimant suffered significant polytrauma injuries which has prevented any remunerative earning capacity and resulted in a lifelong need for care. Settlement at a JSM for £3.15 million. Led by William Waldron QC;

FR v AS (2020) - the claimant was a motorcyclist involved in an RTA in October 2016 as a result the claimant suffered multiple severe orthopaedic injuries and he underwent a below knee amputation. Settled for £2.25 million. Led by William Waldron QC;

IH v AB (ongoing) - the Claimant was a motorcyclist involved in an RTA in September 2017 resulting in below knee amputation. Case in its infancy but likely to be worth in excess of £2.5 million. Led by William Waldron QC;

SC v AR (2018) - the claimant was a 5-year-old pedestrian who was knocked down by the defendant in 2002. She was aged 20 at the date of the settlement. Liability had been compromised and approved at 35% in favour of the Claimant. She suffered significant a brain injury and required significant care. Litigation lasted 15 years during which time the claimant underwent a trial on independent living. Case settled at a JSM on a lump sum basis which was approved by the Court in the sum of £1.7 million net or £4.8 million gross of the split on liability. Led by Bill Braithwaite QC;

GK v NH (ongoing) - the claimant suffered significant orthopaedic injuries as well as a severe brain injury following as RTA in May 2015. Claim pleaded at over £3.5 million. Led by Gerard Martin QC;

SA v NP (2018) - RTA claimant was a 16-year-old schoolboy waiting at a bus stop when the defendant motorist lost control of his vehicle and collided with the claimant causing the most serious of orthopaedic injuries to both legs. Extensive surgery saved both limbs but there is a risk that the claimant will elect to have a limb amputated due to pain. His ability to work has been impaired. Settled at a JSM for £1.5 million with provisional damages in the event the risk of amputation materializes. Led by David Knifton QC;

WH v JM (2018) – pedestrian v motorist collision which left the claimant with a very severe traumatic brain injury. Contributory negligence a live issue due to allegations of intoxication also the claimant had a very chequered past with a history of working on the black economy. Case settled at a JSM for £1.35 million or £925,000 net of contributory negligence which was approved by the High Court. Led by William Waldron QC;

SG v LG(1) MIB(2)(ongoing) - RTA were 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 - led by Gerard Martin QC;

JC v PL (2021) – serious motorcycle accident resulting in limb threatening orthopedic injuries. Settled at JSM for £830,000;

JS v DR (2018) – serious motorcycle accident leaving the Claimant with permanent brain injuries. Claimant had pre-existing medical issues and the issue of capacity was very much borderline. HHJ Gosnell sitting as a High Court Judge approved settlement at £850,000;

TR v DL (2020) – Claimant in her mid 20's suffered significant lower limb orthopaedic injuries with considerable scarring. Settled at a JSM in the sum of £750,000 net of CRU the settlement included a significant provision for cosmetic restoration sleeves to mitigate the effects of the scarring.

BM v NIG (2019) – Claimant was aged 13 when she was involved in serious accident on a school coach which resulted in a number of fatalities. The Claimant was left with significant injuries. Case settled at a JSM for £500,000;

JD v QBE (2019) – Claimant was injured at work when a firework exploded in his face resulting in significant facial injuries, the partial loss of sight in one eye and a minor brain injury with continuous cluster headaches. Settled at JSM for £253,000 net;

AB(Deceased) v CD (2019) – Fatal accidents act claim – settled by negotiation at £250,000;

TL v MB (2018) – motorcyclist v motorist collision resulting in significant orthopaedic injuries to both lower limbs. Problems with establishing pre-accident earnings but case settled for £210,000;

WS v JM (2017) – serious motorcycle accident leaving Claimant with permanent wrist injuries. Issues surrounding whether the Claimant was at a disadvantage on the open labour market and if so whether the correct calculation was on an Ogden 7 basis or a traditional Smith v Manchester award. Case settled at a JSM for £185,000 inc circa £100,000 for disadvantage which was either 4 times the Claimant's annual earnings on a traditional Smith basis or by reducing the reduction factor in accordance with Connor v Bradman on an Ogden 7 basis.

MM v Ageas Insurance (2017) – RTA in which the Claimant suffered serious orthopaedic injuries to the ankle. Although the Claimant had pre-existing fibromyalgia, had not worked for 10 years prior to the accident and already lived in an adapted property case settled by negotiation at £170,000.

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;

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;

R v Allied Healthcare Group Limited (2014) – accident at work which settled for £100,000 at a JSM;

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;