

## Stuart McCracken

Call 2010



### Clerks' Details

Joshua Finn  
0161 817 7124

Leigh Daniels  
0161 817 2768

### Appointments

• Junior Counsel to the Crown (Regional Panel C) (2018)

### Memberships

• Human Rights Lawyers Association  
• Personal Injuries Bar Association

### Education

• Bar Vocational Course, BPP Law School (Outstanding, 2010)  
• Master of Laws (LLM), University of Sydney (2005)  
• LLB (Hons) Law, University of Manchester (Class 2:1, 2001-2004)  
• Buchanan prize, Lincoln's Inn (2010); Thomas More Scholarship, Lincoln's Inn (2009); Hardwicke Scholarship, Lincoln's Inn (2008).

### Practice Overview

Stuart has a broad common law practice. Considered a bright junior, his predominantly multi-track practice extends to all aspects of personal injury work, including road traffic accidents, military claims, employer's liability and costs budgeting. He is regularly instructed in cases pleaded in excess of £500,000. He also has experience of CICA claims and actions against the police.

With a caring, compassionate nature and an innate sense of justice, human rights issues are very important to Stuart, having worked in Parliament and at the International Criminal Tribunal for Rwanda. This included the development of draft legislation to criminalise British participation in extraordinary rendition, and litigation in the UK and US under Freedom of Information laws to secure the release of important information on rendition. Naturally he welcomes instructions with a human rights element that will enable him to bring his experience and skills in this arena to the fore.

## Cases

**X v J (2022)** – this was a liability-contested employers' liability claim following an accident in which the claimant sustained a serious head injury following a fall at work. Expert neuro-rehabilitation and neurology evidence was obtained, and despite liability being denied in full a settlement of £200,000 was achieved at JSM.

**X v Essex (2021)** – successful Highways Act claim following a 2-day trial in which liability and quantum were both strongly contested.

**X v P (2021)** – the claimant suffered a significant injury to his left ankle at work for which liability was admitted. Issues in the case included the extent of any ongoing disability, future earning capacity, pre-existing degenerative conditions, and the need for orthotics and pain management treatment. A settlement of £300,000 was secured at JSM.

**X v Y (2021)** – acted in this High Court fatal accident claim on behalf of the estate and dependants of the deceased, involving complex issues of financial and services dependency, including expert care evidence. Following provision of a detailed schedule of loss the claim settled at JSM for a substantial six-figure sum.

**X v P (2020)** – represented the claimant motorcyclist, who sustained severe orthopaedic injuries to the left limb, pelvis and hip, from an early stage. Issues included residual earning capacity, life expectancy and care/aids. The claim settled for £575,000.

**X v C (2020)** – acted for the claimant following a serious road traffic accident in which he sustained a significant injury to his knee. Liability was denied and forensic engineering evidence was obtained by both sides. The defendant also sought to rely on surveillance evidence of the claimant. A settlement of £250,000 was agreed at a JSM.

**X v S (2018)** – Stuart was involved in this employers' liability claim arising out of a meniscal injury sustained at work from an early stage, ultimately securing a settlement of £320,000 at a JSM.

## Publications

Stuart is the co-author of *Account Rendered: Extraordinary Rendition and Britain's Role* (Biteback Publishing, London, 2011).

## Beyond the Bar

Stuart is a sports obsessive. When not playing badminton or football, he can be usually be found watching live sport, and has travelled the world in search of the perfect match.

Prior to coming to the bar Stuart worked in Parliament for the All-Party Parliamentary Group on Extraordinary Rendition, campaigning to get to the bottom of UK involvement in rendition. Stuart spent 5 months with the Office of the Prosecutor at the International Criminal Tribunal for Rwanda, assisting in the prosecution of four former government ministers for genocide and war crimes.