Gerard Martin KC

Call 1978 | Silk 2000

Clerks

Neil Wright
0151 242 8814

Appointments

- Accredited Mediator
- Former Recorder – Medical Law Association

Memberships

- PIBA
- PNBA

Education

- Cambridge, Law degree 2.1, 1974-1977

Personal Injury

Gerard is a renowned silk who specialises in brain injury and spinal injury cases for adults and children. He also has a wealth of experience dealing with claims for amputees, pain and somatoform disorders. His practice has been for the last thirty years exclusively for claimants. With each new case he enjoys getting to know his clients and building in them a trusting relationship with him. Achieving justice and fair compensation for those injured by reason of the fault of others is his motivation.

The majority of his work in silk has been for clients with severe brain and spinal injuries, resulting as the consequence of accidents or by way of clinical negligence. Through his vast experience he knows that each case of severe injury is unique and with this in mind he believes it unwise to generalise about outcomes, and that much depends upon the individual and the support they receive. Practising in this sphere has meant that the experts on both sides of the litigation divide are known to him, as are the centres of excellence for rehabilitation of the brain injured.

Gerard prides himself on ensuring each client, especially in cases where they may lack capacity to make decisions themselves, has a clear understanding of each action he will undertake on their behalf. He believes that by visiting the client and their family at home, hospital or rehabilitation unit enables him to gain a better understanding of the important issues in their lives. This in turn enables him to work hard to ensure the best possible outcome.

His working ethos aims to encourage and promote teamwork between client, solicitor, counsel and their expert advisors. He believes he works best when instructed at the outset of the case. This enables him to bring his considerable influence to its direction and to assist with ensuring the best experts to assist each client. Gerard applies this philosophy when also managing claims for spinal injury, amputees, complex regional pain syndrome and other somatoform disorders.

Often cases settle by negotiation rather than trial in court. This is where Gerard provides real expertise and value. One of his recognised skills is the preparation for and conduct of the negotiations which may lead to the conclusion of the case. His has a tried and tested ability to foresee well in advance the arguments to be deployed against his client, to gather the evidence and serve in advance of the meeting so as to defeat those arguments.

Gerard sits on the national board of trustees of the United Kingdom Acquired Brain Injury Forum. UKABIF is a charity which connects those with brain injury and their supporters to other like minded organisations so as to improve outcomes for those with brain injury. The charity works for all those with brain injury, the vast majority of whom have no legal claim to pursue. Working as a trustee provides Gerard with experience and expertise of outcomes for the brain injured in many aspects of their lives, health and social care, education and the criminal justice sector. He brings that broad insight to those he represents in their claims.

To download a presentation Gerard prepared for solicitors on the topic of, 'Clients with severe brain injury who want to access a sex worker but lack the cognitive capacity to organise it for themselves', please click here.

Gerard recently recorded a podcast on amputee rehabilitation with experts from Dorset Orthopaedic. You can listen here.

Personal Injury Cases

SN – case brought on behalf of a vulnerable homeless person knocked down whilst crossing the road sustaining a severe brain injury, his rehabilitation complicated by his continuing alcohol addiction. Case settled for £2 million.

Ashton v Liverpool YMCA – 2023 liabilty trial won for vulnerable client with drug and alcohol addiction problems who fell from fourth floor window, defence case alleged it was a suicide attempt, rejected by trial judge who found defendant liable for failure to maintain and repair the locking system of the relevant window.

SS – Case involved issues as to had the client suffered a mild brain injury and been one of the minority of victims who failed to make a good recovery or was it a psychologically driven disorder where the expectation was of a recovery with properly directed rehabilitation. The case was complex, the Claimant had undoubtedly suffered a devastating change in personality, but the Claimant's neuro-radiology expert changed her opinion late in the case so as to agree there was no radiological evidence of brain injury, which greatly weakened the presentation. Case settled for £780k at the second JSM between the parties in 2019.

PS – Top flight sports injury case – Premier league footballer suffers a broken femur in an RTA. Very significant litigation risks present in proving negligence against the Defendant driver, back calculation of blood alcohol levels, analysis of CCTV footage in dash-cam of driver witness to the lead up to the accident. Real risk we would not prove the case at all.

On quantum, issues involved client's potential career, aged 26 yrs at time of accident and now 29 years old. Importance of obtaining top class evidence from those who knew him as to his potential – provided both by club owner and club manager. Client took 12 months to return to fitness – in which time the club had bought two replacements for the position played in by the client. On his return, the client had not played in first team thereafter. Case settled for £3.4 million in 2019.

E – A young boy aged 4 injured in an RTA, now 9 years old, where we recovered just over £20m for him. Liability settled at 95%, this was a quantum case with complexities in recovering successfully two to one care from age 9 years,a substantial sum for the cost of home education, likewise a substantial sum towards the cost of a large bungalow, a sum we valued near £1m for holidays, plus a substantial amount for motor-homes.

L – Client in an abusive relationship with partner/carer, housebound severely brain injured, client lacking capacity and easily influenced by partner who was physically violent to her. Case involved defending applications to strike out for client's failure to be available for Defence medical examination and consideration of an application to the Court of Protection to appoint a health and welfare deputy. Difficult issues on life expectancy.

M – Case settled at JSM for £2.85m, involving liability valuation at circa 75% on lack of health and safety training. Brain injured client lacking capacity – tough negotiation which involved refusing £2.5 million at jsm and gaining an extra £350,000 thereafter.

RN – Complex case because very severe brain injury where rehab was difficult – client had very little insight. The main issue was how much day and night care was needed. Foreign insurer so issues over financial security regarding ppos. £11m settlement.

E – Severe brain injury case. Very difficult presentation re future loss of earnings for a young woman who was still working as a nurse despite a severe brain injury. Settlement of £2.95m.

GH – A young man who before his brain injury and amputation had the condition of spinal muscular atrophy – future care claim was complex and difficult to present. Settlement of £1m.

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

AB – 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.

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

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

GH – 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 – Chronic pain case for a man in his twenties, video surveillance and credibility in issue, settled for £535.000.

KL – 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 – 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 – 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.

MN – 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

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 focused 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.

Recommendations

"Gerard Martin is excellent in all respects." **Chambers and Partners 2026**

"Gerard is an outstanding advocate and a brilliant negotiator. He is charming with clients and puts them at ease. He can handle very tricky cases with aplomb." **Chambers and Partners 2026**

"Gerard is great to work with. He has extensive knowledge. good understanding of risk and prepares well. He separates the wheat from the chaff and is a super advocate." **Chambers and Partners 2026**

"Gerard is a hugely experienced silk." **Chambers and Partners 2026**

'He is extremely experienced and balanced in his actions. He works extremely hard to put clients at ease and ensure that cases run as effectively and smoothly as possible.' **The Legal 500 2026**

'Gerard's knowledge of amputee claims is second to none. He always goes the extra mile. His charming and disarming manner makes it easy to work with him and clients love him.' **The Legal 500 2026**

"Gerard is an excellent silk who reads the court and opponents impeccably. An outstanding negotiator with a gentle yet deadly cross-examination technique. He is great with clients and experts alike." **Chambers and Partners 2025**

"Gerard is very knowledgeable" **Chambers and Partners 2025**

"Gerard is able to identify the salient issues almost from day one, and within that helps to manage risk as well as being able to maximise the end result for the client. Not only does he have cutting edge knowledge, which is continuously being updated, but he also has a very personable manner with the clients." **The Legal 500 2025**

"Gerard sees through the minutiae, he exudes confidence, and he stops at nothing to ensure clients achieve the best outcome. He has a quiet authority and has performed brilliantly in negotiation." **The Legal 500 2025**

"Gerard is an excellent Silk, and his advice has been invaluable for our most catastrophically injured clients. His positive engagement with clients and their families really sets him apart. Gerard's in-depth case knowledge inspires confidence and allows him to provide quality, real-time advice in fast-moving cases."
Nigel Barrowcliff, Managing Director, LLB Solicitors

"I have worked with Gerard Martin QC in complex and high value clinical negligence cases including those involving spinal injuries, brain injuries and amputation. He is extremely knowledgeable in such cases and able to provide clear strategies going forward to bring cases to a successful conclusion. His guidance has made significant differences to highly complex cases. He handles experts well and treats clients with sympathy, recognising the trauma they have been through and provides guidance on rehabilitation options. His detailed knowledge of cases involving amputation is particularly impressive and he leaves no stone unturned for clients."
Christopher Noble, Head of Clinical Negligence, Atherton Godfrey LLP

"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 Lapthorn.
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

Beyond the Bar

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