Stuart McCracken

Call 2010

Clerks

Leigh Daniels
0161 817 2768

Olivia Cleere
0161 817 7138

Appointments

- Deputy District Judge
- Pro Bono Panel – Centre for Women's Justice
- Junior Counsel to the Crown (Regional Panel C) (2018-2023)

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).

Military Injury Claims

"Stuart is an experienced junior in military personal injury litigation. He has a relaxed manner with lay clients and does an excellent job of putting them at ease, and this skill is extremely important when dealing with vulnerable clients" (The Legal 500 2025)

Military cases form a substantial proportion of Stuart's practice.

He has advised and represented claimants in a wide range of civil claims involving the Armed Forces, including serious orthopaedic injuries sustained during pre-recruitment and training exercises; non-freezing cold injuries ('NFCIs') and heat injuries; 'blast lung' injury; bullying, harassment and assault suffered during service; noise induced hearing loss ('NIHL') sustained as a result of service; and psychiatric injuries, including allegations of clinical negligence such as failures to diagnose and/or treat such symptoms following return from theatre.

He has also appeared in the First Tier Tribunal (War Pensions and Armed Forces) on appeals against awards or ineligibility under the Armed Forces Compensation Scheme ('AFCS'), and has advised in cases involving the Criminal Injuries Compensation (Overseas) Scheme ('CIC(O)'). He acts pro bono in such cases when appropriate.

As with all personal injury claims, Stuart is keen to be involved from an early stage. He is happy to provide informal advice and assist with the instruction of experts with military specialism, on both liability and quantum.

His expertise in military cases means he is well placed to draft pleadings and to advise on the complex loss of earnings and pension loss claims which are often a feature of such cases, and their overlap with Guaranteed Income Payments ('GIPs') awarded under the AFCS.

Cases

MILITARY CLAIMS

S v MoD (2025) – in this military NIHL case a pyrotechnic exploded close to the claimant's head while he was asleep, causing acoustic trauma and hearing loss. He lost the opportunity to commission and as a result left the British Army. Breach of duty and causation were denied, exaggeration was alleged, and limitation arguments were made by the defendant. Stuart was extensively involved throughout, securing the abandonment of the breach of duty and limitation defences, and concessions on the part of the defendant's ENT expert following CERA testing which provided objective proof of the claimant's hearing loss. The claim settled for over £750,000 at JSM.

A v MoD (2024) – the claimant who was a Royal Navy diver sustained a mild non-freezing cold injury ('NFCI') during a diving exercise in Scotland. Despite the mild nature of his injury he was unable to continue his career as a diver and was medically discharged as a result. Liability, causation and quantum were all in dispute. Following exchange of expert evidence Stuart drafted a detailed schedule of loss, projecting not only military losses but more significantly the loss of civilian diving opportunities as a commercial SAT or Air diver thereafter. The claim settled at JSM for £950,000.

M v MoD (2024) – the claimant was exposed to significant noise during his service in the British Army, in particular when driving the Jackal armoured vehicle. He was required to wear a communication headset which did not offer hearing protection, despite dual hearing protection being advised in respect of the HMG mounted on the Jackal. He sustained noise induced hearing loss ('NIHL') as a result. The defendant denied liability in full. Expert ENT, acoustic and audiology evidence was obtained and tested, and following joint statements Stuart secured a settlement of over £500,000 at JSM.

X v MoD (2024) – the claimant was serving in the Royal Navy when he sustained a penetrating injury to his eye. His eye could not be saved and he underwent a left enucleation with placement of a bioceramic orbital implant. Identification and calculation of future treatment and prosthetic costs, and quantification of the value of his Guaranteed Income Payments (GIPs) and Armed Forces Independence Payments (AFIPs), added complexity to the settlement negotiations and valuation of the claim. The claim recently settled, on a provisional damages basis, for a seven-figure sum, gross of AFCS, GIPS and AFIPs.

Z v MoD (2023) – this was an unusual claim arising out of cold exposure during the claimant's service with the British Army, following which she developed not only a non-freezing cold injury ('NFCI') but also cold urticaria, resulting in her medical discharge. Causation of the cold urticaria was strongly disputed by the defendant. Stuart advised throughout, including on expert evidence, loss of earnings and pension loss, and secured a £470,000 settlement for the claimant at JSM.

B v MoD (2022) – Stuart acted for the claimant in a liability-disputed claim following an altercation at the defendant's accommodation block in which the claimant sustained a leg fracture leading to his medical discharge. The defendant alleged that the claimant had been the instigator of the incident and so was responsible for his own injuries. The nature of the claimant's leg fracture and its effect on his future work and earning capacity were also in issue. The claim settled for £250,000 at JSM.

X v MoD (2022) – Stuart acted for the claimant who had suffered NIHL during military training exercises as a result of a failure to provide adequate hearing protection. Causation was in issue. After significant input into the medico-legal evidence and a robust Reply causation was ultimately conceded, the claim settling at a JSM for well over £200,000.

X v MoD (2022) – in this unusually severe NFCI claim both liability and causation were denied. Stuart had significant involvement throughout due to its factual and medical complexity. Following joint statements the claim settled for a six-figure sum at a pre-trial settlement hearing.

X v MoD (2021) – acted for the claimant who had sustained an NFCI during exercises with the British Army. Settled for a six-figure sum.

X v MoD (2020) – acted for the claimant who sustained a broken ankle during a military prerecruitment course. Liability was contested and expert liability, medical and employment evidence was required. The claim settled for £175,000 net at a JSM.

X v MoD (2019) – in this liability-denied military claim involving a significant knee injury sustained during a training exercise, Stuart acted for the claimant throughout and secured a net settlement of £335,000 at a JSM.

Recommendations

"Stuart is a very technical barrister, easy to work with, and particularly good with sensitive clients. He is able to explain complex legal matters in a way they understand."
The Legal 500, 2026

"Stuart is an experienced junior in military personal injury litigation. He has a relaxed manner with lay clients and does an excellent job of putting them at ease, and this skill is extremely important when dealing with vulnerable clients."
The Legal 500, 2025

"Stuart is excellent on papers and available for ad hoc advice. He is always very well-prepared for conferences with clients and experts, and he is a good negotiator."
The Legal 500, 2024

'Stuart is extremely well-prepared for his trials. He is impressive tactically; tenacious in his submissions and took good points; and his cross-examination is incisive and effective. Alongside all of that, he is a pleasure to be against. He fights hard for his client while also being a very pleasant opponent.'
The Legal 500, 2023

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.