

Ben Handy
Head of Pupillage



YEAR OF CALL: 2008

INN: LINCOLN'S INN

“ Ben is excellent with clients and provides a high standard of technical advice. He is practical, clear in his views and an excellent communicator with instructing solicitors.”

CHAMBERS UK, 2022
PERSONAL INJURY

Practice Overview

Chambers' Head of Pupillage, Ben is an experienced personal injury barrister specialising in high value litigation, regularly involving claims of £1m or more. He is recommended by both Chambers UK and the Legal 500, in which it is said that he is "user friendly and approachable", "provides a high standard of technical advice", and "combines great client care skills with tactical nous".

Well regarded as a trial advocate and a fair but robust negotiator, Ben has extensive experience dealing with life-changing injuries, poly-trauma, and complex issues of causation or quantum. Particular specialisms include serious road traffic accidents involving vulnerable road users such as children, pedestrians or cyclists, construction site and agricultural accidents involving heavy machinery, psychiatric harm arising from historic sex abuse, and workplace stress. He is also regularly instructed to deal with sensitive allegations of fraud or fundamental dishonesty.

Areas of Expertise

Clinical Negligence

Ben's recent clinical negligence and inquest work has focused on claimants, and the families of claimants, who have suffered life-changing and life-ending injuries in hospital. To this work he brings the same tactical know-how and client care for which he is recognised in his personal injury practice.

Recent cases have included stroke caused by improper placement of a nutrient line into a vein, serious birth-related injuries caused by a negligent failure to carry out a planned Caesarean section, death by pulmonary embolism following failure to continue prophylaxis on transfer between hospitals, and suicide following unsupervised release from a secure mental health unit.

Inquests & Public Inquiries

Ben has represented interested parties, including families, insurers, health authorities and prison authorities, throughout the inquest process. Recent instructions have included inquests into drug-related deaths in prison, suicide during unsupervised leave from a mental health unit, and death in a motorway collision involving vehicles stranded on the hard shoulder.

Mediation

As a qualified mediator, Ben can help parties resolve disputes without the need for costly and uncertain litigation. His varied personal injury and clinical negligence practice means that he is keenly aware of the legal and practical realities the parties face, quickly picks up the detail from the papers and allows him to check a case from both sides.

Personal Injury

Catastrophic Injury

Particular specialisms include serious road traffic accidents involving vulnerable road users such as children, pedestrians or cyclists, construction site and agricultural accidents involving heavy machinery, psychiatric harm arising from historic sex abuse, and serious workplace stress. He is also regularly instructed to deal with serious or sensitive allegations of fraud or fundamental dishonesty.

A qualified mediator, Ben is well regarded both as a trial advocate and as a fair but robust negotiator. He is consistently recommended in the Legal 500 in which it is said that he is a “notable” barrister, “excellent to work with”, “combines great client care skills with tactical nous”, is “very practical and can see the bigger picture in cases”, and is “excellent with clients and extremely personable”.

Employer's Liability

Ben has extensive experience of claims involving accidents at work, regularly advising injured employees and defendant employers from an early stage right through to trial. He has lectured on the courts' approach to the 'Six-Pack' Regulations pre- and post-Enterprise Act, and is happy to provide in-house training tailored to the needs of insurer clients on request.

Personal Injury Costs

Ben has extensive experience of costs budgeting hearings, and is happy to assist clients with both prior preparation and subsequent amendment of budgets, as well as tactics for getting the best from the budgeting process.

Personal Injury Fraud

Ben is commonly instructed in cases of suspected fraud and fundamental dishonesty, with a number of notable successes both at trial and in applications to remove a claimant's costs protection after they have discontinued. He is regularly instructed to advise, draft pleadings, and write detailed written questions to put to experts and claimants before trial. He has extensive experience of cases involving issues of occupancy, 'phantom passenger', 'slam-on' or induced collisions, low velocity impacts, late reporting, social media activity and surveillance evidence, and has written and lectured on the rules and developing case law relating to 'QOWCS', fundamental dishonesty and Section 57.

Public Liability

Public liability work makes up a large proportion of Ben's practice, and he has written and lectured on the Highways Act, Defective Premises Act, Occupiers' Liability Acts and related areas. He has previously been asked to advise county councils on best practice in highways maintenance, inspection, investigation and record

keeping, in order to reduce the likelihood of future accidents and consequent claims.

Recommendations

"Ben is very client focused, keen to find solutions, user-friendly and approachable."

LEGAL 500 , 2022
PERSONAL INJURY

"Quick to get to the crux of the issue, mindful of the bigger picture, provides pragmatic advice, adds significant value to the cases he works on and excellent to work with."

LEGAL 500 , 2021
PERSONAL INJURY

"Excellent with clients and extremely personable."

LEGAL 500 , 2020
PERSONAL INJURY

"Very practical and can see the bigger picture in cases."

LEGAL 500 , 2019
PERSONAL INJURY

Professional memberships:

- ▶ Personal Injury Bar Association (PIBA)
- ▶ Action Against Medical Accidents (AvMA)
- ▶ Association of Personal Injury Lawyers (APIL)

Qualifications & awards

- ▶ LLB Law (First Class Hons), University of Manchester (2007), Bar Vocational Course MMU (2008)
- ▶ University of Manchester R.G. Lawson prizes in Law, Medicine & Ethics; Constitutional Reform and Mental Health Law (2007)

Additional Information:

In his free time Ben loves anything sport related; he has run marathons in Liverpool, Paris (twice), and London, and as part of Chambers' team he completed Oxfam's Trailwalker in 2016. Most summers you will find him in the queue at Wimbledon, or getting frustrated with the England football team.

Contact Ben:

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