

# CATASTROPHIC INJURY CONFERENCE



St John's  
CHAMBERS

Raising funds for Headway Bristol

Thursday, 9th November @ 8.45am - 5.15pm  
Bristol Marriott Royal College Green  
Cost: £100 + VAT

APIL  
Accredited  
CPD:  
6.45 hours

St John's Chambers Personal Injury team, and sponsors Somek Associates invite you to this one-day conference which will take you through a **high-value personal injury claim** from a road traffic accident from start to finish. There will be talks from medical and legal experts focusing on both the liability and quantum aspects of such claims.

We will be joined by medical professionals in the field of **amputation**, **neuroradiology** and **neuropsychology**, and at the end of the day delegates will take part in a **quantum trial** with an interactive voting session followed by the judgment with Richard Stead acting as the Judge.

Join us for drinks and canapes after the conference which is kindly sponsored by ProActive Prosthetics.

Sponsored by

**SOMEK**  
AND ASSOCIATES

medico-legal consultancy

The conference is aimed at claimant and defendant personal injury solicitors, legal executives and paralegals working on high-value claims.

## Highlights:

- The use of liability experts in RTAs
- Contributory negligence
- Liability update (latest on e-scooter claims)
- Fundamental dishonesty and the value of surveillance
- Pleading losses in high value claims: Schedules and counter-schedules
- An interactive interim payment

Drinks sponsor:

ProActive Prosthetics  
**20 YEARS**  
**2001-2021**  
making more possible

Raising funds for:

  
**Headway  
Bristol**  
improving life  
after brain injury

# PROGRAMME



St John's  
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“ A market-leading set, well regarded for its formidable personal injury offering. ”

CHAMBERS UK, 2023

8.45 - 9.15am Registration and refreshments

9.15 - 9.30am Welcome and introduction of case study  
Rachel Russell, Head of Personal Injury team

9.30 - 9.45am About Headway Bristol

## Liability

9.45 - 10.15am The use of liability experts in RTAs  
Matthew White, Head of Chambers

Matthew will cover when it is a good idea to instruct a liability expert, when to resist such instruction, and what some reported cases have to tell us on the issue.

10.15am - 10.45am Children lack road sense. So why do we find them contributorily negligent?  
Justin Valentine, Deputy Head of Clinical Negligence

10.45 - 11.05am Medico-legal issues in care and occupational therapy - is your expert evidence able to withstand scrutiny  
Jessica Thurston, Occupational Therapist & Care Expert, Somek and Associates

11.05 - 11.20am Refreshments

Liability breakout sessions - you can choose which session to attend.

11.20am - 12:05pm A: Liability update: E-scooters and more  
Rachel Segal, Barrister

B: Fundamental dishonesty and the value of surveillance: Tips tricks and an update on the case law  
Darren Lewis & Jimmy Barber, Barristers

12.05pm - 12.50pm Interim payment application example with voting  
Andrew McLaughlin, James Hughes and Rachel Russell acting as Judge

12.50 - 1.30pm Lunch

# PROGRAMME



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“ St John's Chambers has a wide breadth of expertise and experience.' ' They are always able to offer available counsel at the right level on any case.”

LEGAL 500, 2023

## Quantum

1.30pm - 2.10pm **Risks of amputation in serious leg injury cases**  
Anthony Perera, Orthopaedic Surgeon

2.10pm - 2.50pm **Quantifying cognitive loss and psychological harm**  
Professor Martin Bunnage, Consultant Clinical Neuropsychologist and Honorary Professor of Clinical Neuropsychology

2.50pm - 3.30pm **Neuroimaging following head trauma**  
Dr Neil Stoodley, Consultant Neuroradiologist

3.30 - 3.45pm **Refreshments**

Quantum breakout sessions - you can choose which session to attend.

3.45 - 4.15pm **A: Schedules of loss: Hints and tips from recent case law**  
Ben Handy, Barrister  
**B: Counter schedules**  
James Marwick, Barrister

4.15pm – 5.00pm **Quantum trial with voting**  
Julian Horne and James Marwick with Richard Stead acting as judge

5.00pm – 5.15pm **Question time**  
The Personal Injury barristers will partake in a question time with the audience.  
The winners of the charity raffle will be announced.

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#RTAConf2023

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# EXPERTS



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Professor Bunnage is a Consultant Clinical Neuropsychologist with over 20 years of clinical experience in the NHS. He is HCPC registered, a Chartered Psychologist and appears on the Specialist Register of Clinical Neuropsychologists. He is Head of Neuropsychology at North Bristol NHS Trust and Honorary Professor of Clinical Neuropsychology at the University of Bristol. He has been offering medical-legal opinion since 2007, has undertaken specific medico-legal training, and is currently instructed 50:50 by claimants and defendants.

Professor Martin Bunnage



Qualified in Medicine from the University of Oxford in 1985. Initial postgraduate training in general and paediatric surgery before changing specialty to train in radiology and neuroradiology in Southampton and Oxford. Appointed consultant neuroradiologist in Cardiff in 1998 moving to Bristol in 2002 to work at Frenchay and then Southmead Hospitals and Bristol Children's Hospital. Major sub-specialty interest in paediatric neuroimaging. Retired from substantive post in March 2021. Throughout consultant career has maintained a busy medicolegal practice mainly in paediatric cases but with some general adult work. Has written over 3500 medicolegal reports and has given oral evidence to various Courts on over 400 occasions.

Dr Neil Stoodley



Anthony Perera is an Orthopaedic Foot and Ankle Surgeon in Cardiff. He trained and worked in the UK, South Africa, Ireland and the USA (for which he received the top national fellowship award). He is now in full time private practice but prior to this he worked at the University Hospital of Wales for 15 years. This is one of the UK's Major Trauma Centres and also one of the biggest foot and ankle departments in the country. He is an active researcher and has won a number of national and international awards for his research. In 2015 he co-founded an orthopaedic innovation start-up incubator, incorporated in the USA and he has recently been appointed as Visiting Professor of AI Innovation in Orthopaedics at the University of South Wales. His orthopaedic interests are professional and recreational sports injuries, trauma and minimally invasive forefoot surgery and he acts as an expert in foot and ankle clinical negligence.

Dr. Anthony Perera



# BARRISTERS



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**Rachel Russell, Head of PI**

Year of Call: 2001

"Rachel is an extremely proficient advocate. 'Her written work makes analysing complex issues very straightforward. She is extremely able, very approachable and really good with clients.' "

CHAMBERS UK, 2023 PERSONAL INJURY

Rachel is Head of our Personal Injury team, and highly respected both in Chambers and on circuit. She is a Recorder on the Western Circuit sitting in the civil jurisdiction. Rachel has gained a reputation for her robust advocacy, well-reasoned but no nonsense approach to complicated issues, and her friendly manner with clients. She has 20 years' experience of personal injury cases, acting for both claimants and defendants with extensive expertise in claims concerning catastrophic injuries of the utmost severity. She was instructed as junior counsel to Christopher Sharp KC in a particularly complex traumatic brain injury case. Rachel's regular clients include national insurers and top-tier claimant firms, as well as numerous local authorities throughout England and Wales.



**Richard Stead**

Year of Call: 1979

"Richard is highly experienced in a variety of issues, including Animals Act claims and construction site accidents. He focuses on matters involving brain and spinal injuries. 'Richard is extremely able, very approachable and really good with clients.' "

CHAMBERS UK, 2023 PERSONAL INJURY

Richard is one of the leading practitioners on the Western circuit handling claims of catastrophic injury. He is highly regarded for his expertise in a wide array of complex and specialist liability claims including agriculture, animals, trees and construction. He has considerable experience in employer's liability, sports injury and RTA claims, and regularly handles extremely high-value claims for claimant and defendant solicitors, particularly those involving brain injury. Richard represented the claimant at first instance through to the House of Lords in the case of *Mirvahedy v Henley* [2003] UKHL 16 at which the claimant's argument prevailed. Renowned for his skills as an excellent advocate, Richard always commands respect and attention in Court. His reputation means he is regularly called to represent clients at joint settlement meetings and mediations. in negotiating resolutions in high-value cases.



**Andrew McLaughlin**

Year of Call: 1993

"Andrew is a robust and experienced advocate.' 'He inspires confidence in those instructing him.' 'Andrew is a first-rate barrister. He is exceptional.' "

CHAMBERS UK, 2023 PERSONAL INJURY

Andrew is a leading junior in the fields of personal injury and industrial disease, consistently recommended in Chambers UK and Legal 500 for the past 15 years, whose practice takes him to all parts of the country but particularly the South West and South Wales. He is ranked as a band one practitioner in personal injury and is one of only twenty-eight barristers nationwide to be listed as an industrial disease expert in the Chambers UK Spotlight table. He is also recommended in the Legal 500 for Health and Safety regulatory work. He has been a member of the TSOL panel since 2012. Andrew is instructed by nearly all major insurance companies as well as private individuals and companies. He is instructed by the Government Legal Service on behalf of various departments of state. He also undertakes work on behalf of NHS Trusts and Local Authorities. Andrew has extensive experience of dealing with multi-track claims at all levels, including at the top end catastrophic accidents such as the explosion at the Port Talbot Steelworks and group litigation in relation to industrial disease. He opened the appeals in *Denton v TH White* on behalf of the successful lead defendants. He is on the Attorney General's List of Panel Counsel 2012 – 2023.

# BARRISTERS



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**Matthew White**  
(Head of Chambers)  
Call: 1997

"Matthew has a sharp mind and is a great communicator. 'He is extremely clever. He covers all issues with a great degree of knowledge.' "

CHAMBERS UK, 2022 PERSONAL INJURY

Matthew deals with all aspects of personal injury litigation for both claimants and defendants. He aims for a roughly equal spilt between claimant and defendant work, taking the view that it makes for a more rounded and better lawyer to have insight into the thinking of the opponent. With over 20 years' experience, he has considerable expertise in serious injury claims, particularly brain and spinal injuries, highway law, industrial diseases (particularly asbestos), pain litigation, inquests and costs, as well as the more routine employers' liability, public liability and road traffic claims. He has been described by clients as "forensically thorough" with "fantastic attention to detail." He has been recommended in Chambers and Partners and in Legal 500 for many years. He has been on the Attorney General's panel of counsel to the Crown since 2002, including being on the A-panel of most senior counsel since that system was introduced outside of London, therefore trusted to deal with the most complex government cases and expected to be against KCs.



**Julian Horne**  
Call: 1998

"Julian handles the full spectrum of personal injury matters. 'He is able to get to the heart of the matter. 'Julian is concise and straight-talking.' "

CHAMBERS UK, 2022 PERSONAL INJURY

Julian works in all aspects of personal injury law including employers' and public liability, industrial disease, road traffic accidents (including fraud work), product liability, fatal accidents including inquests, and costs. He is more commonly instructed by defendants and their insurers, and his practice extends to cover insurance and indemnity issues. He has particular experience of personal injury claims arising in the construction sphere and is frequently involved in complex quantum disputes, often in the context of catastrophic injuries. He understands the need for clear and practical advice.



**Justin Valentine**  
Call: 1999

"Justin has a no-nonsense and forensic approach, is good in managing client expectations and possesses fantastic attention to detail. Excellent in dealing with medical experts."

THE LEGAL 500 2023, CLINICAL NEGLIGENCE

Justin undertakes all aspects of personal injury work acting predominantly for claimants. He has a particular interest in workplace claims (especially where liability expert evidence is required) and claims involving vulnerable road users (children, pedestrians, cyclists, motorcyclists). His approach to personal injury actions is to assist solicitors to take control of litigation via use of the available procedural tools (Part 18s, Replies) which assists in achieving swift outcomes. Justin has experience in representing interested parties at inquests. He has experience in drafting complex, high-value Schedules of Loss in catastrophic and fatal accident claims.



# BARRISTERS



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**Darren Lewis**

Year of Call: 2004

"Darren is a tenacious advocate who presents his clients' cases with true passion. He is a formidable presence in court; he consistently demonstrates tenacity and rigour and is fearless in cross-examination." **LEGAL 500 2023, PERSONAL INJURY**

Darren specialises in personal injury and employment matters and is a leading junior on civil fraud, fundamental dishonesty, S57 defences as well as committal for contempt of court. He has extensive expertise in strategy, tactics and risks defending dishonest claims from their inception to strike out/dismissal and even committal for contempt of court. He has lectured extensively on all aspects of civil fraud for defendants. Darren is one of the leading personal injury costs barristers in the South West, and ranked in tier 1 by The Legal 500. He has appeared in some of the leading cases following the recent rule changes arising from Jackson, QOCS and fixed fees. He has extensive experience in industrial disease litigation and employers' liability, with an emphasis on emerging fields such as non-freezing cold injury claims and MoD claims as well as NIHL, asbestosis and upper limb disorders. His clients range from heavy industries, for example Tata Steel, to public services. He works in all aspects of local authority liability ranging from highways, employers and occupiers liability, to very sensitive claims arising from secure units, specialist schools and respite centres.



**Jimmy Barber**

Year of call 2008

Jimmy is a specialist practitioner in the fields of clinical negligence, personal injury and industrial disease. He joined St John's Chambers in September 2015 having previously practised in London. Jimmy accepts instructions in all aspects of personal injury law, primarily acting for insurance companies and local authorities and public bodies. He is willing to accept instructions from claimants on a CFA basis in appropriate cases. He is regularly instructed to advise, settle pleadings and to attend trials and interim hearings in multi-track cases in the County Court and the High Court. Jimmy has significant experience of fraudulent RTA claims, and has dealt with claims involving allegations of dishonesty, surveillance footage, low velocity impacts, staged accidents and exaggerated claims. He has secured multiple findings of fundamental dishonesty at trial. He is experienced in employers' and public liability and industrial disease claims, including claims involving health and safety regulations, NIHL, occupational stress, the Highways Act 1980, the Occupiers' Liability Acts and claims for negligence. He acts in travel law claims brought under the Montreal and Athens Conventions and the Package Tour Regulations.



**Ben Handy**

Year of call 2008

"Ben is very astute and gets to the heart of the issue straight away. He is a details man, yet he communicates in a very clear and concise manner, which enables all concerned to focus on the core issues. He is a very personable barrister."

**THE LEGAL 500 2023, PERSONAL INJURY**

A specialist personal injury barrister and part-time judge, Ben has for years been ranked by both Chambers UK and the Legal 500 for his work representing claimants and defendants in complex and high value injury claims. In previous editions his clients have said he is "user friendly and approachable", "provides a high standard of technical advice", and "combines great client care skills with tactical nous". He was recently appointed Recorder by the King on the advice of the Lord Chancellor and Lord Chief Justice, and he is a qualified mediator. Well regarded as a trial advocate and a fair but robust negotiator, Ben is particularly noted for his down-to-earth and sensitive approach with clients and families who find themselves involved in litigation after life-changing injuries. He likes to work with his instructing solicitors in an inclusive manner, managing cases as a team.

# BARRISTERS



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**James Marwick**

Year of Call: 2008

"James does not back away from a difficult or challenging case. He is robust yet able to change his style in cross examination, depending on the individual in front of him, and his advocacy is second to none. He has an excellent way with clients to make them feel at ease." **THE LEGAL 500 2023, PERSONAL INJURY**

James has been recognised as a leading junior in personal injury work for a number of years. He specialises in high-value claims and undertakes work for claimants and defendants involving serious injury. James accepts instructions in all areas of personal injury work but with particular specialisms including local authority liability, construction work, military and workplace injury & disease, and cases involving allegations of dishonesty and fraud, where James is recognised as a specialist in the field. His work encompasses the full range of injuries but with a particular focus on cases involving spinal injury, pain disorders and traumatic brain injury. He has been involved in a number of leading cases in recent years including *Brown v South West Lakes Trust and others* [2022] EWCA Civ 18 where he was successful in the Court of Appeal (led by Robert Weir KC) in a case concerning a fatal road traffic accident and the limits of the liability of occupiers. James is often instructed for claimants and defendants as sole junior in cases against leading counsel or those otherwise relating to life changing injuries and involving expert evidence across a range of disciplines. He is a highly experienced trial advocate known for his robust cross-examination of witnesses and experts.



**James Hughes**

Year of call 2011

"A tenacious advocate, who is very approachable and appreciated by clients and witnesses alike for his easy-going manner and interpersonal skills." **THE LEGAL 500 2023, PERSONAL INJURY**

James is a specialist personal injury and clinical negligence practitioner. He has extensive experience across the full spectrum of such work, including public and employer's liability, road traffic accidents, industrial disease and travel claims. He is a highly experienced interim hearing and trial advocate. He acts for claimants and defendants in roughly equal measure. He is regularly instructed on behalf of defendants or their insurers where allegations of dishonesty or the disapplication of QOCS are argued. In addition to his core personal injury and clinical negligence caseload, James is also a specialist in data protection, privacy and confidentiality work, whether arising out of the GDPR/data protection legislation, or at common law.



**Rachel Segal**

Year of call 2013

Rachel has impeccable attention to detail, and is able to give quick and firm advice on difficult questions." **THE LEGAL 500 2023, PERSONAL INJURY**

Rachel is ranked as a leading junior in The Legal 500 for both personal injury and clinical negligence. She advises and represents parties on both sides of relief from sanctions applications across the spectrum of civil litigation, publishes The Denton Resource annually and delivers training on the topic. Rachel's clinical negligence practice includes many cases involving delayed diagnosis and treatment of cancers (including osteosarcoma, colorectal, endometrial, cervical), and she has a particular interest in breast cancer cases. Her practice also spans specialisms including ophthalmology, gastrointestinal and colorectal surgery, and obstetrics. In personal injury, Rachel is instructed in a range of multi-track RTA, Highways Act, employers' liability and public liability matters. Rachel was second junior to Christopher Sharp KC and Anna Symington in a recent catastrophic brain injury RTA case, assisting with a complex multi-million pound Schedule.



# SPONSORS AND CHARITY



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**Jessica Thurston**  
Somek & Associates

Jessica Thurston is Head of Medico-legal Operations and an Occupational Therapy & Care Expert Witness with Somek & Associates. She has been an expert witness for 22 years. Somek is one of the leading providers of expert witnesses in the UK, delivering highly professional trained experts including occupational therapists, care experts, nurses, midwives, physiotherapists, speech and language therapists, and other allied health professions. Jessica specialises in upper & lower limb amputees, care of the elderly, falls, trauma & orthopaedics, and general surgery and has considerable experience working with individuals who have lost limbs secondary to meningococcal septicaemia. She has given evidence in court and is highly recommended by Claimant and Defendant solicitors and barristers. She holds the Cardiff University Bond Solon Civil Expert Certificate.

EXHIBITORS



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**SOMEK**  
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**20 YEARS**

**2001-2021**

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