



Christopher Kennedy KC



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"He is very good on his feet: calm and considered, and absolutely on the point when cross-examining the witness."

(Chambers & Partners 2015)



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Christopher Kennedy QC specialises in a broad range of personal injury litigation, including all types of employer's liability, public liability, serious road traffic accidents and industrial disease cases. He is experienced with the type of issues relating to quantum generated by someone suffering catastrophic injury. His practice includes representing Claimants and Defendants in multi-party actions and regularly advises insurers on policy issues.

Chris welcomes **public access** clients.

## Clinical Negligence

Chris' clinical negligence practice includes litigating a wide variety of issues including the management of psychiatric and other vulnerable patients, birth related defects, administration of drugs and informed consent. He is skilled at providing guidance on expert evidence in such cases.

## Selected Cases

- Obtaining a finding from the High Court that a Claimant with a serious brain injury should be cared for in a residential setting rather than in the community.
- Successfully negotiating an early settlement of the claim of a young (30s), morbidly obese, high level paraplegic.
- Consideration of the additional injury suffered by a child with cerebral palsy who suffered additional injury whilst receiving respite care.
- A claim on behalf of the dependant of a victim of mesothelioma who had an equity release mortgage for a dependency in relation to the house they shared.



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## Criminal Regulatory & Environmental

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Chris has over 10 years' experience in the field of regulatory work. He is instructed by a number of local authorities with regard to their enforcement work and defends companies and individuals on a regular basis in the following areas:

- Corporate manslaughter.
- Prosecutions arising out of other serious breaches of health and safety legislation.
- Prosecutions arising out of water-based and air-based pollution.
- Litigation arising out of regulatory notices.

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### Selected Cases

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- The defence of a construction company in relation to a death at work.
- The defence of a firm of auctioneers in relation to a death at premises for which they were responsible.
- The defence of a factory owner arising out of a death at a workplace.
- The defence of a local authority in a claim arising out of an incident of pollution for which it was responsible.
- The defence of an individual in relation to a prosecution arising out of an explosion during the course of demolition work.
- The prosecution of a football club as a result of the death of a young motorcyclist at their ground.
- The representation of a railway company in relation to the death of a child on railway property.
- The representation of a construction company at trial following the death of a builder on site.
- The representation of a local authority in proceedings to uphold an enforcement notice in relation to traffic movements.
- A successful appeal to the Court of Appeal to get further time for a company to pay the fine imposed on it following a fatality.

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## Personal Injury

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Chris took silk in 2010 and his practice concentrates on the fields of personal injury and health and safety work. He also addresses issues concerning policy and indemnity. Chris is therefore able to offer advice and assistance in relation to all three areas when they are found together.

Chris has a strong background in dealing with dishonest claims and contempt of court.

Chris receives a significant number of instructions which call for a sensitive approach and where his advice needs to include both legal and non-legal factors.

Recently, Chris has undertaken a number of cases involving injury to vulnerable individuals whilst in the care of institutions. He has also become very familiar with the effect both dash cam and CCTV footage on claims arising out of road traffic accidents. He is actively involved in the early stage of a number of catastrophic injury claims where there are different levels of co-operation between the parties.

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He has significant experience of the following:

- The issues which arise during the rehabilitation of catastrophically injured Claimants both where there is joint instruction and where there is not;
- Taking part in discussions as to the way forward;
- Representing the interests of more than one insurer;
- dealing with incidents which give rise to multiple claims of varying levels of severity;
- Advising on the status of insurers and on indemnity;
- Interlocutory applications;
- The preparation and deployment of lay & expert evidence in relation to liability;
- The preparation and deployment of lay & expert evidence in cases involving catastrophic injury;
- Dealing with high value loss of earnings cases
- Taking part in Joint Settlement Meetings and mediations;
- Trial.

Chris is a member of the Bar Council and its Courts and Legal Services sub-committee and is on the executive committee of P.I.B.A. He sits as a Recorder in the Crown Court.

## Selected Cases

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- Assisting with claims of differing levels of severity brought by a number of parties arising out of a terrorist incident.
- Representing a company (criminal prosecution) and its insurer (catastrophic injury) in relation to the collapse of a platform during the course of the construction of a football stadium.
- Working together (outside litigation) to set up and maintain a suitable regime for a travelling family whose son sustained a hypoxic injury whilst in foster care.
- Defending an institution against a claim brought on behalf of an autistic child who suffered from blindness as a result of self-inflicted injuries.
- Dealing with a claim brought by a brain injured father whose child was born after the accident which caused his injury, the care of whom is subject to the jurisdiction of the family court.
- Representing a man rendered tetraplegic and unable to return to his own home as a result of an accident in which his brother was driving.

## Inquests & Public Inquiries

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Christopher Kennedy QC took silk in 2010. He regularly represents interested parties facing potential prosecution and/or personal injury claims at inquest.

Chris is particularly aware of the issues which can arise when individuals find themselves confronted by a prosecution against either their business or them personally. He works well with clients in these situations.

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## Selected Cases

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- Representing a railway operator in relation to fatalities/injuries sustained following trespasses onto its land. Representing a second railway operator following a fatal accident at work.
- Representing a company responsible for an artistic exhibition at which a fatality occurred.
- Representing a householder following the death of an independent contractor at his property.
- Representing an organisation following the death by chemical burns at its site of an independent contractor.

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## Health & Safety

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Christopher Kennedy QC took silk in 2010 and his practice concentrates on the fields of personal injury and health and safety work. He also addresses issues concerning policy and indemnity. Chris is therefore able to offer advice and assistance in relation to all three areas when they are found together.

Chris is particularly aware of the issues which can arise when individuals find themselves confronted by a prosecution against either their business or them personally. He works well with clients in these situations.

Recently, Chris has undertaken a number of cases involving fatal or catastrophic injury sustained following trespass and a number of cases involving fatal injuries on construction sites.

He has significant experience of the following:

- Representing interested parties at inquests;
- Issues surrounding interviews, abuse of process and disclosure;
- Responding to the prosecution case;
- Negotiating bases of plea;
- The preparation and deployment of lay and expert evidence;
- Trial preparation;
- Trial.

Chris is a member of the Bar Council and its Courts and Legal Services sub-committee and is on the executive committee of P.I.B.A. He sits as a Recorder in the Crown Court.

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## Selected Cases

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- Representing a company (criminal prosecution) and its insurer (catastrophic injury) in relation to the collapse of a platform during the course of the construction of a football stadium.
  - Representing a railway operator in relation to fatalities/injuries sustained following trespasses onto its land. Representing a second railway operator following a fatal accident at work.
  - Representing a householder following the death of an independent contractor at his property.
  - Representing an organisation following the death by chemical burns at its site of an independent contractor.
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## Civil/Insurance Fraud

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### Motor Fraud

As a junior Chris had significant and early experience in defending fraudulent road traffic claims. In 2009 he conducted (as far as he is aware) the first successful action to recover damages from the leaders of a fraud ring, obtaining a judgment against five named individuals after a three week trial. He also dealt with many fraud rings.

Chris is very familiar with the issues encountered in dealing with the issue of fundamental dishonesty in catastrophic claims, both those where there is and there is not significant genuine injury. He has found his 'fraud' experience as a junior particularly helpful in this respect.

Recent cases include:

- Chris recently handled a case where a source had footage undermining the Claimant's brain injury claim. The source did not wish to be identified. Chris co-ordinated the obtaining of the evidence and its presentation before the court and was successful in getting the claim struck out.
- Chris successfully resisted a claim for a seven figure interim payment on the basis of fundamental dishonesty in a case where a Claimant who has a genuine and serious injury appears to have been dishonest in his account of the extent of his disability. The case continues.
- Again in a case of serious, genuine injury Chris is dealing with the issues arising where family members have indicated that a Claimant has been dishonest but then refused to provide statements to that effect. He has advised as to how that evidence should be marshalled in such a way as to get it before the court and enable the case of fundamental dishonesty to be maintained. The case continues.

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## Qualifications

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- BA (Hons), Cambridge University
- Recorder of the Crown Court

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## Memberships

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- Health & Safety Lawyer's Association
- Personal Injury Bar Association
- Professional Negligence Bar Association

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## Recommendations

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"Absolutely fantastic - he is one of the greatest leaders in his field. He is very tenacious and an excellent advocate."

Chambers & Partners, 2022

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"Very well respected across the board."

Legal 500, 2022

"He has forensic attention to detail." "Very intelligent and has excellent commercial awareness."

Chambers & Partners, 2021

"He is excellent on high-value and complex personal injury claims. He's always extremely well prepared and approachable, and is a fantastic negotiator." "He's very good with clients and is able to present complex issues in a straightforward way." "He has a lovely manner and is able to drill down into complex evidence without flustering witnesses and experts."

Chambers & Partners, 2020

"Principally represents defendants, often on significantly high-value claims, though he also undertakes claimant work. His caseload encompasses catastrophic brain injury, RTAs and industrial disease claims, among others. "Detail-driven and an effective negotiator." "An incisive thinker with an approachable and emphatic manner with clients. He is superb at breaking down the complex components of policy issues and his attention to detail in catastrophic personal injury claims is outstanding."

Chambers & Partners, 2017

"An incisive thinker with an approachable and emphatic manner with clients. He is superb at breaking down the complex components of policy issues and his attention to detail in catastrophic personal injury claims is outstanding."

Chambers & Partners, 2017

"He is very good on his feet: calm and considered, and absolutely on the point when cross-examining the witness" ; "he is excellent in conference and always meticulously well prepared" ; "he is nicely commercial and pragmatic. He doesn't just give you a legal opinion - he also gives you a business opinion" ; "very easy to deal with, he goes the extra mile and is always approachable."

Chambers & Partners, 2015

"Is especially highly regarded for his high-value defendant practice, acting in a large number of catastrophic brain injury and amputation cases. He's detail-driven, and an effective negotiator."

Chambers & Partners, 2014

"He tackles a broad range of claims, including those concerning employer's liability, public liability, industrial disease and serious road traffic accidents."

Chambers & Partners, 2013

"Brilliant".

Legal 500, 2013

"The 'astute and unstuffy' Christopher Kennedy QC is 'courteous yet tough', and 'keeps his opponents on their toes'. His 'written advice is concise and well thought-out', say clients, and he is sought on the trickier catastrophic injury and quantum issues."

Chambers & Partners, 2012

"Christopher Kennedy QC's 'cross-examination skills are outstanding'."

Legal 500, 2012