



Richard Whitehall



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# Contents

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Personal Injury .....	1
Selected Cases .....	2
Qualifications .....	2
Memberships .....	2
Recommendations .....	3



Richard predominantly specialises in personal injury cases, and practises almost exclusively in the Multi-Track. He has a busy practice, representing Claimants and Defendants. He has been instructed for many years on behalf of all of the major insurance companies and many local authorities.

He has considerable experience in all areas of PI work, including RTA claims, employers' liability, public liability product liability, occupational disease, the liability of landlords and Animals Act claims. He is experienced in all quantum issues, including fatal accident claims, and has a wide experience of procedural issues, including those related to periodical payment orders, provisional damages awards etc.

Richard regularly appears in cases of high value, and has acted in many cases pleaded in excess of £1 million. He has been led by leading counsel numerous times and frequently receives instructions in catastrophic injury claims, acting for both Claimants and Defendants. He is experienced in joint settlement meetings and mediations.

Richard has a very good understanding of the medical issues arising from high-value personal injury claims, and tests medical evidence in conference and at trial on a regular basis. He is also experienced in high value cases thought to be dishonest, and many of his cases involve video surveillance evidence. He has a great deal of experience in chronic pain cases, and is very familiar with the medical issues relating to pain conditions, including CRPS, fibromyalgia and somatoform disorder.

Richard also has considerable experience in advising insurers as to issues relating to motor insurance, and has advised many times on coverage and policy issues, liability under the Road Traffic Act 1988 and Motor Insurers' Bureau liability.

Richard is also experienced in clinical negligence work, both for Claimants and Defendants, and in cases involving the negligence of solicitors (especially arising from personal injury claims).

## Personal Injury

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## Selected Cases

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- Cable v Liverpool Victoria – Successful application to strike out a £2.2 million personal injury claim wrongly brought under the RTA protocol. Decision upheld on appeal.
- Griffiths v Gwynedd County Council (Court of Appeal, 22nd October 2015) Highways Act claim arising from an accident befalling a cyclist on a remote rural road. Represented Defendant authority successfully at first instance, and in the Court of Appeal (led by Tim Horlock QC). Decision clarifies the test for dangerousness in respect of rarely-used highways.
- Jones v The TSK Group Appeared for the Defendant in a 3-day trial before Edis J. Pain case (neuropathic pain disorder) with 4 experts. Claimant claimed in excess of £600,000, and recovered £6,000.
- E v United Utilities Appeared for Defendant on a largely successful application to strike out a substantial personal injury claim on the grounds that the claimant had concealed the fact that he had returned to work until late in the litigation.
- McCracken v Smith [2015] PIQR P19 Case concerning (amongst other things) the scope of the doctrine of in personal injury claims where a driver is held liable in negligence to a claimant who is engaged in a joint criminal enterprise at the time of an accident. Led by Stephen Grime QC.
- M v TRC Complex claim involving alleged brain damage suffered by a child after anoxia caused by a ruptured trachea. Settled at JSM.
- B v M Below knee amputation claim. Settled at JSM.
- C v McC & MIB Brain injury claim. Preparation for trial prior to late settlement. Very substantial commercial care claim. Led by Stephen Grime QC.
- D v Chapman and Plymouth Citybus High value brain injury claim. Drafting and interlocutory work and representation at trial. Led by Tim Horlock QC.
- Pearson v Mohammed et al. Brain injury claim. Represented one of numerous defendants to a very complex liability dispute. Prepared paperwork for mediation and subsequent proceedings, and appeared at interim hearings and an interlocutory appeal before Haddon-Cave J. Led by Stephen Grime QC.

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## Qualifications

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- Royal Grammar School, Newcastle upon Tyne
- University of Cardiff, LLB, Law and French
- Certificat d'Etudes Universitaires Generales, Rennes
- Inns of Court School of Law
- University of Cardiff, LLM Commercial Law

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## Memberships

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- Northern Circuit
- Personal Injuries Bar Association
- Northern Circuit Representative for the Personal Injury Bar Association – 2009 to 2013
- Co-opted member of the executive committee of PIBA – 2013 to date



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## Recommendations

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"An experienced junior who handles all areas of personal injury, primarily focusing on multi-track cases of significant value. He regularly acts in catastrophic injury, RTA and industrial disease claims, and is also very well versed in issues of employers' and public liability. "One of the finest barristers I've had the pleasure to be against. His cross-examination was flawless and devastating, absolutely lethal." "He handles difficult cases very well: he's very good in court and always well prepared."

Chambers UK, 2017