



Shaun Ferris



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Shaun Ferris

Call 1985

"A no-nonsense high quality barrister that gets the job done with a minimum of fuss."  
(Legal 500, 2021)



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Shaun Ferris specialises in personal injury and product liability cases. His personal injury practice includes all types of catastrophic injury claims and the full spectrum of chronic pain cases. He is also experienced in clinical negligence and professional negligence matters.

He is:

- adept at working as part of a team, giving clear and imaginative advice and guidance on all aspects of any particular piece of litigation including all tactical and legal issues
- able to manage and coordinate complex and detailed expert evidence to ensure the most effective presentation of that evidence
- a skilled and robust performer in court whether at interlocutory hearings or at trial
- experienced in conducting settlement negotiations in both high and medium value cases with excellent negotiation skills
- consistently recognised as a "leader at the bar" for personal injury work

## Personal Injury

Shaun is consistently recognised as a leading junior in his field. His practice is mainly in the field of personal injury and, in particular catastrophic injury and chronic pain cases. He is regularly instructed to appear against silks in such cases whether at trial, interlocutory hearings or settlement meetings. His current caseload includes several cases involving traumatic brain injury (especially cases of subtle or minor brain injury), tetraplegia, paraplegia, traumatic amputations, fatal injuries and the full gamut of chronic pain cases (Fibromyalgia, Complex Regional Pain Syndrome, Somatic Symptom Disorder and chronic pain generally). His experience in these fields enables him rapidly to grasp the issues involved in any particular claim (whether they be liability, causation or quantum issues) and devise an effective strategy for his clients.

He has expertise in dealing with issues of dishonesty, causation and acceleration in such cases, often having to deal with allegations of fraud and Fundamental Dishonesty against a background of complicated factual and medical evidence. He has experience in dealing with the various issues that arise out of the use

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of surveillance evidence.

He is adept at working as part of team, giving advice and input in the tactical management of a case. He is a skilled and robust performer in court, whether at interlocutory hearings or trial.

He advises and deals with issues such as:

- Periodical Payment Orders
- Provisional damages
- Pension loss claims
- Claims by infants
- Allegations of fraud, dishonesty, deliberate exaggeration and Fundamental Dishonesty (and the use of surveillance evidence)
- Assault cases arising out the use of a motor vehicle

Shaun is accustomed to dealing with complex expert evidence (on issues of liability, causation or quantum) and is able quickly to assimilate such evidence, enabling him to provide expert input into the preparation of his client's case. His level of expertise and background knowledge enables him to deal effectively with a wide range of experts in different fields.

## Selected Cases

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- Traumatic brain injury sustained by a 14 year old claimant in a road traffic accident where liability and quantum remain in issue.
  - Traumatic brain injury sustained by a 6 month old infant in a road traffic accident where significant input into rehabilitation, education and family relations was needed.
  - Traumatic brain injury suffered by a claimant who returned to live in Poland where issues relating to periodical payments, indexation, life expectancy and the provision of care and rehabilitation in Poland had to be explored – instructed alone against a silk.
  - Traumatic brain injury case where, at the settlement meeting, all issues save for care were resolved, significantly reducing the issues remaining for trial – instructed alone against a silk and a junior.
  - Traumatic brain injury case where injury sustained when claimant deliberately struck by defendant's vehicle – arguments on liability as to assault and self-defence.
  - Claim by a pedestrian for traumatic brain injury contested on liability involving trial and hearing in Court of Appeal – instructed alone against a silk.
  - Claim by paraplegic claimant who suffered injury to her shoulder and arm when her wheelchair failed – issues involving product liability and defect, causation and analysis of the extent of the injury sustained.
  - Road traffic claim involving a defence of automatism where arguments are raised that such a defence is inconsistent with EU law – instructed alone against a silk and a junior.
  - Claim arising from T6 paraplegia where instructed to provide advice on behalf of claimant and defendant to achieve early resolution of the claim.
  - Claim by claimant with paraplegia arguing over manual handling requirements for carers involved in transfers and over need for and cost of hydrotherapy pool.
  - Claim by RAF serviceman for injuries sustained in "It's A Knockout" type activity resulting in paraplegia – liability contested at two trials and one appeal hearing – claim eventually settled.
  - Fatal accident claim arising out of collision where two defendants blamed each other – issues involving insurance coverage and MIB involvement.
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- Claim involving elective below knee injury following crush injury to foot.
- Claim arising from fractures of tibia and fibula resulting in below knee amputation – issues involving clinical negligence in post accident treatment as well as liability for initial injury.
- Claim for below knee amputation where significant issues as to prosthetic provision and pre accident employment prospects arose.
- Claim for Chronic Regional Pain Syndrome and depression where surveillance demonstrated that claimant was exaggerating.
- Claim involving bilateral knee injuries requiring total knee replacement on one side and likely total knee replacement on the other side in future with issues over future employment, accommodation and care needs.
- Claim in which the claimant alleged that he had suffered a stroke following carotid artery dissection as a result of lifting heavy loads at work – significant issues as to causation involving complex medical evidence in a number of fields.
- A number of claims involving fibromyalgia where issues of fraud, dishonesty, deliberate exaggeration, causation, acceleration and prognosis are disputed.

## Product Liability

Instructed in product liability claims usually involving an element of personal injury. Increasingly involved in group litigation (Foetal Anti Convulsant, Linkwise Sofa litigation, PIP implants and Metal on Metal Hip Implants) but also handles an increasing number of individual claims (such as failed gastric bands, allegedly defective pharmaceutical products or failed industrial machinery of various kinds). Recent cases include:

- Wood v Day's Healthcare [2016] EWHC 1079 (QB) involving allegedly defective wheelchair
- Metal on Metal Hip Implant litigation
- Claim involving allegedly defective surf wave machine
- Claim involving defective industrial pallet machinery
- Claim involving allegedly defective gym equipment
- Claim involving allegedly defective equipment at an indoor activity centre

## Civil/Insurance Fraud

Instructed in all aspects of personal injury work with extensive experience of dishonest and fraudulent claims in all contexts. Has run fraud arguments (pre Fundamental Dishonesty) and FD arguments at trial and pre trial with success, particularly in the context of chronic pain and mTBI claims.

## Selected Cases

- Pilling v Pilling – Australian Claimant deliberately exaggerating claim – surveillance obtained in Australia and UK – issues as to timing of disclosure of surveillance and managing medical experts (based in the UK and Australia) – Defendant is related to Claimant causing issues of sensitivity and conflict
- Kumari v Kumar – exaggerated claim by Claimant run over by her husband – in depth investigation

into social media profiles – information disclosed by anonymous source – that information later disowned and alleged to be fraudulent/dishonest in itself – surveillance obtained – supporting evidence from neighbours obtained – issues as to disclosure and use of that material

- Shabani v Jaylani – Claimant caught on surveillance using walking stick in inconsistent manner of day of medical examination and thereafter – issue as to timing of disclosure of surveillance – management of expert evidence
- A v B – mild TBI claim inflated in value – surveillance obtained but not decisive – medical records considered in detail – Claimant's post accident records suggested a conflict between his appearance in litigation and 'real life' – FD alleged – claim settled (and approved) apidly thereafter at a discount
- Ruffell v Lovatt March – Complex Regional Pain Syndrome claim valued at £1.2 million where claimant's expert evidence discredited and claim under mined so that an award of £13,000 made with claimant paying defendant's costs;
- Wilkinson v Harmsworth – Fibromyalgia claim (against Brian Barr & Co) in which fundamental dishonest and fraud were run using video surveillance Claimant's credibility undermined and her evidence rejected by the trial judge resulting in an award of £3,200 in a claim valued at over £1 million. Claimant ordered to pay defendant's costs;
- Maguire v Carillion – Fibromyalgia claim valued at over £1m with fundamental dishonesty, fraud and surveillance evidence in Award of circa £200,000 made.

## Memberships

- PIBA
- LCLCBA
- PNBA

## Recommendations

"Shaun is incredibly well respected with good reason, whether in advocacy, negotiation or written work. He is counsel who clearly sees the wood from the trees."

Chambers & Partners, 2024

"Shaun is a skilled advocate, whose pragmatic and empathetic approach ensures favourable results."

Legal 500, 2024

"Shaun is always prepared, tactically very astute and adaptable."

Legal 500, 2024

"He has an ability to marshal complex expert evidence and navigate through difficult issues in a clear, concise and pragmatic way."

Chambers & Partners, 2022

"Shaun provides silk quality as a junior."

Legal 500, 2022

"A strong negotiator who is very effective and personable when dealing with clients."

Chambers & Partners, 2022



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"A first-rate advocate, he is also user friendly and approachable."

Legal 500, 2021

"An excellent advocate who takes a common-sense approach."; "He is very measured and has outstanding attention to detail. He gets good results."; "He is very thorough in terms of his preparation and is a personable individual. He's also a sound negotiator and his breadth of knowledge is very impressive."

Chambers & Partners, 2021

"A no-nonsense high quality barrister that gets the job done with a minimum of fuss."

Legal 500, 2021

"He provides a very high-level service in a very professional and reliable manner. He has immense knowledge and experience in personal injury matters."; "He's thorough, approachable and engages well with clients."

Chambers & Partners, 2020

"he is very highly regarded by insurers for his thorough approach and sound advice"; "he immediately grasps the important issues and understands the commercial realities"

Legal 500, 2016

"he is very easy to deal with and very clear and incisive in his advice" ; "he's QC material at a junior price"

Chambers & Partners 2016