

## Richard Whitehall

1998 Lincoln's Inn

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Education	Professional Associations	Appointments
Royal Grammar School, Newcastle upon Tyne	Northern Circuit	Northern Circuit Representative for the Personal Injury Bar Association - 2009 to 2013
University of Cardiff, LLB, Law and French	Personal Injuries Bar Association	Co-opted member of the executive committee of PIBA – 2013 to date
Certificat d'Etudes Universitaires Generales, Rennes		
Inns of Court School of Law		
University of Cardiff, LLM Commercial Law		

### Areas of Specialism

Personal Injury

Insurance Contracts

Professional Negligence

Inquests

Clinical Negligence

### Profile

Richard specialises in personal injury cases, and practises exclusively in the Multi-Track. He has a very 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.

Richard spends most of his time handling catastrophic injury claims (brain injury, spinal cord injury and amputation claims), claims involving pain disorders and fatal accident claims. The majority of his cases are now pleaded in excess of £1 million, and almost all of them exceed £250,000 in value.

Richard is very experienced in joint settlement meetings and mediations. He has considerable experience in 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 been led by leading counsel numerous times.

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.

## Personal Injury

### **Swift v Carpenter [2020] EWCA Civ 1295**

Instructed as junior counsel for the Personal Injuries Bar Association, who were permitted to intervene on the appeal to the Court of Appeal. The case concerns the measure of damages for alternative accommodation in serious personal injury claims. Led by Darryl Allen QC.

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## Personal Injury

### **Cable v Liverpool Victoria Insurance Co. Ltd. [2020] 4 WLR 110, [2020] EWCA Civ 1015**

Personal injury claim commenced in the RTA Protocol notwithstanding that it was later revealed to have an alleged value of some £2.2 million. Proceedings held to be an abuse of process and sanctions applied. Richard represented the Defendant at all three stages of this litigation and was led in the Court of Appeal by Darryl Allen QC.

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## Fatal Accidents

### **Kore v Brocklebank [2019] EWHC 3491 (QB), Turner J**

Fatal accident claim. Issue over whether acceptance of an offer to settle “the whole of” a claim applied only to those named in the letter of claim, or all dependants.

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## Fatal Accidents

### **Walleit v Vickers [2019] PIQR P6, [2018] EWHC 3088 (QB), Males J**

Fatal accident claim arising from an accident in which two motorists were speeding. Case involved the defence of illegality. Led by Tim Horlock QC.

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## Personal Injury

### **Griffiths v Gwynedd County Council [2016] RTR 15, [2015] EWCA Civ 1440**

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.

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## Personal Injury

### **McCracken v Smith [2015] PIQR P19, [2015] EWCA Civ 380**

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.

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## Credit Hire

### **Pattni v First Leicester Buses Ltd. [2012] PIQR Q1**

Concerning the recoverability of contractual interest on credit hire charges. Led by Mark Turner QC.

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## Credit Hire

### **Bent v Highway and Utilities Construction (Costs) [2011] EWCA Civ 1539**

Concerning costs and interest on the conclusion of credit hire litigation subject to two appeals to the Court of Appeal.

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"Very careful and cerebral." "He really gets to grips with the issues in his cases and clients love him."

*Chambers and Partners, 2021*

"His attention to detail is excellent, and he is very good with clients and experts. He's sensible in negotiations to make sure he achieves the right result." "He has a technical ability beyond his years."

*Chambers and Partners, 2020*

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 EL/PL. "He is exceptional - he has a superb forensic analysis of papers and is an outstanding advocate." "He is very experienced, intelligent, good with clients and a strong negotiator. He never lets you down and clients like him too."

*Chambers and Partners, 2019*

'His practice includes catastrophic injuries and fatal accident claims.'

*Legal 500, 2018*

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 EL/PL. "A very impressive advocate at trial. His attention to detail and forensic analysis of records allows him to expertly tie both his lay and expert witnesses in knots." "Very technical, experienced and practical."

*Chambers and Partners, 2018*

'Experienced across a wide range of personal injury matters.'

*Legal 500, 2017*

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*

'Experienced in multi-track cases.'

*Legal 500, 2016*

"He is impressive on every level - a phenomenal advocate, very calm, very collected. He gets the right balance in being sufficiently forceful but not overly aggressive." "He is bright, analytical, and knows cases inside out. He can identify the key issues in a case and will go straight to those." (Personal Injury)

*Chambers UK, 2016*

'He focuses on multi-track personal injury cases mainly for defendants, with an emphasis on catastrophic injuries'

*Legal 500, 2015*

Deals with a variety of complex personal injury cases, primarily on behalf of defendants. He has considerable expertise in cases concerning severe brain and spinal injuries. "He is very bright and very thorough." "He is very good for hearings, applications, and on papers."

*Chambers UK, 2015*

'A thorough, precise and highly skilled advocate.' (Personal injury and clinical negligence)

*Legal 500, 2014*

"Another of the set's members who manages a broad caseload. His work encompasses fraud, clinical negligence and personal injury claims"

*Chambers UK, 2013*

'Applies his "superb brainpower" to personal injury, motor fraud and clinical negligence cases'

*Chambers UK, 2012.*

'Recommended'

*Legal 500, 2011*

'...is developing a very strong practice.'

*Chambers UK, 2011*

Recommended'

*Legal 500, 2010*

'Recommended'

*Legal 500, 2009*

'Enthusiastic commendations'

*Legal 500, 2008*

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