

Richard Whitehall

1998 Lincoln's Inn, 2022 Kings Counsel, Whitehall@deanscourt.co.uk



Education	Professional Associations	Appointments
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	Northern Circuit Personal Injuries Bar Association	Head of the Deans Court Chambers Personal Injury Team, 2023 – Northern Circuit Representative for the Personal Injury Bar Association - 2009 to 2013 Co-opted member of the executive committee of PIBA – 2013 to date Single point of contact for Civil Practitioners on the Northern Circuit Coronavirus Task Force, 2020

Areas of Specialism
Personal Injury
Insurance Contracts
Professional Negligence

Richard specialises in catastrophic personal injury cases. 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, the Motor Insurers' Bureau and many local authorities.

Richard spends most of his time handling brain injury, spinal cord injury, catastrophic polytrauma and amputation claims. He has a longstanding interest in claims involving pain disorders and fatal accidents and a particular interest in claims giving rise to issues of dishonesty and illegality. He has also advised and presented seminars on the liability of insurers in respect of the use of autonomous vehicles.

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 enjoys cases involving very complex expert evidence.

Richard also has considerable experience in advising insurers on policy and coverage issues arising from all types of personal injury claim, most commonly issues concerning policy interpretation and potential declinature or avoidance for non-disclosure, late notification etc.. He has a particular expertise in respect of issues arising from compulsory motor insurance, including liability under the Road Traffic Act 1988 and Motor Insurers' Bureau liability. He has a lot of experience in Article 75 issues and the arbitrations which arise from them.

Notable Cases

Moor v Aviva Insurance Ltd. & Midhurst Engineering & Motor Co. Ltd. [2023] EWHC 1651 (KB)

Practice Area: Personal Injury

Trial of liability arising from an RTA in which each driver claimed that the other was on the wrong side of the road. Accident reconstruction expert evidence of limited value only. Trial fought and won mainly on witness evidence.

Swift v Carpenter [2020] EWCA Civ 1295

Practice Area: Personal Injury

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.

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

Practice Area: Personal Injury

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.

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

Practice Area: Fatal Accidents

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.

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

Practice Area: Fatal Accidents

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

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

Practice Area: Personal Injury

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.

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

Practice Area: Personal Injury

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.

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

Practice Area: Credit Hire

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

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

Practice Area: Credit Hire

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

What the Directories say

"Richard is excellent. He has great technical ability and is seen as a leader in complex work."

Chambers & Partners, 2024

"Richard is a sound advocate. Nothing seems to faze him. He handles even the most technical of issues in a methodical way."

Chambers & Partners, 2024

"He is very good at analysing issues, very concise and has very good poise. He has great strength with cutting through and spotting solutions effectively."

Chambers & Partners, 2024

Richard is a very strong all-rounder. His attention to detail is superb, he is good with clients, and he always has a clear understanding of the commercial aspects of the cases. His advocacy style is forensic and very effective.

Legal 500, 2024

Richard is an outstanding advocate.

Chambers & Partners, 2023

He is very forensic and very knowledgeable.

Chambers & Partners, 2023

He is well prepared and very good in cross-examinations.

Absolutely excellent - he offers detailed and sensible advice, and is excellent with clients, insurers and experts in conference and always willing to go the extra mile.

Chambers and Partners, 2022

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.

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

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

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

Chambers UK

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

Chambers UK

'Enthusiastic commendations'

Legal 500

His practice includes catastrophic injuries and fatal accident claims.

Legal 500

Experienced across a wide range of personal injury matters.

Legal 500

Experienced in multi-track cases.

Legal 500

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

Legal 500

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

Recommended

Legal 500

Recommended

Legal 500

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

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

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

Legal 500

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

Chambers UK

'Recommended'

Legal 500

