

## Alex Carington

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Inquests, Fraud, International & Travel, Public Authority Liability, Credit Hire, Insurance, Product Liability, Criminal Injuries Compensation, Abuse, Common Law, Aviation, Sport

Alex's practice encompasses 12KBW's core areas with particular focus on travel, serious personal injury, clinical negligence, fraudulent claims and inquests.

Alex is recognised as a leading junior in Legal500 in travel law as "punching well above his weight and is already an established specialist in Athens Conventions claims".

His passion remains in all forms of advocacy work, alongside his paper practice.

Alex has good working knowledge of German having read Law and German Law at Exeter University before completing a Masters in German Law at Saarland University, Germany. He enjoys learning from different jurisdictions and is an Honorary Member of the Tampa Bar, Florida, after taking part in an exchange programme there.

In his spare time, Alex enjoys baking, triathlon and skiing. He is a trained Level 2 Triathlon Coach and qualified to represent Team GB at age group level in the 2021 World Championships in Bermuda and the 2021 European Championships in Valencia. Alex brings his personal knowledge of sports coaching and procedures to his sports law practice.

### International & Travel

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Alex has a developing practice in travel law. Recent experience includes:

- Advised and settled a claim concerning a lion attack whilst the claimants were on a walking safari in Tanzania.
- Defended a supplier of hotel entertainment activities in a claim against multiple defendants after the minor claimant dived into a swimming pool and suffered catastrophic spinal injuries.
- Advised on a claim concerning clinical negligence whilst on a cruise ship.
- Secured a judgment for a claimant at trial who was injured whilst skiing in France
- Defended at Athens Convention claim in the Admiralty court where the Claimant slipped and fell after disembarking from the ship. The claim provided useful guidance for point at which disembarkation ends in the context of a modern cruise ship.

### Personal Injury

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Alex is involved in all aspects of personal injury law, including employers' liability, public liability, slipping claims and road traffic accidents. Recent examples of his practice include:

- Acted for claimants who develop complex chronic pain following accidents at work, which include a former ballet

- dancer who fell off a ladder at work and developed a complex pain syndrome.
- Acted for a defendant in a claim where the claimant cut his arm with disc cutter. There were serious fraud concerns and the claim was struck out.
- Secured a settlement in a claim where the claimant had been fed dog food after making inappropriate remarks to a betting clerk.
- Acted as a junior in a quantum claim in excess of £4 million concerning a brain injury and other physical injuries preventing the claimant working as a fund manager in the city.

## Clinical Negligence

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Alex has a strong interest in the wider aspects of medical law. Before coming to the Bar, he worked in the clinical negligence department of a top-ranked law firm, where he gained experience in complex multi-million-pound spinal injury and catastrophic cases. Alex regularly advises claimants and on claims varying from hospital acquired infection claims to dental negligence. Recent experience includes:

- Settled a claim on behalf of a claimant who suffered serious injuries following infection after a Brazilian butt lift procedure
- Settled a claim for the estate and dependents of a patient whose cancer diagnosis was delayed which led to his death
- Settled a claim for failed dental treatment which required significant and life-long remedial treatment.
- Secured judgment at trial for a claimant with multiple sclerosis who fell after being left unattended to dress himself whilst in hospital.
- Advised a widow on the merits of a claim for failure to treat her husband's stroke promptly which result in his death.
- Acted in a claim arising out of the death of the claimant's wife after she contracted necrotising fasciitis following a reverse loop ileostomy procedure.
- Advised on a claim arising out of an unsuccessful hair transplant operation and drafted the defence.

## Inquests

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Alex has an interest in inquests and usually attends where there is likely to be a civil claim in the future, for example a death in a hospital due to a systemic failure or a fatal accident at work. Recent experience includes:

- Attended a number of multi-day jury inquests on behalf of the prison service where prisoners have committed suicide in prison
- Represented the family of an elderly lady who developed significant pressure sores whilst in hospital
- Represented the family at an inquest concerning the delayed diagnosis of cancer
- Represented a local authority in an inquest where a paranoid schizophrenic who became non concordant with his medication set fire to a residential block, killing one of the residents.
- Representing a driver who had hit the deceased pedestrian crossing the road.
- Representing a landowner where the deceased subcontractor had been killed whilst carrying out building works on his property.

## Fraud

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Alex has considerable experience of defending fraudulent and exaggerated personal injury claims. Alex regularly advises and defends insurers in claims concerning staged, "LVI" RTAs and phantom passenger claims (often with significant credit hire claims) as well as accidents at work. Recent work includes:

- Successfully struck out a PI/credit hire claim and disallowed QOCs where the Claimant sought to discontinue shortly before trial.
- Secured a QOCs finding in relation to a staged accident at work.
- Defended a Defective Premises Act claim where the Claimant alleged he fell through a bannister due to a

defective railing. The Court did not accept the accident occurred as alleged.

- Successfully defended a road traffic accident personal injury claim on the basis of low velocity impact. There was no expert evidence but the Court accepted no injuries had been suffered.

## Public Authority Liability

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Alex often acts for public authorities in personal injury cases. Recent examples:

- Advised on a civil and human rights claim for compensation following a suicide in custody.
- Advised on a claim against the prison service for an assault by another prisoner in custody.
- Successfully defended a housing authority where it was alleged a subcontractor's negligent execution of works caused damage to the claimant's house and personal injury.
- Represented a Local Authority at trial in a s. 41 Highways Claim. Successfully argued the cause of the accident was the claimant's intoxication.
- Successfully defended a council in a misconceived claim concerning an accident on a public footpath.

## Insurance

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Alex advises in insurance matters chiefly concerning motor insurance policies and also acts for the MIB. Recent cases include:

- Successfully represented the MIB's decision not to allow a claim under Untraced Drivers Agreement at an arbitration hearing.
- Advised a claimant who was refused indemnity under his motor insurance policy after his car was stolen from a car park and it appeared it was left unlocked. Secured a settlement.
- Advised an insurer on the interpretation of conditions precedent within a motor insurance policy.

## Product Liability

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Alex has acted in product liability cases where personal injury has been sustained due to a defective product. He helped to settle a number of claims for minor claimants injured by the same product.

## Criminal Injuries Compensation

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Alex also acts in CICA matters. He recently secured an award for an applicant who was left tetraplegic after being stabbed by her ex-husband.

He is happy to consider acting pro bono, where appropriate.

## Abuse

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Alex acts in Criminal Injuries Compensation Appeal Hearings involving sexual abuse, usually where the Authority has refused an award on the basis of the Applicant not making the CICA application promptly. Recently secured the maximum award for an Applicant for the life long effect of the abuse on his earnings capacity.

Alex also advised in relation to claim for vicarious liability against sports clubs where students had been abused by coaches.

## Common Law

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Alex's common law practice also includes general contractual, commercial disputes and serious credit hire claims. Recent examples:

- Represented actors who had not been paid fees by their agency for appearing in a television show. The claim

focused on the meaning of 'agency' within the meaning of the Conduct of Employment Agencies and Employment Businesses Regulations 2003.

- Acted for a defendant in an abuse of process appeal
- Acted for a defendant in enforcement proceedings where the Claimant alleged the enforcement officers had unlawfully seized his boat.

## Qualifications & Awards

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LLB (European), Exeter University (First Class Honours)

LLM (German law), Saarland University, Germany (highest classification and highest mark in the year)

BVC, BPP Law School London (Very Competent)

Sir Thomas More Bursary (Lincoln's Inn, 2005)

Markus Zalewski Prize for Best LLB European Student Performance in the Year Abroad (2005)

Honourable Mention under the Martin Domke Award for Best Oral Advocate in the General Rounds of the Annual Willem C. Vis International Commercial Arbitration Moot (2004/2005)

School of Law Commendation for an Outstanding Contribution to Exeter University (2004)

Prize for Best Undergraduate Mooter at Exeter University (2003)

Western Circuit Mooting Cup (2003)

## Appointments & Memberships

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Appointed to the Attorney General's B Panel of Junior Counsel

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PIBA

Honorary member in good standing of the Tampa Bay American Inn of Court.