

Andrew McLaughlin

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AREAS OF EXPERTISE

Personal Injury, Industrial Disease, Clinical Negligence, Insurance, Property, Property Damage



Andrew is a leading senior junior in the fields of personal injury and industrial disease recommended in Chambers UK and the Legal 500 for over 20 years. Andrew continues to practise from St John's Chambers in Bristol but is instructed nationwide by Defendants. He is known above all for being a formidable trial lawyer. He is ranked as a band 1 practitioner in personal injury and is listed as a disease expert in Chambers UK Spotlight table. He has been a member of the Government panel ('Treasury Counsel') since 2012. In 2018 he was appointed to the 'A' panel which is reserved for counsel expected to conduct work on the Government's behalf involving millions of pounds against KCs.

Andrew is instructed by all the national firms nearly always on behalf of defendants and their insurers, especially in cases involving fundamental dishonesty, catastrophic injuries, amputations, fatal accidents, chronic pain disorders, serious psychiatric injuries as well as asbestos-related disease, HAVS, occupational stress, sexual abuse and WRULDs. He has been involved in numerous reported or high profile cases in recent years. He opened the appeal on behalf of the successful defendants in *Denton v TH White*. He appeared for the Defendant in *Williams v Betsi Cadwaladr Local Health Board* [2022] EWHC 455 (clinical negligence), *Walkden v Drayton Manor Park* [2021] EWHC 2056 (fundamental dishonesty), *Arshdeep v Buttar Construction* [2021] EWCA Civ 1408 (interim payment tetraplegia), *ATX v CRS and DPS* (2019) *Kemp Quantum* (severe child brain injury and tetraplegia), *Smith v Secretary of State for Transport* [2020] EWHC 1954 (asbestosis), *Stewart v Lewisham & Greenwich NHS Trust* [2017], EWCA Civ 2091 (manual handling), *Dyson v Heart Of England NHS Trust* [2017] EWHC 1910 (clinical negligence), *Smith v Secretary of State for Transport* [2020] EWHC 1954 (asbestos). This year he comprehensively defeated a well known KC in a £1.6m fundamental dishonesty claim to widespread national acclaim.

Andrew acts primarily for defendants in complex clinical negligence cases.

In addition, he defends public authorities against claims for misuse of private information, breach of confidence and breach of Data Protection legislation.

Insurance

Andrew represents and advises several major insurers involved in employers' liability, public liability, motor, and life insurance disputes. He deals with policy construction, coverage issues, fair presentation of the risk and remedies for not doing so, fraud, breach of policy terms and remedies, waiver and estoppel. He is most often asked to advise insurers on indemnity in the context of personal injury in EL, PL and motor cases but has also acted on numerous occasions for the

'life' branch of a large insurer in defending substantial claims for income protection, critical illness payments etc where issues frequently arise as to whether or not the insured's 'illness' or state of health meets the policy definition for a pay-out. He has a detailed knowledge of the Insurance Act 2015 and the Consumer Insurance (Disclosure and Representations) Act 2012.' He is also well familiar with disputes involving the MIB and the statutory framework underpinning it.