

Gareth McAloon

Call: 2010
McAloon@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Industrial Disease, Clinical Negligence, Inquests, Insurance, Public Inquiries, Military Claims, Fraud, Public Authority Liability

Gareth's core specialisms are personal injury, industrial disease, clinical negligence, inquests and inquiries, and associated insurance work. His work mostly involves high value claims or claims with complex evidential matters. He represents both Claimants and Defendants in personal injury matters, and regularly appears on behalf of families or other corporate interests or government agencies at inquests.

Gareth is highly sought after for both court and paperwork matters. Gareth is known for his highly effective advocacy which grasps the crucial and determinative issues in a case with clarity and focus. He is well-skilled in witness handling and submission advocacy at all court levels.

Gareth served on the Attorney General's Panel of Counsel between 2020-2025. He served as the Personal Injury Bar Association Midlands Circuit Representative between 2019 - 2025. Gareth is ranked as a Leading Junior for personal injury law by the Legal 500.

Personal Injury

Gareth is regularly instructed in all aspects of personal injury work. Typically, this has arisen out of employer's liability claims under the various regulations, public liability claims under the Occupiers Liability Act or Highways Act and road traffic claims representing both Claimants and Defendants. Gareth is particularly experienced in representing public bodies.

Gareth predominately handles cases with complex evidential issues and multiple witnesses. He frequently represents clients at both inquests into fatal accidents at work and subsequent civil proceedings.

Gareth has particular expertise in claims involving causation arising out of spinal injuries and chronic pain issues which have given rise to significant amounts of expert evidence and forensic detail on the Claimants' medical history. He is well-versed in holding conferences with experts, drafting Part 35's and cross-examining experts at trial.

Industrial Disease

Gareth is regularly instructed in all aspects of industrial disease work including; Asbestos-related disease, silicosis, HAVS, NIHL, occupational stress, COSHH cases and work-related upper limb disorders, including repetitive strain injury claims.

He has been involved in a number of trials where he has cross-examined expert witnesses. He is particularly familiar with limitation preliminary issue trials.

Gareth appeared before the Court of Appeal on behalf of the Defendant in the case of *Mackenzie -v- Alcoa Manufacturing (GB) Limited* [2019] EWCA Civ 2110 where he was led. Whilst specifically arising out of a NIHL claim,

the case concerned important issues about disclosure and the defence of historic disease claims generally.

Clinical Negligence

Gareth has developed a specialist clinical negligence practice, predominately representing Claimants. He has been instructed in matters ranging from initial advice on liability to complex advices on causation and quantum.

Most of his casework involves allegations of a delay in treatment and/or misdiagnosis. This is a particular area of expertise for Gareth, particularly the interplay between the factual evidence in such cases giving rise to the core chronology of events, and the parameters of the duty of care.

Gareth also provides expert advice and advocacy in cases concerning treatment of psychiatric conditions and the effects of medication withdrawal or delays in treatment which has precipitated patient self-harming and acts of suicide.

Gareth has also represented families at inquests where a clinical negligence claim is likely to follow.

Inquests & Inquiries

Gareth has represented a variety of interested parties in inquests. Particular inquests in which Gareth has appeared have included the following:

- Deaths in custody (whether police or within a prison setting)
- Deaths arising from suicide where there have been alleged missed opportunities or deficiencies in the standard of care given prior to death
- Deaths connected to industrial disease
- Article 2 Inquests
- Deaths connected to clinical negligence
- Deaths arising from accidents at work or road traffic accidents

Gareth's experience dealing with large volume disclosure, his familiarity with medical records, and his regular dealings with expert witnesses allows him to be adept at handling the core issues at the root of an inquest and the potential findings available to the coroner.

Gareth was instructed in the UK COVID Inquiry on behalf of the Cabinet Office by the Government Legal Department in Modules 1, 2, 2A and 5 of the Inquiry.

Counter-Fraud

Gareth has been successful on many occasions in securing a finding of fundamental dishonesty for Defendants and obtaining a section 57 strike out under the Criminal Justice Act 2015. This has included both circumstances where false evidence has been given on liability or causation and cases where a Claimant has tried to deliberately deceive the court about his date of Knowledge for the purposes of the Limitation Act 1980.

Gareth's methodical approach to cases, and his eye for detail allows him to be particularly adept at dealing with cases where fraud is an issue. His meticulous preparation allows him to be strong in cross-examination with Claimants facing allegations of fraud or dishonesty.

Criminal Injuries Compensation Board Actions

Gareth undertakes instructions relating to catastrophic injury and CICA matters. He has presented several CICA matters on appeal which have seen significant uplift in the amount awarded. They have predominantly involved complex brain injuries where the full amount under the scheme was applied for.

Gareth was instructed on a case involving clinical negligence the proper approach under the scheme, the rules to the

settlement received and the impact it had on the award. In that matter nine expert reports were put before the Tribunal.

Insurance

Gareth has an academic background in insurance law which he has brought into his practice at the Bar. He regularly advises on the extent of coverage under a policy and circumstances in which cover can be declined. He is also regularly instructed in reinsurance work involving claims between insurers for contribution or indemnity following on from prior proceedings.

Education & Appointments

- Eastham Scholarship, Lincoln's Inn
- BCL, St. Anne's College, University of Oxford
- BVC (Very Competent)
- LLM, University of Birmingham
- LLB (First Class Honours), Keele University
- Junior Counsel to the Crown (2020-2025)
- Personal Injury Bar Association Midlands Circuit Representative 2019 – 2025

Directories

Gareth McAloon is very sharp. He assimilates information quickly. He is a very responsive and very persuasive advocate. – Chambers & Partners, 2026

Gareth is a strong negotiator. He is wonderful when you have a case that needs a firm steer and a strong negotiation. – Chambers & Partners, 2026

He is a powerful and persuasive advocate, who is excellent with complex claims. – Legal 500, 2026

He is very sympathetic to clients. – Chambers & Partners, 2025

Gareth is meticulous in his preparation and a great advocate. – Chambers & Partners, 2025

Gareth was particularly helpful on a complicated matter and took the time to go through things with me to determine a way forward. – Chambers & Partners, 2025

He provides good advice, sound strategic input and is excellent on his feet. – Chambers & Partners, 2025

Gareth is extremely personable and eminently professional. – Chambers & Partners, 2025

Gareth is very approachable and happy to go the extra mile. – Chambers & Partners, 2025

Gareth is an authority on disease claims. He has extremely sound judgement, with commercial realities always in mind, and is robust when required. – Legal 500, 2025

Notable Cases

Mackenzie -v- Alcoa Manufacturing (GB) Limited [2019] EWCA Civ 2110 – NIHL case involving the ability of the Court to draw adverse inferences of breach of duty in a historic claim where the Defendant had no documents.

UK COVID Inquiry: Instructed on behalf of the Cabinet Office by the Government Legal Department in Modules 1, 2, 2A and 5 of the Inquiry.

Re Elizabeth McCann (Deceased): Gareth was instructed on behalf of the Probation Service in this Inquest into Miss

McCann's death following her murder by a life licence offender in 2022.

Re Jason Holland (Deceased): Gareth represented Mr Holland's widow at an Inquest into his death at work in 2023 whilst he was working at height on a mobile elevated working platform.