12
King's Bench Walk

Gerard Martin KC



Call: 1978
Silk: 2000

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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Professional Negligence, International & Travel, Arbitration, Mediation

Specialist in catastrophic injury work for Claimants. Other specialties include claims for amputees, pain and somatoform disorders.

In the way his career has developed both at the junior bar and in silk, he has been instructed almost exclusively by those acting for Claimants (including those employed in the military), save for one or two occasions when insurance companies have sought his assistance. The majority of his work over the past 15 years in silk has been for clients with severe brain injuries, be they adults or children, the injuries resulting as the consequence of accidents or by way of clinical negligence.

Each case of severe brain injury is unique and experience has taught him that it is unwise to generalise about outcomes, much depends upon the individual and the support they receive. Practising in this specialty has meant that the experts on both sides of the litigation divide are known to him, as are the centres of excellence for rehabilitation of the brain injured.

Personal Injury

Gerard is a renowned silk who specialises in brain injury and spinal injury cases for adults and children. He also has a wealth of experience dealing with claims for amputees, pain and somatoform disorders. His career has developed both at the junior bar and in silk, where he has been instructed almost exclusively by those acting for claimants (including those employed in the military) save for certain occasions when insurance companies have sought his assistance.

The majority of his work in silk has been for clients with severe brain injuries, resulting as the consequence of accidents or by way of clinical negligence. Through his vast experience he knows that each case of severe brain injury is unique and with this in mind he believes it unwise to generalise about outcomes, and that much depends upon the individual and the support they receive. Practising in this sphere has meant that the experts on both sides of the litigation divide are known to him, as are the centres of excellence for rehabilitation of the brain injured.

Gerard prides himself on ensuring each client, especially in cases where they may lack capacity to make decisions themselves, has a clear understanding of each action he will undertake on their behalf. He believes that by visiting the client and their family at home, hospital or rehabilitation unit enables him to gain a better understanding of the important issues in their lives. This in turn enables him to work hard to ensure the best possible outcome.

His working ethos aims to encourage and promote teamwork between client, solicitor, counsel and their expert advisors. He believes he works best when instructed at the outset of the case. This enables him to bring his considerable influence to its direction and to assist with ensuring the the best experts to assist each client. Gerard applies this

philosophy when also managing
claims for spinal injury, amputees, complex regional pain syndrome and other somatoform disorders.

Often cases settle by negotiation rather than trial in court. This is where Gerard provides real expertise and value. One of his recognised skills is the preparation for and conduct of the negotiations which may lead to the conclusion of the case. His has a tried and tested ability to foresee well in advance the arguments to be deployed against his client, to gather the evidence and serve in advance of the meeting so as to defeat those arguments.

Clinical Negligence

With extensive experience of clinical negligence work, Gerard worked for a number of years when he was a senior junior for defendant trusts in the North of England. Upon taking Silk, he has had vast experience leading the legal team for the claimant in many cerebral palsy cases both as to liability and quantum. He regularly achieves awards in such cases that are generally well in excess of £5 million, the largest to date being £7.5 million. He also has detailed experience of pursuing claims on behalf of those who have suffered strokes by reason of clinical negligence.

Gerard is a past chair of the Northern Circuit Medical Law Association and has presented lectures at AVMA seminars on the preparation of quantum claims in birth injuries cases. His latest clinical negligence seminars have focused on the recent topics of consent after the Supreme Court decision in Montgomery and the importance of investigating cumulative causes re causation as highlighted in the Privy Council decision of Williams v. Bermuda Hospitals.
Gerard also has a special interest in the preparation of the claim for compensation in clinical negligence cases involving brain injury both for children and adults. Indeed the largest part of his practice specialises in issues around brain injury, both as to liability and quantum. He has indepth knowledge of the leading medical experts in the field of clinical negligence.

He understands how stressful cases can be, and that the process may often seem daunting. With this in mind, he often prefers to see clients in their own homes where they are most at ease. With almost two decades of experience in silk, Gerard has wide ranging expertise in all matters of clinical negligence.

Court of Protection

Gerard has a nationwide practice handling catastrophic injury claims of complexity and high value and has a particular expertise in brain injury litigation. He has specialised in high value cases since 1993, and over the last 10 years the majority of his caseload has been in acquired brain injury cases of the utmost severity. His work is almost entirely instructed on behalf of claimants.
He has spoken on capacity issues at local and national seminars. His professional and non-professional role as the former chair of trustees of a childrens' hospice has given him a real insight into many issues often

associated with Court of Protection matters.
Gerard welcomes direct approaches to discuss potential cases and is always ready to meet the client at their home. He is a former Recorder of both the Crown and County Courts having resigned that position in order to concentrate on advocating on behalf of clients.
His practice has long involved him dealing with brain injury and the linked capacity issues that inevitably arise in such cases. He is familiar with the challenges that cognitive deficits cause to both the client and their family. His approach is to listen to, understand, and make time for the client and their family in order to communicate their thoughts and wishes. This level of attention and care, along with a proven track record in getting his clients the best outcome possible under the circumstances, are two of the key reasons he is in such demand and remains so valued by his clients.

Mediation

Gerard is an accredited mediator with the London School of Mediation.

He completed LSM's Certified Mediator Training Programme in May 2025 and is now accepting mediation instructions in high value personal injury and clinical negligence cases. He offers an evaluative assessment as well as the traditional facilitative approach.

Gerard was called to the Bar in 1978 and took silk in 2000. Described as an "outstanding negotiator" in Chambers UK 2025, he is a nationally recognised for his expertise in high value personal injury and clinical negligence matters.

Through his vast experience, Gerard knows that each case of severe injury is unique and with this in mind he believes it unwise to generalise about outcomes, and that much depends upon the individual and the support they receive. His working ethos aims to encourage and promote teamwork and collaboration between claimants and defendants.

Gerard has a proven track record bringing parties together to resolve their disputes and previously acted for two of the Claimants in a successful two-week mediation between inmates of Guantanamo Bay and the UK government over human rights violations.

Professional Negligence

Yes but only concerning personal injury.

International & Travel

Yes but only concerning personal injury.

Qualifications

Cambridge, Law degree 2.1, 1974-1977

Appointments & Memberships

Former chair of Northern Circuit Medical law Association; former recorder; accredited mediator.

PIBA; PNBA

Directories

Gerard is a true leader in his field. He has an exceptional eye for detail and is a fearsome but charming advocate. His bed side manner with clients and their families is second to none. He always deals with matters in a dignified and honourable way, achieving exceptional results. A go-to silk. – Legal 500, 2023

Gerard is very knowledgable in complex cases, particularly involving amputation and brain injury. He is always helpful and very good with clients, he has great knowledge in relation to rehabilitation in cases, and he deals with very complex, high value cases effectively and with great skill. – Legal 500, 2023

An organised and accessible QC who understands the benefits of a structured plan for cases. – Chambers & Partners, 2017

Not only reliable, but exceptional in terms of results. It's always a positive experience for clients due to his exceptional bedside manner, and his track record speaks for itself. – Chambers & Partners, 2017

Gerard is a favourite, going back many years, for his decisive judgement calls that stand the test of time. – Legal 500, 2011

Cases

Guantanamo Bay Negotiations 2010

Acted for two of the inmates in a two week mediation against five Government departments seeking compensation for human rights violations, successfully settled.

AB 2010

Severe brain injury to a 60 year old passenger in a car, £7.5 million recovered, including annual payments for care and case management of £310,000.

CD2010

Severe brain injury for a passenger exiting a moving taxi- successfully recovered £250,000.

EF 2011

Spinal injury tetraplegic in his early twenties, complicated by his failure to use care package, £7.3 million.

GH 2010

Young man of 16 at time of severe brain injury, passenger in car driven off Beachey Head, management of his care team made difficult by his amorous relationship with one of his carers, just under £6 million recovered.

IJ 2011

Chronic pain case for a man in his twenties, video surveillance and credibility in issue, settled for £535.000.

KL 2012

A lady in her fifties, amputee, loss of upper limb, just below shoulder, issues re use of myo electric prosthetics – £1.15 million recovered.

OP 2011

Turkish speaking man in his fifties, severe brain damage, unable to walk by reason of neurological injuries, lost ability to speak English, severely distressed by his injuries, complicated by boney growths around his knees causing pain, £5.5 million recovered.

QR 2012

Young lady in her twenties, severe brain injuries, rendered virtually blind, 3% sight remaining in one eye, severe anxiety problems, case complicated because we were the second legal team, called in to take over the case from solicitors with whom the family had become dissatisfied, very difficult care package to manage, £5.5 million recovered.

MN2012

Lady in her fifties, suffers severe brain injury, as a result suffers the onset of bipolar disorder, a diagnosis agreed by Defence expert to be caused by accident. The disorder not yet controlled by medication. Has reverted to her first language of Sri Lankan, profoundly deaf

Cases abroad

Two recent cases of interest both concern the management of cases abroad. One involves a man in his sixties, living in Tehran, who suffered what we believe to be a severe brain injury when knocked down as a pedestrian in London and the brain injury was missed by the treating hospital which focussed on the orthopaedic injuries. The client speaks no English.

The other is for a young man with a severe brain injury who resides in Kuwait City, little is known as yet what systems for rehabilitation exist in his home country. Little English is spoken and reliance upon interpreters is essential.