

Hugh Hamill

Call: 1988

hamill@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Industrial Disease, Professional Negligence, Insurance, Product Liability, Costs, Health & Safety, Fraud, Credit Hire, Inquests, Public Authority Liability, Construction, Aviation

Hugh specialises in high value complex personal injury, professional negligence, clinical negligence and industrial disease and general insurance work.

Last year was another excellent year for Hugh and has seen him continuing to represent major insurers; public authorities; large corporations and seriously injured claimants in high-value claims, particularly those involving chronic pain/fibromyalgia/traumatic brain injury. Very often in these types of claims, causation is hotly disputed and issues of malingering, fraud, fundamental dishonesty and exaggeration arise.

He is known as an extremely tough negotiator both in JSM's and in mediations and regularly delivers sensible outcomes for all parties, avoiding the costs and risks of a contested trial.

He has been listed as a Leading Junior in Personal Injury for over 20 years. In Chambers and Partners 2022, Hugh is noted for his work in cases involving fibromyalgia and brain and spinal injuries. He is particularly noted for his "courtroom prowess" and being "an extremely good negotiator and a very good advocate". "He is able to identify key issues very quickly and get to the real core of the case."

Previous editions referred to him as "bright, bold and ethical." He is praised for being a "slick and tenacious court performer" who "rolls up his sleeves and gets his hands dirty," and as a "razor sharp" advocate."

The Legal 500 recommends Hugh where there is malingering or fraud. He is 'an excellent advocate with a no-nonsense approach to cases'.

Hugh is also responsible for the development and the supervision of Chambers I.T. network and the continued expansion of the I.T. infrastructure.

He has a very strong grasp of technical; engineering issues and a fine eye for detail.

He lives in Oxfordshire and can accept instructions at short notice either by DX or email. He is married with 2 children.

Personal Injury

He has an extensive P.I. practice acting predominantly for defendants but also for claimants in catastrophic injury claims. He has a particular interest in claims involving chronic pain, fibromyalgia and chronic fatigue particularly where

issues of malingering, exaggeration and fraud arise.

Hugh is regularly instructed in claims involving :

Public / Employers Liability claims – including Highways Act, Stress at work, Mesothelioma, Asbestos and other chemical exposures and in psychiatric injury claims”;

Catastrophic Injury Claims – such as serious brain & spinal injuries, amputation or gross disfigurement;

Road Traffic – Fatal Accident and Serious injury claims including claims involving the Motor Insurers Bureau;

Aviation Claims – Fatal Accident and personal injury claims arising out of aviation disasters;

Mental Capacity – Litigation Capacity – Hugh successfully represented the Defendants in *Masterman- Lister* the leading case in this area and has been instructed in several major cases arising out of this decision.

Qualifications & Awards

University College, Dublin (BA (Hons) Philosophy & Economics)
City University (DipLaw);

Inner Temple Scholar -1988.

Memberships

PIBA , LCLBA.

Cases

Dadd v AEI; MOD ; NEL & Fastran Heating – HH Judge Cotter HQ14A05465 in which the Claimant age 66 was seeking Blamire damages having recently been awarded a PhD following a diagnosis of mesothelioma.

Daniel McCracken v (1) Damian Smith, (2) The Motor Insurers' Bureau, (3) Darren Michael Bell [2013] EWHC 3620 (QB). Successful defence of an action against the MIB by uninsured passenger on a stolen un-roadworthy off-road trials bike.

Ramaraj v Ahmed LTL HH Judge Maloney Q.C. 7/6/2012 where the Claimant was found to be in Contempt in the face of the Court and her case struck out.

Higgs v Pickles [2011] PIQR P15 – Applied the Ogden 6 tables without any adjustments

Connor v Bradman [2007] EWHC 2789 – Hugh acted for the Claimant in the leading case on the application of the Ogden Tables to assessing loss of earnings

Budden v Police Aviation Services Limited Q.B.D 2004 – Liability attached to the employer of a pilot who was killed when his air ambulance crashed after striking pylons close to Rochester Airport. Although the Judge could not identify the precise mechanical defect which had caused the crash he was satisfied that it had been caused by a mechanical defect

Cranfield v Bridgegrove Ltd C.A. [2003] 1 W.L.R. 2441 – Joined Cases: *Claussen v Yeates*. Successfully acted for the *Yeates* in a multi-party appeal dealing with service issues arising out of CPR Part 6

Masterman-Lister v Jewell C.A. [2003] 1 W.L.R. 1511 – Successfully acted for the Defendant in this leading case on

Mental Capacity. The Claimant sought in 2000 to re-open litigation concluded in 1987 on the grounds that he lacked capacity to settle his action