

James Sullivan

Call: 2005
sullivan@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, International & Travel, Clinical Negligence, Fraud, Sport, Health & Safety, Insurance

James has a High Court and multi-track practice specialising in all aspects of personal injury and clinical negligence. He has complementary expertise in respect of accidents abroad and insurance fraud. He is very regularly instructed as sole Counsel in cases valued well in excess of £1,000,000.

James' personal injury practice is focused on cases involving catastrophic and life changing injuries. He has particular expertise in respect of serious brain or head injuries cases (including subtle brain injuries), amputation cases (upper and lower limb), cases involving fusion or joint replacement surgery, and cases involving major psychiatric injuries.

James also has very considerable experience in respect of cases involving rheumatological conditions and non-organic pain cases. His recent and current case load includes cases concerning Complex Regional Pain Syndrome, Chronic Fatigue Syndrome, alleged post-traumatic fibromyalgia, Functional Neurological Disorders and Somatic Symptom Disorders. He is often instructed in cases where there are elements of fraud, malingering and exaggeration.

James international or cross-border work is focused on accidents abroad. He has extensive experience of Rome II and of handling cases involving the application of foreign law both in terms of liability and quantum. James also has experience of claims involving the application of the EU Motor Insurance Directive

In his clinical negligence practice, James acts principally for claimants. He regularly advises in cases involving complex medical issues, particularly concerning causation.

James is ranked as a Leading Junior in both Chambers and Partners (Band 3) and Legal 500 in respect of Personal Injury. He acted for the successful parties in the recently reported High Court cases of *Levitt v Euro Building and Maintenance Contractors Ltd* [2019] EWHC 2926 (QB) 11 Nov 2019 (vicarious liability for assault perpetrated by a sub-contractor, ex turpi causa); and *Robinson v Barker (1) Markerstudy (2)* [2020] EWHC 3097 (QB) (brain injury, liability only trial, accident reconstruction evidence).

Outside of Chambers, James is heavily involved with a charity which funds Research Fellowships at the Royal Marsden Hospital (leecure.org).

Fraud

James has considerable experience of cases concerning allegations of fraud (both from the perspective of defendants and claimants) – including cases concerning alleged low velocity impacts, alleged phantom passengers, alleged staged accidents, alleged paper accidents, or allegedly induced collisions. He also has experience of dealing with and advising upon suspected fraud rings.

James is often instructed in fraud matters prior to the issue or service of proceedings so as to advise on evidence and

tactics. He has considerable experience in terms of drafting pleadings and appearing in trials where fraud is alleged or suspected. He also has considerable experience in dealing with surveillance evidence, social media evidence and insurance database material.

James has lectured frequently on the subject of civil fraud, and has most recently provided seminars on Section 57 of the Criminal Justice and Courts Act, fundamental dishonesty, and QOCS.

Qualifications & Awards

B.Sc. (First Class Honours) Government (London School of Economics)

M.Phil. (Distinction) International Relations (Magdalene College, Cambridge University)

Post Graduate Diploma in Law (Distinction) (College of Law)

Bar Vocational Course (Very Competent) (ICSL)

Howard Laski Scholarship (LSE 1999-2000)

Princes Royal Scholar (Inner Temple 2004-2005)

Memberships

PIBA, LCLCBA, AvMA

Cases

Copley v Lawn and Maden v Haller [2009] EWCA Civ 580. Appeared as Junior Counsel, led by Ronald Walker Q.C. for the Defendants in these credit hire cases concerning: (1) whether or not it is unreasonable for claimants, whose vehicles have been damaged in road traffic accidents, to reject offers of replacement vehicles from defendant insurers; and (2) the question, if it is unreasonable for claimants to reject such offers, of the correct measure of damages.