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King's Bench Walk

Paul Russell KC



Call: 1984
Silk: 2011

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AREAS OF EXPERTISE

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

JUDICAL APPOINTMENTS

Arbitrator under the Motor Insurers' Bureau Agreements since April 2014

Paul has a strong reputation in the specialist fields of personal injury, clinical negligence and professional negligence (arising out of the conduct of personal injury and clinical negligence claims), being regularly instructed in high value liability and/or quantum cases for both Claimants and Defendants.

On the quantum side, Paul's expertise includes catastrophic injury (birth related, brain injury, spinal injury, multiple injuries), amputation cases, chronic pain (including complex regional pain syndrome and fibromyalgia), psychiatric injury, stress at work, RSI, and fatal accidents.

For some examples of cases in which he has been instructed, see *Cases* section.

Personal Injury

Most of Paul's cases arise out of the following: road traffic accidents (including those taking place abroad), employers' liability claims, public liability claims, and injuries caused by medical negligence.

On the quantum side, periodical payments, capacity and statutory funding issues often arise in the more complex high value cases in which Paul is instructed.

Clinical Negligence

Paul's clinical negligence practice is predominantly acting for Claimants. His case load includes birth related injuries of the very maximum severity.

Paul has also conducted many contribution claims for Defendants arising out of intervening clinical negligence following on from separate torts.

International & Travel

Paul's personal injury practice includes dealing with cases arising out of road traffic accidents abroad, as well as claims involving foreign nationals injured in this jurisdiction.

Insurance

Paul is instructed in insurance policy and coverage disputes, particularly in relation to motor policies and MIB claims.

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Mediation

Paul is experienced at mediating disputes within his specialist fields of practice. His success rate at bringing parties together through an evaluative approach is high.

Qualifications

Durham University (BA Hons Law)

Appointments & Memberships

- Head of Chambers 2015 – 2021
- Arbitrator under the Motor Insurers' Bureau Agreements (the *Untraced Drivers' Agreement 2003* and Article 75 of the *Memorandum and Articles of Association of the Motor Insurers' Bureau*) – 2014
- Joint Tribunal member appointed by the Chairman of the Bar to determine fee disputes
- Ex serving member of the Barristers' Complaints Advisory Service Panel
- Ex serving member of the Bar Council Professional Conduct Committee [1997-2002]
- Personal Injury Bar Association Executive Committee member
- LCLCBA member

Directories

He is an absolute star. – Chambers & Partners, 2026

Paul leaves no stone unturned and is highly passionate. He always goes the extra mile for his instructing solicitor and client. – Chambers & Partners, 2026

A go-to favourite in complex personal injury litigation, Paul is totally reliable and has a deep understanding of clients' needs. He has incredible analytical skills and is a master at advocacy. – Chambers & Partners, 2026

Paul adopts a very forensic approach and is able to distil the relevant issues for clients very quickly. He is tenacious with opponents, and always fights the critical issues. – Legal 500, 2026

Paul is hard-working, charming and easy to work with. – Chambers & Partners, 2025

Paul is top tier with experts and very technically astute. – Chambers & Partners, 2025

Paul's level of detail and understanding of his case are fantastic. He is very clever and meticulous. He is a very effective advocate and respected by both claimant and defendant lawyers. – Legal 500, 2025

Clients have said that Paul is "exactly the kind of person you want to have behind you"; a fine all-rounder whose "intellect, experience and thoroughness" are combined with a "wonderful ability to communicate with people on any level."

He has previously been quoted by interviewees as "using his amiable personality to his advantage when negotiating a busy caseload"; "his charm acts as a powerful persuasive influence in catastrophic injury, industrial disease and stress cases".

Paul's level of detail and understanding of his case are fantastic; he leaves no stone unturned. He is a very effective advocate who communicates well. – Chambers & Partners, 2024

The go-to leading counsel for complex matters, he has an ability to cut through the noise and makes it all look very simple. – Chambers & Partners, 2024

Paul Russell is first class in every respect. He is very clever and misses nothing in a case. He is incredibly personable with clients. – Chambers & Partners, 2024

He reads the papers, he's meticulous in his preparation and he's very nice to the clients – he's just the all-round package for complex cases. – Chambers & Partners, 2024

Paul is meticulous in his preparation for conferences and hearings. He is supremely confident and has a grasp of all the key issues. – Legal 500, 2024

Paul is a first-class barrister and excellent advocate, he is forensically analytical, he gets to the issues quickly and effortlessly achieving fantastic results. A pleasure to work with. – Legal 500, 2023

Absolutely brilliant, on top of the detail, down to earth and a pleasure to deal with. – Chambers & Partners, 2022

Paul is an excellent advocate, his forensic analysis is second to none, and he is able to deal with very difficult experts and witnesses in an effortlessly charming way. – Legal 500, 2022

He is one of the most charming opponents you could come across – very smooth and sophisticated. An excellent advocate. – Chambers & Partners, 2021

An incredible advocate who is uniquely well prepared and dominant in court. – Legal 500, 2021

He's robust, no-nonsense and has fantastic attention to detail. He also has a tremendous capacity for facts. – Chambers & Partners, 2020

He is incredibly thorough and has a very pleasant manner. – Chambers & Partners, 2019

Excellent forensic analysis and superb drafting skills. – Legal 500, 2019

He always brings his A game. A superb advocate. – Chambers & Partners, 2018

He has a charming personality, is very thorough and gets to the heart of a complex case. – Chambers & Partners, 2018

He is a superb silk who always gets to the heart of a case quickly. – Legal 500, 2018

He's absolutely brilliant and engenders absolute respect. – Chambers & Partners, 2017

He has experience in a wide range of personal injury matters and is known for offering his clients a Rolls-Royce service. – Chambers & Partners, 2017

He's as bright as you'd expect a leader at the Bar to be; he's calm, to the point and technically brilliant. – Chambers & Partners, 2017

A fierce, determined intellect and a persuasive advocate. – Legal 500, 2017

A silk whose star continues to rise, he has experience in a wide range of personal injury matters and is known for offering his clients a "Rolls-Royce service". He's absolutely brilliant and engenders absolute respect. He's as bright as you'd expect a leader at the Bar to be; he's calm, to the point and technically brilliant. – Legal 500, 2017

Extremely persuasive in court; the first choice for heavy-duty cases. – Chambers and Partners, 2016

He is extremely persuasive, both with opponents and the judiciary. He is easy to communicate with. You get good quality, openness and reliability from him. – Chambers & Partners, 2016

He has a formidable grasp of the detail. – Legal 500, 2016

Paul is a rock-solid adviser and great tactician, immensely thorough and interesting to work with. – Chambers & Partners, 2015

Extremely persuasive in court; the first choice for heavy-duty cases. – Legal 500, 2015

He doesn't take bad points. It's a pleasure doing business with him. – Chambers & Partners, 2014

The 2013 edition of Chambers and Partners praised him for his "astute understanding of figures" and "client care ethos".

The 2012 edition of Chambers and Partners described him as "genial and diligent", noting how quickly he gets to grips with the medical jargon and significance of a case, and how "he conjures up creative ways of navigating through complex cases".

Cases

AZO v D [2/25, QBD]: represented Defendant in heavily contested quantum claim arising out of TBI suffered by Claimant as a front seat passenger; fundamental dishonesty raised and pleaded in immediate run up to mediation and trial; £13m Schedule (less 15% for seatbelt issue) compromised for circa £1.25m gross. Settlement approved.

AEF v GKL [12/24, QBD]: acted for Claimant suffering TBI in construction accident; liability issues compromised; quantum thereafter compromised for a lump sum; Claimant in receipt of NHS CHC funding for 24/7 care. Settlement approved.

Q v R [9/24, QBD]: represented Defendant coach company in RTA involving coach being driven into a car conveying a teenage boy to school; he suffered TBI; pre-existing condition of very severe autism; complex medical and causation issues; lump sum settlement ultimately approved by Court.

DAX v Morgan [8/24, QBD]: acted for Claimant; TBI in head on collision; need for 24/7 care; at early JSM (when the discount rate was negative) the motor insurers agreed to purchase a house for the Claimant and her husband for their joint lives; approved settlement eventually reached for lump sum + periodical payments for almost all heads of future loss (so not just care and case management and deputyship/Court of Protection fees).

HIJ v EGF [1/24, QBD]: acted for Claimant who suffered TBI in 2019; he had previously been compensated for a TBI suffered in 2011; eight figure settlement (including periodical payments) approved.

LJP v D1 and MIB [11/23, QBD]: acted for Claimant on liability issue; pillion passenger on uninsured motorcycle being ridden by boyfriend; he was four times+ over the legal limit for alcohol; head on collision; he was killed; Claimant suffered TBI; helmet issues; plus, knowledge of lack on insurance on her part; liability compromise approved.

KTW v D1 and D2 [9/23, QBD]: represented Claimant who suffered TBI when pedestrian; Nigerian national, over-staying on visiting visa; 30+ experts in the case; compromised for lump sum, periodical payments for care and case management for life in the UK, and provisional damages.

J v R [12/22, QBD]: acted for Defendant in TBI claim where Claimant was injured in 1993 (aged 13); claim settled in 1998 for £1.3m; in 2015 new solicitors sought to re-open the case; the Claimant's settlement had not been approved by the Court in 1998; application by the Claimant was successful; the evidence was that the Claimant had lacked capacity throughout the whole of the period since the accident; in 2011 the Claimant had suffered a stroke caused by her TBI; lump sum settlement (approved by the Court) reflected 24/7 care needs for life.

Johnson v Savigni and Another [9/22, QBD]: acted for Defendant in TBI claim; made successful late application (one

month before trial) to admit surveillance evidence; amendments to pleadings alleged fundamental dishonesty; claim settled for 1/3rd of reasonable Defendant valuation during week before trial.

H v E [7/22, QBD]: represented Defendant; Claimant suffered TBI when aged 8; subsequently developed meningitis leading to bilateral hearing loss; approved settlement of claim reached 14 years post-accident; lump sum approval provided compensation for, inter alia, care, loss of earnings, and Court of Protection/deputy costs.

LDF v D [1/22, QBD]: acted for Claimant in RTA claim (HGV turning left, cyclist undertaking); very serious leg injury; settled at JSM.

MS v D1 [1/22, QBD]: represented Defendant in RTA TBI claim involving minor; compromised and then approved 15 years after the accident.

JC v D1 and D2 [10/21]: acted for D1 in claim arising out of fall from balcony; D2 was brought into the action because of alleged negligence regarding discharge from hospital without appropriate drugs following development of DVT; quantum resolution approved.

JR v MIB [3/21, QBD]: acted for Claimant in claim against identified but untraceable driver; spinal injuries; compromised at JSM.

NK v MIB [1/21, QBD]: acted for Claimant rendered paraplegic in motorcycle accident; liability and quantum resolved at mediation.

NW v D1 [7/20, QBD]: represented Defendant in case involving a motorcyclist colliding with the trailer to a combine harvester and suffering catastrophic injury; compromised at JSM.

OK v D1 and D2 [2/20, QBD]: acted for Claimant rendered tetraplegic in RTA; insolvent insurer and FSCS issues relating to periodical payments; settlement approved.

WF v D [11/19, QBD]: acted for Defendant in quantum dispute arising out of the death of the Claimant's father; the Claimant was autistic and orphaned by the loss of his father, his mother having previously died of cancer. Mediation resolved the claim.

YLT v D [9/19, QBD]: acted for Claimant in PVS case with split liability and complex statutory funding issues; notwithstanding 40% discount, the Claimant was ultimately discharged home with a complete 24/7 care package meeting his needs.

J v. P, D2, X and D4 [6/19, QBD]: defended PVS claim of unrestrained passenger; *Froom v. Butcher* issues; compromised eve of trial.

Williams v. Rawson [3/19, QBD]: represented Defendant in cauda equina acceleration case; experts poles apart [6m/15y]; settled for circa 10% of schedule at JSM.

Webb v. Lake [3/19, QBD]: represented Claimant suffering catastrophic upper limb injury in particular; settled for £2m+ at JSM (no PPO).

Green v. South Yorks Transport [12/18, QBD]: defended claim of Claimant struck in good eye by shrapnel from a bus floor after tyre-burst; Australian PPO issues; resolved by consent.

L v. O [4/18, QBD]: defended claim for £26m brought by Claimant alleging catastrophic brain injury suffered in an accident when she was a child; settlement approved at £5m lump sum.

T v. DX and TY Ltd [1/18, QBD]: acted for Claimant in persistent vegetative state following RTA; claim compromised on PPO and lump sum basis.

Z v. YNHST [8/17, QBD]: acted for an infant who suffered catastrophic brain damage by reason of a failure to receive antibiotics during the bacteraemic phase of an infection leaving him with four limb cerebral palsy. Capitalised value of £8.75m (but with agreed staged PPOs).

C v. W [1/17, QBD]: defending claim brought by brain injured motorcyclist; capacity, care and earnings issues; lump sum settlement approved.

W v. J [12/16, QBD]: acted for motor insurer in claim involving allegations of road traffic accident causing vertebral artery dissection and thence anterior spinal artery syndrome, leading to tetraplegia.

C v. K [10/16, QBD]: liability and quantum resolved for Defendant in drink/drugs/stolen vehicle case; passenger suffered catastrophic injuries; 24/7 care claim.

F v. S [9/16, QBD]: defending claim of a lawyer whose career was lost to him as a result of injuries suffered in a serious RTA; ultimately resolved by agreement.

J v. K [8/16, QBD]: acted for employer in claim arising out of an accident in a foundry; below knee amputation; case compromised on liability and quantum at JSM.

W v. J [8/16; QBD]: defending claim of a partially tetraplegic Claimant who broke his neck falling down an unlit staircase in rented premises; liability and quantum settled at JSM.

A v. Z [7/16, QBD]: acted for a brain damaged infant (cerebral palsy) securing admission of breach and causation, and then approved settlement with capitalised value of £6.4m (but on a PPO + lump sum basis).

M v. Z [5/16; QBD]: acting for a victim of an accident who required 24/7 care but who would have had significant care (and other) needs in any event – *Reaney* considerations – £2.4m settlement at pre-trial JSM.

BXC v. D and T Ltd [4/16; QBD]: acting for brain damaged Claimant (protected party) injured in a RTA; liability issues of drink/drugs, seatbelt, and "blind eye" knowledge vehicle was stolen; liability and quantum settled at successive JSMs before approval in the QBD.

H v. H [1/16; QBD]: instructed by motor insurer in chronic pain case relating to high earning professional; multiple experts on both sides; eventually resolved before trial following negotiations with opposing silk.

K v. R [11/15: QBD]; acted for motor insurer in claim made by Claimant who suffered a very severe brachial plexus injury in a RTA; a case planning meeting with the other side set the rehabilitation strategy, before compromise was reached at a JSM about twelve months later.

PCH v. SW [5/15; QBD]: acting for a brain damaged Claimant (protected party) whose claim was settled and approved for a combination of a lump sum and variable periodical payments (for care and case management) for epilepsy.

B v. M [4/15; QBD]: acting for a widower (with three very young daughters) in a fatal claim; lost dependency on wife and

mother's services; claim settled and approved.

P v. P [1/15: QBD]: defended fatal claim raising *Welsh Ambulance* issues in the context of the death of a member of a farming family in Wales.

G v. N [11/14; QBD]: acting for a brain damaged infant in securing a substantial interim payment to fund the purchase of a home suitable for her needs.

C v. H [10/14; QBD]: defending £850k chronic pain claim which was derailed by material (including photographs) published by the Claimant on social media; settled for £25k before the Claimant was pursued by the DSS for the return of her £50k of recoupable benefits.

R v. Makris and another [10/13; QBD]: recoverability of costs against a successful party commencing a further action which was discontinued in a clinical negligence context; the underlying action concerned hemiplegia caused by negligently administered facet joint injections.

Re: X [2012] (Criminal Injuries Compensation Authority): acting for a brain damaged infant Claimant at the Criminal Injuries Compensation Authority (under the 1990 Scheme) – recovery exceeded £5m.

Johnson v. Hunt and another [2011; QBD]: liability arising out of a double fatality RTA.

Waters v. Hayley [2010] EWHC 920 (QBD): claim for indemnity by occupier against electrical contractor following visitor rendered paraplegic falling down lift shaft in residential property.

McDonnell and another v. Walker [2009] EWCA 1257 (Court of Appeal): limitation appeal on forensic prejudice following commencement of second action post Horton v Sadler.

Khalaf v. Gujral [9/09 (QBD)]: *Rylands v Fletcher* claim, neighbour dispute, alleged leaking swimming pool.

Wight v. Cummings [6/09 (QBD)] – Assessment of damages in fatal claim; loss of a chance of deceased becoming a teacher considered.

Alsac v. The Study Society [4/09 (CC)] – Preliminary determination of limitation issues in the context of allegations of undue influence.

Turner v. Green and MIB [2008] EWHC 3133 (QBD): identity of rider of motorcycle where severely injured Claimant claimed he was riding pillion and that the owner was driving; owner said Claimant stole/borrowed motorcycle and crashed while riding solo; claim dismissed.

Banner v. Wright and MIB [15/4/08 (QBD)]: capacity to conduct litigation under the Mental Capacity Act 2005.

McCreadie v. Palmer [21/2/08 (CC)] – liability for horses under the Animals Act 1971 arising out of brain injury suffered by Claimant kicked in the head by bucking horse.

Turner v. Arriva North East Limited [2006] EWCA Civ 410 (Court of Appeal): pedestrian killed when in collision with a bus; driver acquitted of negligence; questions of look out and speed.

Hassler v. AOK Allegmeine Ortkankrasse [25/7/05 (QBD)]: periodical payments; German national in persistent vegetative state; German health insurer.

Connolly v. Ministry of Defence [Lawtel 31/10/03 (QBD – Admin)]: burden of proof under Article 4 of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 1983.

Pell v. Moseley [Lawtel 21/10/03 (Court of Appeal)] – liability of motorcyclist overtaking turning vehicle ahead.

Butterfield v. Ministry of Defence [Lawtel 8/10/02 (QBD – Admin)]: establishing reasonable doubt under Article 5(4) of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983.

Steliou v. Compton [2002] EWCA Civ 275 (Court of Appeal) – relief from sanctions under CPR 3.9.

Skerman v. Bollman Manufacturers [Lawtel 31/5/02 (Court of Appeal)]: whether trial Judge entitled to reject the conflicting medical evidence of both parties and form his own view on the acceleration of spinal symptoms in a prolapsed disc case.

Heil v. Rankin [2000] 2 WLR 1173: Court of Appeal guidance on levels of general damages.