

Simon Browne KC

Call: 1982

Silk: 2011

chambers@12kbw.co.uk



AREAS OF EXPERTISE

Costs & Litigation Funding, Clinical Negligence, Personal Injury, Sport, Mediation, Arbitration, Abuse, Arbitration, Aviation, Fraud, Group Litigation, Group Claim Litigation, Industrial Disease, Inquests, Insurance, Professional Negligence, Professional Regulatory & Discipline

“Always brilliant, he’s polished and prepared and is someone who has a great manner with clients. His advice is spot on.”

Simon is consistently recognised by The Legal 500 and Chambers and Partners as a leading silk in the fields of commercial costs and litigation funding, catastrophic brain and spinal injury, and related areas of sports law, clinical negligence, insurance, and professional negligence and professional regulation.

In addition, Simon is at the forefront of the development of law and civil procedure in the Court of Appeal and High Court in cases such as:

- Part 36 regime in *F & C Alternative Investments (2012) CA*, *Walker Construction v Quayside Homes (2014) CA*, *Yentob v MGN (2015) CA*, *Seabrook v Adam (2021) CA*, and *FKJ v RVT (2022) HC*.
- Relief from sanctions/abuse of process in *Mitchell v NGN (2014) CA*, *Cable v LV Insurance (2020) CA* and *CS LLP v HMRC (2024) Upper Tier Tax Tribunal*.
- Costs budgets, the drafting of e-bills of costs, and QOCS in *Henry v NGN (2013) CA*, *Bowman v Norfram and Ors. (2018) HC*, and *AKC v Barking and Havering Health Authority (2022) CA*.

Simon is a qualified mediator and arbitrator. He is registered with the Bar Council to accept direct access instructions and at the higher level of conducting litigation.

Personal Injury

Simon represents both claimants and defendants in catastrophic injury cases, mainly involving brain damage and spinal injuries. He is well liked by clients for his convivial yet practical style. He is ranked in Band 1 for personal injuries in the legal directories. Further, having practised in this field for over 25 years, he is recognised by the Legal 500 in their “Hall of Fame” for catastrophic injury work. Each year he is instructed regularly in cases with a value in excess of £10 million

and in cases with unusual or difficult points of law.

Cases of note:

- **W v CR [2024] HC** – Claim in excess of £10 million for severely injured army officer and medical practitioner following road traffic accident where career progression, pension claim and care requirements and costs in issue.
- **Taylor v Raspin [2022] CA** – Court of Appeal case concerning the use of expert evidence in the High Court for road traffic accidents. In re-affirming its decision in *Liddell v Middleton* [1996] PIQR P35 CA the Court of Appeal repeated that the primary evidence in such cases was that of lay evidence and that expert evidence should be limited to matters only where the Court required expert assistance.
- **HW v JL (2022)** – Representing a tetraplegic teenage claimant whose case was settled for an eventually agreed capital sum of £21.5 million.
- **R v C (2022)** – Fully contested liability trial of a claimant motor cyclist, rendered paraplegic, travelling at speed in collision with the defendant car driver emerging onto the carriageway.
- **DEF v S&M (2021)** – Approval of a £12m settlement for a 24-year-old who sustained a severe brain injury in a road accident aged 9. She sustained polytrauma including visible white-matter damage on CT to her frontal and temporal lobes. While she made a relatively good recovery in terms of her cognitive function, she required significant lifetime care.
- **ABC v Young (2021)** – High Court's approval of £1.85m settlement for girl sustaining severe head injuries when struck by wing mirror of a speeding minibus as she stepped off the kerb when the pedestrian light was red against the claimant.
- **D v C (2021)** – Motorcyclist rendered paraplegic because of an accident on the motorway when defendant driver slowed his car and caused a rear end collision. Liability and assessment of damages were in dispute.
- **W v L (2021)** – Unrestrained claimant passenger in rear of car driven by a drunk driver rendered tetraplegic. Issues on contributory negligence for failure to wear a seat belt and knowledge of driver under influence in addition to valuation of significant claim.
- **B v E (2020)** – Damages award of £12m for a mother rendered tetraplegic in a road traffic accident. The claimant requires lifelong round-the-clock care because of the injuries. The case involved complex issues on care, accommodation and life expectancy and required consideration of loss of earnings arising from the claimant's business.
- **R v F (2020)** – Claimant's claim for substantial disability following a road traffic accident in 2014. The claimant was already paraplegic as the result of a previous road traffic accident in 2008. The case raised interesting questions of acceleration in paraplegia cases, and how to approach quantitative rather than qualitative differences in care needs because of a defendant's negligence.
- **VWX v Connells Residential (2019)** – The claimant was left with enduring neuro-psychiatric and vestibular symptoms after a modest blow to the head. He was 39 at the time of the accident and the principal breadwinner for his family. He had a pre-accident history of psychological vulnerability. Causation was very much an issue prior to settlement of the claim.