

Ted Cunningham

Call: 2015
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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Inquests, Sport, Public Authority Liability, Health & Safety, Credit Hire, Costs & Litigation Funding

Ted accepts instructions across all of 12KBW's core areas. He specialises in personal injury, fundamental dishonesty, fatal accidents, sports law, costs and inquests.

Ted is an extremely experienced advocate and continues to appear in Court multiple times a week. In addition to frequently representing clients in Court, Ted's paperwork practice includes advising and pleading in high value claims for both Claimants and Defendants in both the County and High Court.

Away from Chambers, Ted has had several articles published in national newspapers, presented his own radio shows and volunteered both abroad and in the UK with human rights and legal charities.

Personal Injury

Ted accepts instructions for both Claimants and Defendants in all matters relating to Personal Injury. He has a particular speciality in catastrophic accidents involving pedestrians, cyclists and children.

Recent cases have included:

- Acting as a junior in a stress at work claim pleaded in excess of £1 million;
- Securing a substantial settlement for a pedestrian who suffered a degloving injury after a collision with a bus;
- Successfully avoiding a finding of contributory negligence when acting for a child pedestrian who ran into the road into collision with oncoming traffic.

Ted regularly gives talks and seminars on PI related matters. Recent talks have included the impact of Brexit on litigation, settlement in multiparty and/or complex matters, and the future of the remote Bar post-covid.

Fundamental Dishonesty

Ted regularly acts in fast and multi-track matters where fundamental dishonesty is the central issue. He accepts instructions from both Claimants and Defendants, and is happy to provide early stage advice and to appear at trial. Recent cases have included:

- Succeeded in having an employers' liability claim dismissed and an enforceable costs order imposed after securing a finding of fundamental dishonesty. The Court accepted that the alleged incident did not take place as alleged and that the Claimant could not have innocently believed them to have done so.

- Securing a judgment in favour of a Claimant who was accused of fabricating her injuries in an alleged LVI road traffic accident. The Court accepted that, although the incident was indeed at low speed, the Claimant's uniquely extensive medical history rendered her more susceptible to sustaining an injury even in an otherwise minor collision.

Fatal Accidents

Ted has significant experience acting in fatal accident claims, for both the Claimant and the Defendant. Ted's fatal practice includes road traffic accidents and clinical negligence. Ted's recent cases have included fatally clinical negligent care, and appearing in the High Court to secure the approval of a settlement on behalf of two siblings.

Sports law

Arising out of a keen personal passion for sport, Ted has a growing practice in sports injuries. He recently successfully acted for a child in a ski accident claim, and his current claims include a golfer who was blinded on the course, and a footballer who sustained career altering injuries during a match.

He is keen to develop this area further, and accepts instructions from both Claimants and Defendants. Ted is happy to accept instructions on a CFA basis.

Costs & Litigation Funding

Ted is experienced at dealing with costs arising from trials, procedural hearings and interlocutory matters in both the Fast Track and Multi Track. He regularly accepts instructions for assessments. Ted is happy to advise on all matters relating to costs, including the new Fixed Recoverable Cost regime.

Inquests

Ted accepts instructions to represent families and interested parties at inquests. Ted's recent instructions include:

- Appearing in an inquest into a death on a smart motorway. This was a highly publicised hearing, at which Ted was the only counsel not in silk;
- Acting for the family of a motorcyclist who was killed in a road traffic accident;
- Acting for the family of a patient who died as a result of alleged deficiencies in his medical care;
- Acting for the insurer in a road traffic collision involving a pedestrian.

Clinical Negligence

Ted accepts instructions from both Claimants and Defendants. Ted's recent cases have included negligent hospital, ophthalmic and dental treatment. He has a growing practice dealing with pressure sores matters. Ted has recently completed a secondment at the Association of Optometrists, working on high value multi track claims.

Ted is also a regular contributor to 12KBW's clinical negligence blog:

<https://clinicalnegligence.blog>

Credit Hire

Ted regularly acts in Fast and Multi Track credit hire cases, both for the Claimant and Defendant. He is an experienced advocate across the full range of credit hire issues.

Public Authority

Ted has particular experience in representing local authorities in Highways Act and personal injury claims. He has

recently been instructed in the High Court in a claim involving human rights. He is keen to continue to expand this area of his practice.

Health & Safety

Ted is an experienced advocate in health and safety disputes, and accepts instructions from both claimants and defendants.

Qualifications & Awards

- BPTC, City University
- GDL, City University
- BSc in Politics (First Class), University of Bristol
- Lord Denning Scholarship, Lincoln's Inn
- Lord Haldane Scholarship, Lincoln's Inn
- Hardwicke Entrance Award, Lincoln's Inn