

## Thomas Banks

Call: 2010

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### AREAS OF EXPERTISE

Personal Injury, Military Claims, Insurance, Fraud, Inquests, Clinical Negligence, International & Travel, Industrial Disease, Product Liability, Contract / Commercial, Credit Hire, Costs & Litigation Funding, Sport, Property, Property Damage



Tom is ranked as a Personal Injury Leading Junior in Legal 500. He specialises in catastrophic, complex and high value Personal Injury claims, Insurance Law, Inquests, Military claims, Fraud and Costs.

His specialist personal injury practice focuses on Brain and Spinal Injuries, Fatal Accidents, Motor Insurance and Indemnity Law, International and Travel Law, Public and Employers Liability and Industrial Disease

As former Tank Commander and Intelligence Officer in the British Army, he is also recognised as an established specialist Counsel in Armed Forces Claims.

Tom has also been instructed in High Court Defamation proceedings.

### Military Claims

Tom specialises in Armed Forces claims and is instructed in complex high value claims by both Claimants and Defendants. His 10 years in the Army and the Ministry of Defence have given him niche knowledge of the Armed Forces employment structure, and of tactics and quantum issues.

Recent cases include:

- **P v A.** A claim against a major insurer on behalf of the estate of an Army Colonel killed in a white water canoeing accident on the River Tees. Led by Harry Steinberg QC, Tom was instructed by the estate. The claim settled for £2m at JSM.
- **O v MOD.** A multi-million pound claim for serious psychogenic injuries that rendered the Claimant tetraplegic following a military parachuting accident. The Claimant is instructing Tom, who is led by Mike Rawlinson QC.
- **S v MOD.** A multi-million pound catastrophic brain injury in which the Claimant suffered lifechanging injuries from an Armoured vehicle that overturned in Afghanistan
- **P v MOD.** A claim by a Royal Navy diver who contracted Leukaemia after working on nuclear submarines.
- **A v MOD.** A claim for psychiatric injury by a serving officer wrongly accused of espionage.
- Additionally, Tom has specialist knowledge of the following common forms of actionable military injuries
- **Non-Freezing Cold Injury (NFCI)** He has been instructed by numerous Claimants that have suffered a loss of career and subsequent loss of earning capacity and/or disadvantage on the open labour market as a result of in-service NFCIs. He routinely achieves settlements in such claims of £250,000 – £500,000.

- **Noise Induced Hearing Loss (NIHL).** He has also been instructed by numerous Claimants with claims for NIHL. He has specialist knowledge of military equipment and consequent liability issues, and experience in the conceptual and medical differences between industrial and military NIHL.
- **PTSD and psychiatric injuries.** He has been instructed by many Claimants bringing claims for delayed diagnosis of PTSD suffered in-theatre, as well as psychological injuries suffered through systemic failures and physical or sexual abuse
- **Training accidents.** Tom has represented many Claimants in claims for injury arising from domestic and international training accidents including misuse of weapons, military and sports parachuting, adventurous training activities, and routine training exercises.

He also advises serving and former service personnel applying to the Armed Forces Compensation Authority for injury awards and represents Claimants at the Armed Forces Compensation Tribunal.

## Qualifications & Awards

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BA (Hons) Keble College, Oxford University

GDL (Oxford Brookes University)

BVC (BPP Law School)

Lord Haldane Scholar (Lincoln's Inn)

Cassell Scholar (Lincoln's Inn)

Hardwicke Scholar (Lincoln's Inn)

## Memberships

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PIBA

TATLA