



12

King's Bench Walk

Review of the Year
2021

A message from our

Head of Chambers

"An excellent set bursting with talent and great lawyers." - Legal 500, 2022



Now, as one year draws to an end and we stand on the threshold of the next, is a time for reflection. My own reflections on past and future alike, coming as they do half-way through my first year as Head of Chambers, are filled with a sense of profound gratitude that I have had the utmost good fortune to spend my entire professional career at 12KBW.

When I accepted an offer of pupillage here what drew me to 12 was its atypically unstuffy house style which combined professionalism with a real sense of family. I knew instinctively that if 12 would have me, 12 was where I belonged. Upon listening, at the recent memorial almost thirty years later, to all the shared and moving memories of our time spent with Richard Viney – our beloved member taken from us far too soon but who we will carry with us always – it revived in me, at a time of great sadness and loss, that sense of belonging to a place made by its people. By its members, always ready to support their friends, colleagues and chambers at times of need, in which context Paul Russell QC, whose selfless leadership took us to another level altogether,

deserves our profound thanks. By its outstanding staff, to whom we owe so much, and to whom we say thank you for everything you have done to get us through such a challenging year. By its loyal clients whose work we never take for granted: we thank you for your continuing trust, friendship and support.

As to next year and beyond my vision for 12 is of a more diverse and outward-looking family. We are already doing great work but can go further and will be all the richer for it. I am particularly proud of our pro bono work this year, reflected in the Advocate Pro Bono Chambers of the Year Award, as well as the launch of our social mobility mini-pupillage scheme, and the appointment of our first sustainability officers. As we continue to grow we have one eye firmly fixed on wider society and our responsibility within it.

Our best wishes to all our friends and supporters for a very Happy New Year.

- William Audland QC



2021 Review

January

In January, Ronald Walker QC represented the Respondent in the Court of Appeal in *The White Lion Hotel v Deborah James*. Harry Steinberg QC and Kate Boakes appeared for the successful Appellant in *Head v Culver*, an important Court of Appeal decision which clarified the approach to claims for 'lost years'.

February

In February, Kate Boakes was part of the successful counsel team in two group claims arising out of alleged human rights abuses in Kenya and Malawi.

March

In March, we celebrated International Women's Day by hosting a series of webinars which focused on the female experience. Topics ranged from the impact of gender on psychiatric injury to pregnancy and maternity discrimination and we were delighted to be joined by a series of distinguished guest speakers. Martina Murphy acted for the Claimant in a dismissal and whistleblowing case brought by a doctor against a healthcare provider which was widely reported in the national media. Patrick Vincent QC, Cressida Mawdesley-Thomas, Philip Mead and Richard Viney, all of 12 King's Bench Walk, appeared in the case of *Greenaway & Rocks v Covea Insurance & Others*, in which Mr Justice Martin Spencer considered how the domestic court is to interpret retained EU law. Chambers were delighted to celebrate Patrick Vincent's formal appointment as a QC, the 14th practising silk in Chambers.

April

In April, Michael Rawlinson QC and Max Archer were successful in the Court of Appeal in the first authority to consider an EU Regulation post-Brexit. Henry King appeared for the successful Appellant in the EAT in a comprehensive overturning of an employment judge's decision to strike out the Claimant's claim for whistleblowing. In *Mustard v Flower & Ors*, William Audland QC acted for the Defendant in an important decision relating to fundamental dishonesty and exaggerated claims.



2021 Review

May

In May, Harry Steinberg QC and Kate Boakes appeared in the High Court for the re-assessment of the 'lost years' claim in *Head v Culver*. Harry Steinberg QC and Aliyah Akram represented the successful Appellant in *Sparkes v London Pension Funds Authority* in which the High Court reversed the dismissal of the Claimant's non-party disclosure application in a mesothelioma claim arising out of alleged asbestos exposure in a school. We were also delighted to welcome clients to two series of webinars which focused on emerging issues in information and sports law. Martina Murphy was appointed as Vice Chair and David Green was elected to the Committee of the Employment Law Bar Association.

June

In June, Andrew Roy, head of 12KBW's Costs Team, appeared for the Defendant in the Supreme Court in *Ho v Adekun* which concerned whether a defendant in a Qualified One Way Costs Shifting claim who has a costs order in its favour can set off its costs against those ordered in favour of the claimant. There was also success for John-Paul Swoboda in *Chouza v Martins & Ors*. He obtained damages of over €1.1 million in a complex fatal accident claim requiring the interpretation of both English and Spanish law. The judgment included many important decisions of principle, in respect of the Fatal Accidents Act, the discount to be applied for living expenses, and many issues of quantification. We also launched our inquests and public inquiry law blog which can be read [here](#).

July

In July, we were proud to launch the Frank Burton QC Social Mobility Mini Pupillage aimed at aspiring barristers from under-represented backgrounds. In Court, William Audland QC appeared for the Defendant in *Dougan v Bike Events Limited*, a case which concerned an accident during a cycling sportive. Judgment was handed down in *X v Kuoni* in which William, Nina Ross and Achas Burin acted for the Respondent.

2021 Review

August

In August, we celebrated Laura Robinson's appointment to the Attorney General's A Panel of Civil Counsel and Andrew Roy's appointment as a Deputy Costs Judge of the Senior Courts. Steven Snowden QC and John-Paul Swoboda acted for the Claimant in Hill v Witham, which considered important points about the width and breadth of dependency claims under the Fatal Accidents Act.

September

In September, we joined 700 companies across the UK in providing paid internships to young black people in the UK when we announced our support of the 10,000 Black Interns Programme.

October

In October, our achievements were recognised with continued success in the legal directories including new and expanded listings in personal injury, clinical negligence, industrial disease, employment, environment, inquests, costs, travel and aviation. We were particularly pleased to see our Clinical Negligence Team recognised for the first time with a tier 4 ranking in the Legal 500 and the Employment Team recognised with a team ranking for the first time in Chambers & Partners.

November

In November, we won the Pro Bono Chambers of the Year award after members of our PI, Employment and Inquest Teams dedicated nearly 700 hours to Advocate cases. The head of our Inquests Team, Edward Ramsay, was appointed as an Assistant Coroner for Swansea Neath Port Talbot area. Max Archer acted for the successful Claimant in Silverman v Ryanair, the first authority in this jurisdiction to look at the issue of applicable law under the Montreal Convention 1999. We rounded off November at the Chambers Bar Awards where we were named Personal Injury Set of the Year for the third time in four years.

December

In December, Nigel Lewers acted successfully for the Defendant in Lewington v East Coast Main Line Co Ltd.



Appointments

12 King's Bench Walk were delighted that many of our members received prestigious appointments throughout the year.



Patrick Vincent was formally appointed a QC in March 2021. He becomes the 14th practising silk in Chambers.



The head of our Costs Team, Andrew Roy, was appointed as a Deputy Costs Judge of the Senior Courts.



Laura Robinson was appointed to the Attorney General's A Panel of Civil Counsel for the next five years. The Attorney General's panels of counsel consist of just over 400 junior counsel who undertake civil and EU work for all government departments. The A Panel deals with the most complex government cases.



Martina Murphy was appointed as the Vice Chair, and, David Green was elected to the Committee of the Employment Law Bar Association (ELBA).

"12 King's Bench Walk houses a deep bench of experienced barristers at both senior and junior levels". - Chambers & Partners, 2022



Appointments



The head of our Inquests Team, Ed Ramsay, was appointed as an Assistant Coroner for Swansea Neath Port Talbot area.



Samuel Cuthbert was appointed to the Sport Resolutions Pro Bono Panel. Sports Resolution is a UK-based independent, not-for-profit, dispute resolution service for sport operating globally, offering arbitration, mediation, tribunal and expert opinion.



We were also pleased to announce the promotion of three senior members of our team. Our warm congratulations to Lexie Johnson, Tristan Whigham and George Boggis who all now join Graham Johnson as Senior Practice Managers.

"The clerking at 12KBW is exceptional - they go above and beyond and are super helpful and responsive. The team is a stand-out in this area." - Chambers & Partners, 2022

New to Chambers

In 2021 we welcomed three new pupils to chambers, Jessica Franklin, Eleanor Duckenfield and Peter Hale.

Jessica is under the supervision of Martina Murphy with whom she is obtaining experience in employment law – including at appellate level – with a particular focus on whistleblowing and discrimination. She achieved a Distinction in the GDL and the BVS. She was awarded academic scholarships by the City Law School and the Inner Temple to undertake her legal studies. She is also a scholar of Corpus Christi College, Cambridge.



Peter is under the supervision of Charlotte Reynolds obtaining further experience in serious personal injury, road traffic accident and clinical negligence claims with a particular focus on cases involving chronic pain and somatoform disorders, allegations of fundamental dishonesty and motor insurance fraud. Prior to pupillage, Peter worked in the International Injury department of a specialist litigation law firm, dealing with catastrophic personal injury claims involving accidents abroad and other cross-border and European law elements.

Eleanor is under the supervision of Charles Robertshaw obtaining further experience in serious personal injury claims. Eleanor studied Anthropology at Durham University (with a particular interest in forensic anthropology). Following her degree, Eleanor achieved a Distinction in the GDL and a Very Competent in the BPTC LLM, where she was awarded a prize for receiving the highest mark in Ethics in her cohort and 91% in her Personal Injury and Clinical Negligence module. Prior to pupillage, Eleanor gained experience working abroad in Austria and Spain, before returning to the UK to work on the frontline in the pharmaceutical industry throughout Covid, whilst simultaneously completing her delayed Bar exams and completing a Medical Counter Assistance course.

We also welcomed Jamie Tucker, Archie Wootton and Lily Baker to our clerking team. Jamie previously spent seven years as Practice Manager at 39 Essex Chambers and before that 4 years at No5 Chambers. Archie spent three years at 1 Chancery Lane. Lily joined chambers following three years at Cloisters. Niya Clement-Hickson joined as our new Marketing and Data Assistant.

Awards & Out of Court



12KBW were nominated for and subsequently awarded Pro Bono Chambers of the Year at the Advocate Pro Bono Awards after our members contributed over 700 hours to pro bono work this year. We are grateful for the tireless work of our Pro Bono Champions, Georgina Churchhouse and Elizabeth Boulden. We also celebrated the nominations of Martina Murphy and Andrew Watson as Junior Pro-Bono Barrister of the Year and Cressida Mawdesley-Thomas as Young Pro Bono Barrister of the Year.



In 2021, the 12KBW trophy cabinet continued to expand. In August we were delighted to announce that we had been shortlisted for Personal Injury Set of the Year at the 2021 Chambers Bar Awards. Steven Snowden QC was nominated for Personal Injury Silk of the Year and David Sanderson was nominated for Personal Injury Junior of the Year. We subsequently won Personal Injury Set of the Year, for the third time in four years. This award was a fantastic achievement and testament to all the hard work of our members and staff and continued support of our clients.

Awards & Out of Court

Chambers' achievements were recognised with continued success in the legal directories. We were pleased to see our Employment Team recognised for the first time with a ranking in Chambers & Partners. There were new entries for 14 of our members across a wide variety of practice areas which can be read about [here](#).

In the Legal 500 we saw improvements on last year's ranking for 11 of our members in the areas of personal injury, costs, employment and clinical negligence. There were a further 14 new entries for members across 6 areas. Anna Symington, John-Paul Swoboda, Isaac Hogarth, Nina Ross, Thomas Banks and Aliyah Akram were all named as leading personal injury juniors. Charlotte Reynolds and Daniel Sokol were named as leading clinical negligence juniors and David Green and Andrew Watson were named as rising stars in the employment category. A full list of rankings in the Legal 500 can be read [here](#).

Congratulations to all of our members who were ranked this year and thank you to our clients for your continued support.



"12 KBW are justifiably regarded as being a leading set in personal injury work". - Legal 500, 2022

A thank you from our

Director of Clerking



"Oliver Parkhouse has a very good reputation as director of clerking and the arrangements in place at the set are efficient and effective". - Chambers & Partners, 2022

At 12 King's Bench Walk, we look to ensure our clients receive the very best level of service, and we are grateful for the level of support we have continued to receive in return. Thank you to all the clients who have instructed us this year; it has been a pleasure to work with you and we are looking forward to working with you again in 2022.

Thank you also to our clerking, marketing, finance and administrative teams for their hard work and dedication over the past 12 months in difficult circumstances. I am proud of the investment in education and development we have made into our teams here in Chambers and they richly deserve the exceptional reputation that they have acquired.

Our strength as a chambers was reflected in the numerous high profile cases that we worked on this year, including cases in the Supreme Court and Court of Appeal and in our expanded rankings in the legal directories. We were delighted with another Personal Injury Set of the Year award at the Chambers Bar Awards this year, and delighted to see so many of our members ranked for the first time across so many different practice areas.

The success of chambers as a whole is a testament to the quality of our clients, staff, members and the culture of support and kinship which underpins everything that we do.

Thank you to everyone who worked with us in 2021 and I wish you all a happy and healthy festive holiday and new year.

Oliver Parkhouse, Director of Clerking

In Memoriam



Richard John Viney

21st March 1969 - 26 August 2021

It was with untold grief that 12 KBW had to announce the saddest news imaginable: our dear friend and brother Richard Viney had passed away in a cycling accident on Thursday 26th August 2021.

Richard was a wonderfully gentle, kind, modest and selfless man with a brilliant mind and a big heart who gave his all to chambers throughout his many years with us. He was elected as our very first Deputy Head of Chambers and performed that role with such unwavering dedication and distinction that he was repeatedly re-elected. He did so despite performing several other important roles in public service – Deputy District Judge for the West Midlands and barrister member of the Civil Procedure Rule Committee – and building a hugely successful practice at the same time. He was undoubtedly on the cusp of taking silk. He loved our chambers, mentoring so many of us in so many different ways both at and away from the Bar, and he was unanimously and deeply loved by all of us, members and staff alike. He was a father to some, an uncle or a brother to others, and a son to the more senior members who nurtured him in his early years. Pressure always seemed to dissipate when Richard was there. His death leaves an unfillable void in all of our lives.

Our focus and priority for the present is to support his family – please hold Lisa and their boys, and Richard's siblings in your thoughts – and also each other, as we try and get through our grief.

ALEXANDRO CROKE, MIL: TREASURARIO A.D. 1630.

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