

12

King's Bench Walk

Brian McCluggage

Call: 1995
mccluggage@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Insurance, Fraud, Clinical Negligence, Property

JUDICIAL APPOINTMENTS

Employment Judge: 2010; Bar Disciplinary Tribunal (BTAS): 2017

Brian specialises in complex and high value personal injury and insurance-related disputes. His practice is weighted towards acting for insurers though he often conducts fatal accident cases for claimants.

Brian has been on the Attorney-General's Panel for civil work since 2002 and so regularly acts for government departments

Recently reported cases in 2017 include:

McHugh v. Okai-Koi [2017] EWHC 1346 (QBD): ex turpi causa, contributory negligence

Blake v. 1) Croasdale 2) Esure [2017] EWHC 1336 (QBD): resiling from admissions, ex turpi causa

Select Car Rentals v. Esure Services Limited [2017] EWHC 1434 (QBD): third party costs orders against credit hire companies

Shui v. University of Manchester (2017) EAT, HHJ Eady QC: case management involving litigants-in-person suffering mental illness

Hatfield v. 1) Drax & 2) SG Transport (2017) HHJ Belcher: liability dispute arising out of truck accident leading to amputation

Brian is also a tenant at 9 St. John Street Chambers in Manchester.

Insurance

Brian is regularly instructed in policy disputes involving insurers and is familiar with the effect of the Consumer Insurance Act 2012, Consumer Rights Act 2015, Insurance Act 2015 and similar legislation. He has been involved in cases involving:

- Construction of policy terms including redrafting policies on behalf of insurers;
- Co-insurance disputes;
- Indemnity issues including late notification;
- Exaggerated claims including property claims;
- Misrepresentation and non-disclosure;
- RTA/MIB issues.

Qualifications

MA (Cantab)

LL.M. (Toronto)

Middle Temple Harold G Fox Scholar