

12

King's Bench Walk

Brian McCluggage

Call: 1995
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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.

Fraud

RTA fraud previously comprised a major part of Brian's practice. He continues to accept instructions in 'special situation' cases and in particular:

- Claims in deceit and conspiracy, including seeking exemplary damages;
- Committal applications for contempt.

He has previously been involved in some of the biggest 'fraud ring' operations litigated on behalf of insurers including Operation Orion (*Direct Line v. Suleman & 43 ors* (2009) QBD) and Operation Koyona (2016).

Qualifications

MA (Cantab)

LL.M. (Toronto)

Middle Temple Harold G Fox Scholar