

# 12

King's Bench Walk

## Charles Robertshaw

Call: 2007  
robertshaw@12kbw.co.uk



### AREAS OF EXPERTISE

Personal Injury, Fraud, Insurance, Credit Hire, Costs, Inquests, Clinical Negligence

Charles has a well-established and in demand specialist practice in personal injury law.

He has considerable experience in a wide range of personal injury work, including: road traffic liability (often involving fraud, credit hire, and insurance issues), highways claims, public liability, inquests, and the liabilities of employers and occupiers.

He is regularly instructed for both Claimants and Defendants in both multi-track and fast track matters and is in court almost every day. As a consequence, he has extensive advocacy experience.

Charles is also regularly instructed to advise on liability, quantum and procedural matters, as well as drafting statements of case and schedules of loss.

He undertakes work on a CFA basis and is willing to consider pro bono work where appropriate.

### Personal Injury

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Charles has considerable experience and expertise in a wide range of personal injury work, including:

- RTA claims
- Accidents on the highway
- Public liability
- Employers' liability
- Occupiers' liability
- Fatal Accidents Act claims
- Psychiatric/Secondary Victim claims

His cases have often involved fatalities and injuries of the utmost severity, brain and spinal damage and complex psychiatric conditions.

In addition to his court advocacy, Charles is frequently instructed to represent both Claimants and Defendants at joint settlement meetings and he regularly drafts pleadings, schedules of loss, counter-schedules and interlocutory applications and advises both on paper and in conference.

### Fraud

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Charles is regularly instructed to act in personal injury claims which involve allegations of fraud, including claims involving allegations of exaggerated injuries, malingering, and fundamental dishonesty.

He has particular experience in dealing with RTA fraud cases which involve Low Velocity Impact (LVI) claims, induced/staged accidents, phantom passengers, and fraudulent credit hire and storage costs.

He regularly drafts defences, advises both on paper and in conference, and he frequently tests the evidence of insureds at the earliest stages of the litigation. He is knowledgeable in associated costs issues (including wasted costs, third party costs orders, and the disapplication of the qualified one-way costs shifting (QOCS) regime).

## **Insurance**

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Charles is regularly instructed to act in road traffic accident claims involving the MIB and the application of the RTA 1988.

## **Credit Hire**

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Charles has extensive experience in this area and regularly acts in complex and higher value credit hire cases.

## **Costs**

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Charles has been regularly instructed to appear for both Claimants and Defendants at costs and case management hearings since their introduction to the multi-track process.

More recently, Charles has been frequently instructed to advise and appear in cases involving the disapplication of the qualified one-way costs shifting (QOCS) regime.

He is also experienced in handling costs disputes, appearing for both parties at summary and detailed assessment and applications for wasted costs.

## **Inquests**

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Charles has appeared in inquests on behalf of interested parties, usually where a subsequent civil claim is anticipated. He has experience of inquests involving road traffic accidents, deaths in care, and clinical negligence and he is keen to develop and expand this area of his practice further.

## **Clinical Negligence**

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Charles has a keen interest in clinical negligence cases and is part of the 12KBW clinical negligence working group. He is keen to develop and expand this area of his practice further.

## **Cases**

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*F* – Successfully obtained a settlement of over £300k at JSM for 3 children whose mother was killed in a RTA. The significant issues in the case included the valuation of the gratuitous care for the children provided by their father between the accident and anticipated date of trial.

*D* – Acted for a claimant who suffered a significant psychiatric injury following witnessing her deceased father's coffin being buried in the wrong plot at the defendant's graveyard. The case examined where the boundaries of the class of secondary victims in psychiatric injury claims may lie.

*F v MIB* – In an action against the MIB, acted successfully for a claimant who had suffered very serious physical injuries in a RTA, including a traumatic brain injury (TBI).

*H* – Acted for one of four defendants in £100K+ claim by worker who suffered a significant eye injury whilst working on a construction site. The matter was successfully concluded at JSM following resolution of a difficult issue of apportionment between the defendants.

*W* – Currently instructed by the defendant in a low velocity impact (LVI) claim in which the defendant is seeking to set aside the claimant's notice of discontinuance and obtain a strike out of the claim, thereby avoiding the usual effects of the QOCS regime.

## **Qualifications & Awards**

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Imperial College, London BSc (First Class, Hons) in Biological Sciences,  
LLB Law (Hons), The College of Law  
BVC (Outstanding)  
GDL (Distinction)

HR Light Bursary (Middle Temple Scholarship) Winner  
College of Law (London) GDL Mooting Competition 2006  
Awarded College of Law (London) Advocacy Prize 2007

## **Memberships**

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PIBA