

# 12

King's Bench Walk

## Charlotte Reynolds

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Fraud, Insurance, Costs

Charlotte represents both claimants and defendants in a broad range of catastrophic personal injury and clinical negligence claims including those involving brain injury, spinal injury, and amputation claims. She has a particularly strong reputation in claims involving serious psychiatric injury, chronic pain, and somatoform disorders, including Fibromyalgia, Chronic Fatigue Syndrome and Functional Neurological Disorder.

Her knowledge of the health and social care sector also means that she brings additional insight and experience to cases involving injuries sustained in a hospital or care home setting.

Charlotte has a particular interest in claims involving dishonesty ranging from high value claims involving exaggerated injury and loss to staged accidents, and regularly lectures on the topic. She is often involved at an early stage to review the evidence and advise on the best tactical approach to lead the case to a successful resolution be that a finding of fundamental dishonesty, discontinuance, or settlement well below the pleaded value.

Charlotte also advises insurers and policyholders on policy disputes concerning policy wording and coverage and indemnity issues.

Charlotte is also a member of the Bar Council Ethics Committee.

### Personal Injury

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Charlotte represents both claimants and defendants in a broad range of catastrophic personal injury claims including those involving brain injury, spinal injury, and amputation claims. She has a particularly strong reputation in claims involving serious psychiatric injury, chronic pain, and somatoform disorders, including Fibromyalgia, Chronic Fatigue Syndrome and Functional Neurological Disorder.

Her knowledge of the health and social care sector also means that she brings additional insight and experience to cases involving injuries sustained in a hospital or care home setting.

Recent examples of Charlotte's cases include:

- *Smith v London Borough of Haringey* [2021] EWHC 615 – Acted for D at the 3-day trial of this claim and

achieved a finding of fundamental dishonesty in respect of the exaggerated presentation of the claim for damages following a workplace assault in which it was alleged the Claimant sustained serious orthopaedic and psychiatric injuries.

- *D v UKI* (2021) Acted for D in chronic pain case against a background of Crohn's disease. Pleaded at £1.9 million.
- *F v T* (2021) Led by William Audland QC on behalf of the Defendant insurer in this damages claim arising from an RTA. The Claimant suffered a spinal injury resulting in paraplegia that was motor and sensory complete at T7 level.
- *S v A* (2020) Acted for C in high value claim concerning an unusually debilitating depressive disorder.

## Clinical Negligence

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Charlotte is regularly instructed in a wide range of clinical negligence claims. Recent cases include:

- Avoidable below knee amputation against background of diabetes and a history of ulceration
- Delayed diagnosis of cauda equina syndrome, pleaded at £2.1 million.
- Delayed cancer diagnosis claim pleaded at £1.8 million.
- Failure to diagnose and treat acute glaucoma resulting in substantial loss of vision.
- Stillbirth claim giving rise to severe psychiatric injury on the part of the parents as primary and secondary victims.
- Avoidable below knee amputation against a background of severe diabetic neuropathy, the claim being pleaded in excess of £1.6 million.
- Maladministration of Metaraminol following thyroid surgery leading to an extremely severe and life-changing psychiatric reaction, the claim being pleaded at £1.9 million.
- Negligent treatment of a shoulder subluxation.
- Negligent treatment of a spinal injury patient following a workplace accident, itself the subject of another set of proceedings against a separate Defendant. On a full liability basis the combined value of the claims was in the region of £3 million.

Her knowledge of the health and social care sector means that she brings additional insight and experience to cases, especially when dealing with clinicians and other practitioners.

## Fraud, dishonesty and exaggeration

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Charlotte has a particular interest in claims involving dishonesty ranging from high value claims involving exaggerated injury and loss to staged accidents, and regularly lectures on the topic. She is often involved at an early stage to review the evidence and advise on the best tactical approach to lead the case to a successful resolution be that a finding of fundamental dishonesty, discontinuance, or settlement well below the pleaded value.

Notable cases include:

- *Smith v London Borough of Haringey* [2021] EWHC 615 – Acted for D at the 3-day trial of this claim and achieved a finding of fundamental dishonesty in respect of the exaggerated presentation of the claim for damages following a workplace assault in which it was alleged the Claimant sustained serious orthopaedic and psychiatric injuries.
- *W v AIG* (2018): Charlotte was instructed on behalf of AIG concerning an exaggerated claim pleaded in excess of £1 million for lifelong disability and loss of earnings. Close scrutiny of the disclosure and the medical evidence revealed what was suspected to be a strong case on fundamental dishonesty. Following service of the Amended Defence the Claimant accepted an early Part 36 Offer at less than 2% of the pleaded value of the claim.
- *H v D Ltd* (Reading CC, 2017): EL claim involving fabricated evidence struck out following a finding of fundamental dishonesty.

## Insurance

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Charlotte advises insurers and policyholders on policy disputes concerning policy wording and coverage and indemnity issues. She also has experience on matters relating to the MIB.

## **Costs**

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Charlotte has a busy costs practice, acting for both paying and receiving parties at all stages from Costs Budgeting through to detailed assessments, with particular expertise in the area of QOCS and fundamental dishonesty.

## **Qualifications & Awards**

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Harmsworth Scholar of the Middle Temple (2000)

MA (Cantab) Hons (Law Tripos) New Hall College

## **Memberships**

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Personal Injuries Bar Association

Bar Council Ethics Committee

## **Reported Cases**

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*Smith v London Borough of Haringey* [2021] EWHC 615

*Barber v Somerset County Council* (House of Lords) – Junior to Andrew Hogarth QC and Andrew Collender QC – Occupational Stress