

12

King's Bench Walk

Craig Murray

Call: 2017
murray@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Product Liability, Industrial Disease, Public Authority Liability, Fraud

Call: 2017 - Bar of England and Wales

2008 - Scottish Bar

Craig joined 12 King's Bench Walk as a tenant in December 2018, having successfully completed a practising pupillage at these Chambers.

Craig has been an Advocate at the Scottish Bar for over 10 years, where he has considerable experience in a full range of personal injury and clinical negligence work. He has appeared in the Supreme Court (*Campbell v. Peter Gordon Joiners Ltd* [2016] UKSC 38) and has conducted a civil jury trial without a leader (*Bridges v. Alpha Insurance* 2016 SLT 859). He has appeared in an 8-day trial against experienced senior and junior counsel (*Pocock v. Highland Council* [2017] CSOH 40 (aff'd [2017] CSIH 76)). He has appeared in numerous appeals to the Inner House of the Court of Session, with and without a leader. He has prosecuted serious crime (including attempted murder) in the High Court of Justiciary.

Craig is primarily instructed by UK-wide insurers and local authorities, but accepts instructions to act for claimants, particularly in clinical and professional negligence cases. He is regularly instructed in high-value RTA claims involving fatalities or brain injury. He has considerable experience in defending stress at work, harassment and assault claims, in particular those arising in schools and care establishments. Craig has an interest in local authority liability and issues of justiciability.

During his pupillage, Craig had experience of motor insurance law.

Craig is available to accept instructions throughout the jurisdiction. He maintains a practice at Compass Chambers in Edinburgh.

Personal Injury

Craig has experience in all aspects of personal injury law, including high value road traffic accidents, employers' liability claims, occupiers' liability claims, disease cases and common law liability.

- He has acted for defendants and claimants in high value RTA claims involving vehicles, cyclists and pedestrians.

He is familiar with preparing and leading evidence on driver perception, conspicuity and accident reconstruction. He regularly prepares and leads evidence from motor engineers and forensic collision investigators.

- He has experience of a full range of employer liability claims, including: work equipment cases, accidents at height, accidents on construction sites, and fatal diving accidents.
- Craig has successfully defended occupiers' liability claims concerning listed buildings (*Brown v. Lakeland* 2012 Rep LR 140; *Norgate v. Britannia Hotels* [2018] 8 WLUK 71).
- Craig has acted for claimants and defendants in mesothelioma and other asbestos-related disease cases. He has acted for claimants in noise-induced hearing loss cases, HAVS cases and silicosis claims. He has acted for claimants and defendants in Legionella claims.
- Craig is regularly instructed by Scottish local authorities. He has succeeded in novel arguments concerning the non-justiciability of certain claims (*Ryder v. Highland Council* [2013] CSOH 95; *Macdonald v. Comhairle Nan Eilean Siar* [2015] CSOH 132) and recently appeared in the important appeal of *Bowes v. Highland Council* [2018] CSIH 757.

Clinical Negligence

Craig has a keen interest in clinical negligence and the wider aspects of medical law. He holds a Diploma in Forensic Medical Sciences. He has acted for claimants in clinical negligence and dental negligence cases in Scotland for 10 years. He has also acted for defendants in clinical negligence and ophthalmic negligence cases.

Recent cases include:

- A fatal claim concerning a failure to diagnose lung cancer.
- A substantial claim by a young competition dancer for a failure to diagnose a mid-foot fracture, leading to 5 operations, arthrodesis and life-long disability.
- A failure to diagnose deep vein thrombosis, leading to amputation of a lower leg.

Product Liability

Craig has been instructed in some of the largest group litigations in Scotland concerning product liability, including:

Medicines. In a claim against Merck relating to Vioxx, an NSAID painkiller, 6.5 million documents were produced by the defendant. Claims concerning the drug Celebrex are ongoing (see *Richards & Jarvie v. Pharmacia* [2017] CSOH 77 (aff'd [2018] CSIH 31)).

Surgical mesh products.

PIP implants.

Metal on metal hips.

Craig also has experience of claims arising from motor vehicles and surgical stents.

Industrial Disease

Craig regularly acts for claimants and defendants in mesothelioma and other asbestos-related disease cases in Scotland. He is familiar with the aetiology of lung disease and the latency period of asbestos-related disease.

He has acted for claimants in noise-induced hearing loss cases, both cumulative exposure and 'acoustic shock' cases.

Craig has been involved in HAVS cases and silicosis claims.

He has acted for claimants and defendants in Legionella claims.

Public Authority Liability

Craig is regularly instructed by Scottish local authorities. He has succeeded in novel arguments concerning the non-justiciability of certain claims (*Ryder v. Highland Council* [2013] CSOH 95; *Macdonald v. Comhairle Nan Eilean Siar* [2015] CSOH 132) and recently appeared in the important appeal of *Bowes v. Highland Council* [2018] CSIH 757.

Craig has represented Scottish police forces in a number of cases.

Fraud

Craig is regularly instructed in Scotland to represent insurers in personal injury claims arising from road traffic accidents where fraud is suspected. He has run several trials of 4 days' duration or more, in which fraud has been pled on the basis of contrived accidents, fictitious accidents or phantom passengers.

Agricultural Accidents

Craig has a particular interest in personal injury claims arising from agricultural accidents.

Recent cases include:

- Defending numerous claims of injuries caused by cattle at market.
- Defending landowners in respect of accidents involving trees (Craig holds a LANTRA tree felling qualification)
- Defending a claim by a worker who lost an arm in a thresher (ongoing)
- Road traffic accident involving a tractor, in which Craig was trained on a John Deere 6930 tractor
- Work equipment cases involving JCBs, grain dryers, crushers and fence post drivers.

Qualifications & Awards

LLB (Hons), University of Edinburgh

LLM (Dist), Commercial Law, University of Edinburgh

LLM, Human Rights Law, University of Strathclyde

Dip Legal Practice, University of Edinburgh

Dip Forensic Medical Sciences, Worshipful Society of Apothecaries

Member Chartered Institute of Arbitrators

Faculty of Advocates Scholarship (2007)

Appointments & Memberships

Personal Injuries Bar Association

Chartered Institute of Arbitrators

Directories

Legal 500, Leading Individual, 2019