

## Cressida Mawdesley-Thomas

Call: 2019

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### AREAS OF EXPERTISE

Personal Injury, International & Travel, Industrial Disease, Inquests, Insurance, Clinical Negligence, Costs, Credit Hire

Cressida specialises in all aspects of Personal Injury law. She has a thorough and collaborative approach and is recognised by The Legal 500 as a Rising Star who “has already amassed an extremely impressive caseload, far beyond that of many barristers much more senior”.

In disease litigation Cressida acts for Claimants suffering from mesothelioma, lung cancer, diffuse pleural thickening and asbestosis. She is also experienced in VWF/ HAVS claims. She regularly appears in the Masters’ corridor and is well versed in limitation arguments and complex issues of causation. As second junior in *Mather v MOD* she helped obtain a settlement of over £3 million for a former RAF painter & finisher who developed MS following exposure to organic solvents in breach of the COSHH Regulations.

Cressida has particular interest in equine claims brought under [The Animals Act 1971](#). She is currently junior counsel in a high value, complex CRPS claim following a military riding accident. Cressida is adept at drafting schedules of loss in cases involving the loss of a military career.

In clinical negligence Cressida has experience in a range of different cases, including delayed diagnosis, as well as unnecessary and negligent surgery. This compliments her coronial practice where she is instructed in inquests involving multiple expert jurisdictions. She successfully obtained a regulation 28 prevention of future death report in a case arising out of the police’s treatment of head injuries and questioned experts in pathology, neuropathology, and toxicology.

Cressida is adept at handling complex motor insurance indemnity points. She successfully acted as Junior Counsel for the Second Defendant in [Covea Insurance Plc v Greenaway \[2021\] 3 WLUK 379](#), considering the meaning of the ‘stolen or unlawfully taken’ exception under s. 151 of the [Road Traffic Act 1988](#). *Greenaway* was the first case to practically consider how the domestic court is to interpret retained EU law under section 6(3) of the [EU Withdrawal Act 2018](#). Unled she successfully acted for the Second Defendant in *Kelec v (1) Kotwal (2) Nelson Insurance* (HHJ Dight CBE, central London County Court, 18 August 2022). The case concerned the limits of a direct action under The European Communities (Rights against Insurers) Regulations 2002 (‘the 2002 Regulations’).

Cressida acts and advises in costs litigation, including detailed assessment hearings, where she is an effective advocate. She co-edits 12 King's Bench Walk's Costs blog with Deputy Costs Judge Andrew Roy.

Prior to coming to the Bar Cressida worked at a top American investment bank. She is highly numerate and drafts living and fatal schedules of loss beyond her year of call.

## **Motor Indemnity**

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### **Kelec v (1) Kotwal (2) Nelson Insurance (HHJ Dight CBE, central London County Court, 18 August 2022):**

Successfully acted for the Second Defendant at first instance and on appeal in a case concerning the limits of a direct action under The European Communities (Rights against Insurers) Regulations 2002 ('the 2002 Regulations').

**Covea Insurance Plc v Greenaway [2021] 3 WLUK 379:** successfully acted as Junior Counsel for the Second Defendant in a case concerning the "stolen and unlawfully taken" exception under section 151 of the RTA 1988 in light of the 6th motor insurance directive. This was the first case to practically consider how the domestic court is to interpret retained EU law under section 6(3) of the EU Withdrawal Act 2018.