

12

King's Bench Walk

David Callow

Call: 1998
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AREAS OF EXPERTISE

Personal Injury, Industrial Disease, Insurance, Fraud, Inquests, Abuse, Public Authority Liability, Arbitration

JUDICIAL APPOINTMENTS

Deputy District Judge: 2010

David has a wide-ranging practice with substantial experience of claims of the utmost severity.

He has particular experience and expertise in handling claims involving psychiatric injury (particularly occupational stress claims), chronic pain and complex claims involving multiple and/ or catastrophic injury.

He is widely instructed by major insurers in their efforts to combat fraudulent claims and particularly adept at the tactics required in such claims.

He has been recognised for several years by Chambers and partners as a leading junior and is regularly instructed by both Claimants and Defendant in cases involving particular complexity in relation to causation and the valuation of quantum. A large proportion of his claims are resolved at settlement meetings where he is an experienced and robust negotiator.

David speaks regularly on a wide range of topics most recently in relation to fraud and stress at work claims.

Fraud

David is regularly instructed by major insurers to combat fraudulent claims. Recent examples of work include:

- Several claims struck out as abuse of process following *Summers*.
- Application to withdraw Part 36 offer after acceptance where C found to have lied in relation to the underlying claim.
- Applications to strike out claims for NIHL where claimants have made false claims in relation to having previously pursued claims for the same loss.
- Currently involved in several applications to commit fraudulent claimants for contempt of court following strike out of claims as abuse.
- Numerous applications to set aside notices of discontinuance and to enforce orders for costs on the grounds of fundamental dishonesty.
- Numerous trials where the principal issue relates to the credibility of the Claimant's account.

Qualifications

LL.B Cardiff University

Appointments & Memberships

Deputy District Judge (2010)

Bar Standards Board panel of Approved Prosecuting Advocates for professional disciplinary cases (2012)

PIBA

Directories

Chamber and Partners – Personal Injury since 2010

Cases

Carol Sammut v The Dudley Group NHS Foundation Trust (2019, QB) – David obtains finding of fundamental dishonesty in clinical negligence claim.

El-Demellawy-v-European Bank for Reconstruction and Development (QBD) (citations)– for D in substantial 7-figure occupation stress claim with complex issues over causation and loss together with public international law/ immunity arguments.

X-v-TH Ltd – for D is claim by former employee for damages for alleged sexual assault and abuse. Claim struck out as Henderson abuse of process.

Advance Housing Ltd-v-T – contempt proceedings against claimant whose claim was struck out as an abuse of process following surveillance (ongoing).

CA Ltd-v-M – Contempt proceedings against former claimant whose claim was struck out as an abuse following discovery that a lost earnings claim was manufactured in its entirety.

M-v-FL – for C in substantial claim for indemnity under health insurance policy. Claim involves serious allegations that C has dishonestly exaggerated symptoms of CFS over a number of years while absent from work as equities trader (ongoing).

H-v-CICA – for Appellant in case of serious historic sexual abuse. Original award of £22,000 overturned and substituted with £500,000 maximum.

C-v-S (deceased) – substantial award at JSM...

K-v-CICA – £3.65M award for 17 year old who suffered cerebral palsy following an assault when only three weeks old.

Six Continents Retail Limited-v-Hone [2005] EWCA Civ 922, [2006] IRLR 49). Stress at work, overwork, foreseeability

H-v-T Ltd – Fatal Accident Act claim with novel issues of whether the claimant was a dependent of the deceased where he had been living a secret double life with another partner.

Teague v Mersey Docks & Harbour Co. & Ors, [2009] All ER (D) 249 (Feb); [2008] EWCA Civ 1601 11 December 2008 – s. 14 Limitation Act 1980 in Noise Induced Hearing Loss cases