

# 12

King's Bench Walk

## James Sullivan

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### AREAS OF EXPERTISE

Personal Injury, International & Travel, Clinical Negligence, Fraud, Sports, Health & Safety, Credit Hire, Insurance

James' practice is predominantly mid to high end Multi Track work. He regularly appears in court and has a strong paperwork practice. He accepts claims on a CFA basis and is willing to consider pro bono work where appropriate.

He has particular interest and experience in respect of travel law and accidents abroad, MIB and RTA 1988 related matters, head and brain injury cases, complex regional pain syndrome and fibromyalgia, and cycling and motorcycling accidents (and in particular questions of contributory negligence relating to the wearing / use of cycle helmets).

James also has a strong clinical negligence practice.

James was ranked in the Personal Injury section of the 2015 Edition of Chambers and Partners as '*up and coming*'.

### Personal Injury

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James acts for both claimants and defendants in all aspects of personal injury law, including employers' liability, public liability, tripping and slipping claims and road traffic cases.

James also has particular experience in respect of travel law and accidents abroad, MIB and RTA 1988 related matters, head and brain injury cases, complex regional pain syndrome and fibromyalgia, and cycling and motorcycling accidents (and in particular questions of contributory negligence relating to the wearing / use of cycle helmets).

Recent examples of James' cases include:

- A claim where the Claimant sustained catastrophic injuries resulting in tetraplegia. The case concerned issues relating to the Claimant's life expectancy and the applicability of a periodical payment order in respect of an elderly claimant with devastating injuries. There was also significant dispute as to the appropriate care regime. James was led by Stephen Worthington Q.C.
- A claim concerning the alleged development of Non-Epileptic Attack Disorder ('NEAD'). The causation of the condition was disputed (delayed presentation of symptoms and non-accident related psychological drivers). The case concerned complex neuropsychiatric evidence and neurological evidence and a dispute as to the Claimant's career path.
- A workplace accident resulting in a crushing injury to the Claimant's head. The Claimant sustained neurological, neuropsychological and ophthalmic problems. In addition, he was left with fascial scarring / deformity. Liability

- initially remained in issue but was compromised. The matter ultimately settled for a substantial sum at a JSM.
- A claim involving the development of complex regional pain syndrome following a road traffic accident. The claim involved issues regarding: (1) the causation of the Claimant's alleged condition; and (2) the Claimant's likely career path (the Claimant was a young professional). The claim settled for a very significant six figure sum. James was led by Paul Russell Q.C.
  - A fibromyalgia claim where the Claimant had a very significant pre-accident medical history including psychiatric problems and a pre-existing autoimmune condition.
  - A workplace accident resulting in an eye injury and a conversion disorder. Liability and contributory negligence remained in issue throughout the proceedings. The disputes in case related to: (1) training and supervision; and (2) the provision and suitability of personal protective equipment. The matter settled at a JSM for a substantial six figure sum.
  - A claim involving a cyclist who allegedly suffered a head injury / moderate brain injuries. There was disputed neurological and neuropsychological evidence as to the extent of any brain injury and the impact on the Claimant's working capacity. The claim settled at a JSM for a substantial six figure sum.
  - A workplace incident resulting in modest orthopaedic injuries but also a severe chronic pain disorder. The Claimant was unable to work as a result of her symptoms and had significant care requirements. The case involved disputed psychological evidence as regards the causation of the Claimant's chronic pain condition.
  - A workplace accident involving serious orthopaedic injuries, and a deep vein thrombosis. The case involved a claim for provisional damages in respect of the future risk of a further deep vein thrombosis leading to a pulmonary embolism.
  - A workplace accident where the Claimant developed Chronic Regional Pain Syndrome. The case involved substantial claims for loss of earnings, care and assistance, aids and equipment, and accommodation adaptations. The claim was compromised for a sum well in excess of £1,000,000. James acted for the Claimant in this case where he was led by Nicholas Heathcote Williams Q.C. (now HHJ Heathcote Williams Q.C.).

## Qualifications & Awards

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B.Sc. (First Class Honours) Government (London School of Economics)

M.Phil. (Distinction) International Relations (Magdalene College, Cambridge University)

Post Graduate Diploma in Law (Distinction) (College of Law)

Bar Vocational Course (Very Competent) (ICSL)

Howard Laski Scholarship (LSE 1999-2000)

Princes Royal Scholar (Inner Temple 2004-2005)

## Directories

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Ranked in Chambers and Partners, 2015 – Personal Injury (up and coming) and Legal 500, 2017 & 2018 – Travel Law (Leading Juniors).

## Memberships

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PIBA, LCLCBA, AvMA

## Cases

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*Copley v Lawn and Maden v Haller* [2009] EWCA Civ 580. Appeared as Junior Counsel, led by Ronald Walker Q.C. for the Defendants in these credit hire cases concerning: (1) whether or not it is unreasonable for claimants, whose vehicles have been damaged in road traffic accidents, to reject offers of replacement vehicles from defendant insurers; and (2) the question, if it is unreasonable for claimants to reject such offers, of the correct measure of damages.