

# 12

King's Bench Walk

## Nigel Lewers

Call: 1986

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Insurance, Fraud, Public Authority Liability, Sport, Mediation

Nigel is widely recognised as a Leading Junior, recently rated as a “Star Individual”. He specialises in high value claims in personal injury, clinical negligence, motor insurance, and professional negligence arising out of personal injury cases. He has extensive experience of chronic pain conditions, amputation and prosthetics, catastrophic brain injury, paralysis caused by spinal injury, fundamental dishonesty and equine accidents.

### Personal Injury

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Principal areas of expertise include:

- Brain injuries, both subtle and severe
- Amputation and prosthetics
- Spinal injuries and paralysis
- Chronic pain conditions
- Psychiatric illness
- Causation, in particular the diagnosis and causation of unusual medical syndromes and the exacerbation of pre-existing medical conditions
- Accidents involving horses

### Clinical Negligence

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Nigel undertakes clinical negligence work. Recent experience includes claims involving negligent treatment in the aftermath of accidental injury and cases of surgery in the areas of ophthalmology and urology and informed consent.

### Insurance

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Nigel specialises in the law of motor insurance, including claims involving the Motor Insurers' Bureau.

### Fraud

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Cases involving fraudulent exaggeration and malingering and disputes around the admissibility and significance of surveillance evidence including static surveillance.

## Public Authority Liability

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The liability of public authorities, principally highway-related.

## Mediation

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Nigel conducts a large number of joint settlement meetings and is noted for his negotiation skills.

## Appointments & Memberships

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Accredited mediator.

Member of the Personal Injuries Bar Association and the Professional Negligence Bar Association.

## Directories

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"There is no doubt he is a star – he is completely charming and extremely good." *Chambers and Partners, 2021*

"He is great with experts and clients and is an outstanding negotiator who is very easy to work with." *Chambers and Partners, 2021*

"A very persuasive advocate who punches at QC level. Tenacious and good attention to detail." *Legal 500, 2021*

"A senior junior with huge amount of experience and an excellent knowledge of law." *Chambers and Partners, 2020*

"He's charming, responsive and has a very good eye for detail." *Chambers and Partners, 2020*

"Extremely bright in dealing with cases of utmost complexity." *The Legal 500, 2019*

"He is very able, effective and knowledgeable." *Chambers & Partners, 2019*

"A very capable pair of hands and a real gentleman." *Chambers & Partners, 2019*

"He is very approachable, has great attention to detail and is a very effective negotiator." *Legal 500, 2018*

"Very user friendly, technically excellent and equally good with insurers and lay clients." *Legal 500, 2018*

"Approachable, calm and deals well with the other side." *Chambers & Partners, 2018*

"Fantastic in terms of attention to detail and very switched-on." *Chambers & Partners, 2018*

"Excellent for sensitive issues and very good with clients." *Chambers & Partners, 2018*

"Unflappable, with a gentle but effective manner." *The Legal 500, 2017*

"He gets to very difficult causation points and he doesn't get flustered; the clients absolutely love him." *Chambers & Partners, 2017*

"He's a master technician; very thorough and very meticulous." *Chambers & Partners, 2017*

"He is particularly good with complex calculations in schedules on multimillion-pound cases." *The Legal 500, 2016*

"He's very clever and has a good manner with clients. He is very methodical and has a softly spoken manner which is deadly and gets his point across." *Chambers & Partners, 2016*

## Publications

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Former Editor, Kemp & Kemp, Personal Injury Law, Practice and Procedure.

## Cases

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- *MICHAEL SMITHSON v (1) BRADLEY LYNN (2) NORTH YORKSHIRE COUNTY COUNCIL* [2020] EWHC 2517 (QB)  
A claim against a local authority for failing to treat an icy road pursuant to section 41(1)(A) of the Highways Act 1980 causing a road traffic accident which gave rise to traumatic brain injury in a young man.
- *JOANNE JAGGER v (1) AUSTIN HOLLAND (2) CAMBRIDGE LIVE LTD (3) STANLEY THURSTON (T/A S C THURSTON & SON)* [2020] EWHC 46 (QB)  
A claim in which a pedestrian was run over by a lorry as it drove across a grassed common to deliver a fairground ride to the site of a fairground, suffering catastrophic lower limb injuries.
- *THOMPSON V BROADHEATH HEALTHCARE AND OTHERS HHJ SEPHTON QC*, MANCHESTER COUNTY COURT, January 2020  
Liability of an occupier to a trespasser for a brain injury suffered due to the dangerous state of the premises.
- *WILLIAM TONKINS v RICHARD JAMES TAPP* (QBD, 7/12/18, Judge Allan Gore QC)  
A claim for a brain injury suffered by a self-employed carpenter who fell from a scaffold, also addressing the impact of section 69 of the Enterprise and Regulatory Reform Act 2013 and experts giving their evidence concurrently.
- *JANICE COCKERILL v (1) CXK LTD (2) ARTWISE COMMUNITY PARTNERSHIP* [2018] EWHC 1155 (QB)  
Employers liability claim which addressed the nature of the employer's duty of care following the introduction of section 69 of the Enterprise and Regulatory Reform Act 2013.
- *Horncastle v Marshall* 10/03/2016  
(Seat belts, liability for costs following late acceptance of a Part 36 offer.)
- *Churchill v Boot* [2016] EWHC 1322 (QB)  
(Revision of costs budgets in a claim for brain injury)
- *Huntley v Simmons* [2009] EWHC 406 (QB), [2010] EWCA Civ 54  
(brain injury, quantum and Part 36 offers)
- *Dalling v R J Heale* [2010] EWCA Civ 365  
(competing causation of brain injury, quantum)
- *Milton Keynes BC v Nulty* [2011] EWHC 2847 (TCC)  
(causation, multiple causes, breach of condition of insurance, damages for loss of chance)
- *Ede v Whitwood* QBD, 19/04/2012  
(liability for catastrophic injury to young pedal cyclist)
- *Paramasivan v Wicks* [2013] EWCA Civ 262  
(liability for injury to a pedestrian)
- *Nadarajah v Sotnick* [2013] EWHC 3389 (QB)  
(liability and quantum, catastrophic injuries to a motorcyclist)
- *Smith v Harding* 26/11/2013  
(riding accident, Animals Act 1971)
- *Churchill v Boot* [2016] EWHC 1322 (QB)  
(revision of costs budgets in a claim for brain injury)
- *Horncastle v Marshall* 10/03/2016  
(seat belts, liability for costs following late acceptance of a Part 36 offer)