



Louis Browne QC

Year of Call: 1988

Year of Silk: 2017

Practice Areas

- Commercial
- Employment
- Inquests
- Personal Injury
- Public Law

Email:

lbrowne@tgchambers.com

Awards



Experience

Louis has vast experience of both advising and acting in very high value personal injury claims across the entire spectrum of work in this field. Before his appointment to Silk in 2017 he was Treasury Counsel.

In 2016 alone he advised/appeared in over 25 claims each with a value in excess of £1m. The value of some of these claims exceeded £5m.

Many of Louis' cases concern catastrophic injury claims involving brain damage, spinal injury and PTSD. He has particular recent experience of pain syndrome and related claims.

He has a track record of success for those clients he represents.

Louis most typically acts for defendants including the Government (including the Ministry of Defence and the Ministry of Justice), other public and local authorities, hospitals and insurers.

He has a reputation for being accessible, easy to work with and for giving clear and straightforward advice.

Louis has a first class honours degree in law and the degree of Bachelor of Civil Law from Balliol College, Oxford.

Directories

“A strong negotiator with an excellent analytical ability.” **Legal 500 2016**

“Highly experienced in judicial reviews.” **Legal 500 2016**

“Mr Browne QC presented this difficult case with great clarity and skill.”

“...showed consummate professionalism throughout the hearing.”

“In accordance with the best traditions of government litigation and with a professionalism that brings credit to the Bar, Mr Browne drew our attention to the [academic] criticism that had been made of the decision upon which he relied.”

Appointments

Recorder

Education

- First Class Honours Degree, Law
- Postgraduate Degree of Bachelor of Civil Law, Balliol College, Oxford

Memberships

- Personal Injury Bar Association
- Professional Negligence Bar Association

Cases

Rai v. MoD (2016)

03/09/2018

Barristers involved: Louis Browne QC
High Court. Represented the MoD at the preliminary trial of the issue of whether the MoD could rely on the defence of *acte iure imperii* where a soldier had suffered a brain injury on a horse riding exercise in Canada. The claim also raised issues as the law applicable to the tort claim.

JR v. Secretary of State for Justice (2016)

03/09/2018

Barristers involved: Louis Browne QC
Represented the Secretary of State in successfully arguing that he owed no duty of care at law to the former partner of a convicted murderer on life licence who had assaulted her.

Ifede v. MoD [2015]

EWHC 3835 (QB)

03/09/2018

Barristers involved: Louis Browne QC

Successfully represented the MoD on the trial of the preliminary issue of limitation.

Birch v. MoD (2015)

03/09/2018

Barristers involved: Louis Browne QC

Following the trial of breach of duty in the High Court and on appeal to the Court of Appeal ([2013] EWCA Civ 876), settling this high value claim at JSM.

Billett v. MoD [2015]

EWCA Civ 773

03/09/2018

Barristers involved: Louis Browne QC

Successfully representing MoD on its appeal to the Court of Appeal. This was the first case of its kind to reach an appellate court dealing with the application of the Reduction Factors in the Ogden Tables to a disabled person.

Cunningham v. Sainsburys [2015]

EWHC 1382 (QB)

03/09/2018

Barristers involved: Louis Browne QC

Successfully represented the defendant at the trial of the issues of causation/quantum in a complex regional pain syndrome claim.

News

High Court MoD costs success for Louis Browne QC

20/05/2019

Barristers involved: Louis Browne QC

The claimant was a member of the armed forces. During a flight to Afghanistan the aircraft he was travelling in entered into a sharp descent, plummeting 4,400 feet due to the pilot's negligence. The claimant suffered psychiatric injury, specifically a severe phobia of flying. The MoD admitted liability in January 2016. On 5 January 2018, the MoD made a part 36 offer of £100,000, with the relevant period expiring on 30 January 2018. That period was extended on agreement until 19 February 2018. The claimant did not accept the Part 36 offer until 13 months later on 22 March 2019.

The issue for the Court was whether the normal costs rule applied, namely that the claimant was to be awarded his costs up to 19 February 2018 and after that the defendant was entitled to its costs.

The claimant argued that the offer had been made a time when his future losses could not be quantified as it was not known at that time that he would be commissioned and promoted. He submitted that if he could not be commissioned because of his phobia of flying then his claim would be worth significantly more than £100,000. Although no stay had been sought, the claimant said that a stay had effectively been obtained as there had been a delay in the exchange of expert reports until after the commission process had been completed in 2018. He maintained that only when all those matters in the claim had been completed could he decide

whether to accept the Part 36 offer.

Louis Browne QC, for the MoD, submitted that there was nothing unusual about a Part 36 offer being made before the evidence had been finalised, that there had been no stay as steps in the litigation had continued and that the claimant could have tested the merits of the Part 36 offer, for example, deploying the psychiatric evidence already available to him.

Ruling in favour of the MoD and applying relevant case law, Mrs Justice Lambert found that there was no reason to depart from the usual costs rule following late acceptance of a Part 36 offer that a claimant should be awarded his costs up to the date on which the offer expired, with the claimant to pay the defendant's costs from the period from the date of expiry of the offer to the date of acceptance.

Louis Browne QC was instructed by BLM.

Louis Browne QC makes closing submissions on Phase One of Grenfell Tower Inquiry

13/12/2018

Barristers involved: Louis Browne QC

Tragically, he added, it was simply never practicable to have been able to achieve a full evacuation of all residents from the Tower.

Mr Browne QC concluded by saying that Fire Commander Richard Welch was correct when, at the conclusion of his evidence, he said:

"I would just like to say to the families that we are very sorry for the amount of people we lost that night. We couldn't have done any more, we did everything we could. Every one of us that went into that building was willing to lose our own lives to save your loved ones. We didn't let you down, the building let us all down and I'm sorry for your loss."

The first phase of the Grenfell Tower Inquiry, centred on the night of the fire, has now concluded. The second phase, examining wider issues, is unlikely to start until the end of 2019, chairman Sir Martin Moore-Bick said this week.

Louis Browne QC is instructed by Burton Copeland. To read his closing submissions in full please click on the link below.

You can view the publication at <https://www.grenfelltowerinquiry.org.uk/evidence/fire-officers-association-closing-statement>

Manchester Bombing Inquests

18/10/2018

Barristers involved: Andrew O'Connor QC Cathryn McGahey QC Louis Browne QC

Andrew O'Connor QC has been instructed to act for the SMG Europe Ltd, which operates the Arena, at the inquests. Cathy McGahey QC is acting for the Home Secretary and Louis Browne QC is acting for the University of Salford.

Louis Browne QC joins TGC

03/09/2018

Barristers involved: Louis Browne QC

Temple Garden Chambers is delighted to announce that Louis Browne QC has accepted an invitation to join Chambers.

Louis is a recognised leader in the fields of Personal Injury, Public Law and Inquests and Inquiries. We look forward to Louis adding to and enhancing our expertise and reputation in these areas.

Louis was Called to the bar in 1988 and took Silk in 2017. He was appointed Treasury Counsel in 2000 and, like other of TGC's

former Treasury Counsel, continues to receive instructions in Silk from the Government Legal Department and other government agencies.

In addition to a thriving personal injury practice, in which Louis specialises in catastrophic injuries including PTSD, spinal injury, complex regional pain syndrome and brain injury, he recently chaired an Independent Review Panel for a British University as to whether they had discharged its Prevent Duty imposed upon Higher Education bodies under the Counter Terrorism and Security Act 2015. He is instructed in the Grenfell Tower Inquiry on behalf of the Fire Officers' Association. He also has an established practice in the Court of Protection, employment, local government, police law and professional negligence.

Louis will remain a member of and in practice at Exchange Chambers, Manchester, Liverpool and Leeds.
