



Charles Curtis

Year of Call: 1992

Practice Areas

- Civil Fraud
- Clinical Negligence
- Health & Safety
- Inquests
- Insurance
- Personal Injury
- Professional Discipline
- Professional Liability

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Experience

Personal Injury – Special interest in Employer’s Liability including factory accidents. Substantial experience in high value Fatal Accident claims. Other areas of practice include Travel claims, Stress at Work claims, Industrial Disease claims and Clinical Negligence

Health & Safety – Acting for the Prosecution and Defendant in Health & Safety Prosecutions.

Insurance Fraud – Acting for insurance companies defending fraudulent claims.

Inquests – Acting for Claimants and Defendants at inquests

Directories

Recommended by the Legal 500 for personal injury work:
Recommended as a leading junior in 2013
Recommended as a leading junior in 2012

Charles Curtis has ‘a very commanding presence in court’
Legal 500 2011

‘a good all rounder, especially so on quantum’
Legal 500 2010

Education

Durham University (BA Hons)

Memberships

PIBA, HSLA

Cases

R v Dicky Birds Nurseries Limited

(Mar 2016)

Barristers involved: Charles Curtis

Acted for the prosecution arising out of the death of a toddler at Dicky Birds Nursery. Company pleaded guilty to Health and Safety Offences. Fined £180,000 plus costs.

Inquest into the death of Ellie Butler

(Jul 2016)

Barristers involved: Charles Curtis

Instructed by the local authority in the inquest into the death of Ellie Butler, killed by her Father when aged 6.

Coleman v Parsons

(Sep 2016)

Barristers involved: Charles Curtis

Acting on behalf of Mrs Coleman. Mr Coleman was killed and Mrs Coleman was very severely injured in a road traffic accident, when the Defendant rode into them on his motorbike. Claim settled following JSM with substantial compensation.

Cicek & others v Aviva Insurance

(Oct 2016)

Barristers involved: Charles Curtis

Successful Defence of 21 fraudulent road traffic claims. HHJ Baucher found claim to be fraudulent.

Minhas & others v NFU Insurance

(Nov 2016)

Barristers involved: Charles Curtis

Successful Defence of staged collision claim. HHJ Saggerson found claims to be fraudulent.

Jehangir & Maruf v Chirica & Tesco Underwriting

12/10/2015

Barristers involved: Charles Curtis

Central London County Court. HHJ Mitchell. Acted for Tesco in a complex fraud ring, involving 16 road traffic collisions and 73 claims. Claims dismissed following trial.

Re Tiya Chauhan

07/07/2015

Barristers involved: Keith Morton QC Charles Curtis Tim Sharpe

This inquest arose out of the death of a 22 month old girl who was attending a nursery school. As part of an activity session, cubes of jelly were made available in a sensory tray. Tiya choked on a cube of jelly taken from this tray. The jury considered that the death was contributed to by neglect. Keith Morton QC represented the company operating the nursery, Tim Sharpe represented a senior manager of the company and Charles Curtis acted for the London Borough of Merton.

Re Rene Tkacik

23/02/2015

Barristers involved: Charles Curtis

Acted pro bono for the parents of Rene Tkacik, who was killed working on the Crossrail project. Jury critical of the working methods.

Dobson v HMRC

07/05/2014

Barristers involved: Charles Curtis

Acted for the Claimant in his claim for stress at work. Claim settled at mediation.

The Azimi Group Litigation - (Fraud)

Lawtel - 13.02.14 - HHJ Mitchell

13/02/2014

Barristers involved: Marcus Grant James Laughland Charles Curtis

Orchestrated slam-on staged accidents "swindle" exposed.

22 August 2013

Marcus Grant, instructed by Keoghs LLP (Fiona Snow and her Team), acted for the Defendants and their Insurers in five cases heard consecutively over 12 days before His Honour Judge Mitchell, the Designated Civil Judge at Central London County Court. In each case the Claimant claimed that he or she had braked in reaction to the sudden and erratic manoeuvre of a car ahead. In contrast, the Defendant drivers (all driving commercial vehicles) claimed that the Claimant had braked with wholly inappropriate force and with the deliberate intent of causing a collision to occur, acting in collusion with a decoy vehicle. The Judge found that each of these 8 collisions had been deliberately induced. In three of the cases he also found that the Claimant and / or the Claimant's alleged passengers had not even been present at the time of the collision. Use was also made of similar fact evidence showing how many claims passing through the same accident management company had been abandoned. The Judge concluded his judgment by stating in unequivocal terms that the message must get out to the public that if they engage in such a "swindle" then they face the risk of contempt proceedings and a sentence of immediate imprisonment, even if of previous good character. All the cases were dismissed with orders for indemnity costs and substantial interim payments on account of costs.

This was a ground-breaking case in that it was the first time that a Court has been invited to consider similar fact evidence from conjoined cases when considering alleged deliberately induced car crashes, colloquially known as 'slam-on collisions'. This type of fraud is considered by motor insurers to be endemic across the country. The similar fact evidence was critical in enabling the Court to discern recurring themes of the modus operandi of the fraudsters.

Re Radulescu

13/02/2013

Barristers involved: Charles Curtis

Westminster Coroner's Court. Acted for the family of Mr Radulescu who was found to have been unlawfully killed, when a lift on which he was working fell five floors

Laeq & Imran v Lawrence

07/11/2012

Barristers involved: Charles Curtis

Romford County Court: Award of exemplary damages against two motorists involved in a fraudulent claim

Kardas v Kiss & RSA

4/9/2012

Barristers involved: Charles Curtis

Central London County Court: Award of wasted costs against Claimant's solicitors, who had failed adequately to investigate allegations of fraud

Seward v Scott Brothers Limited

07/03/2012

Barristers involved: Charles Curtis

Acted for Claimant who sustained serious injuries in a motorcycle accident. Settled for £1 million

Touah v Sennitt

02/12/2011

Barristers involved: Charles Curtis

Oxford County Court: Acted for Claimant who suffered very severe injuries in a road traffic accident. Claim settled in excess of £1 million and periodical payments.

Turner v Crusader Holidays & Hotel Continental

3/11/2011

Barristers involved: Charles Curtis

Birmingham County Court: Acting for one of the Defendants in claim arising out of the death of a holidaymaker from Legionnaires disease

LRS Limited v Equity Claims

11/07/2011

Barristers involved: Charles Curtis

Central London County Court: Successful defence of a claim for hire charges in excess of £100,000, when Claimant disbelieved.

Hardman v Corona

07/01/2011

Barristers involved: Charles Curtis

High Court: Acted for Defendant. Claimant suffered traumatic amputation of arm in accident abroad.

Bennett v Stevens

14/07/2010

Barristers involved: Charles Curtis

High Court : Enforceability of Periodical Payments Order against insurer and/or the MIB

Liverpool Victoria v Ghadhda & Iqbal

30/06/2010

Barristers involved: Charles Curtis

CCLC HHJ Collender QC: Award of exemplary damages against participants in a fraud on an insurance company

Divsalar v Beeston

12/12/2008

Barristers involved: Charles Curtis

Central London County Court HHJ Mitchell: Exemplary damages awarded against fraudster following bogus road traffic accident.

Paton v MOD

14/11/2005

Barristers involved: Charles Curtis

High Court - Stanley Burton J: Multi-million pound claim arising out of light aircraft crash in Cornwall

Publications

TGC Fraud Update February 2016

03/02/2016

Authors: Charles Curtis Marcus Grant Edward Hutchin George Davies Tim Sharpe Anthony Johnson James Henry Richard Boyle Matthew Waszak

Facing up to the challenge of fraud rings. Please see link below for the second edition of TGC Fraud Update, a publication which was set up with the stated aim of facilitating the sharing of information about decided claims involving issues of road traffic fraud and related matters. Thank you also for all of the kind words and helpful feedback received about the inaugural edition. You can view the publication on our website <http://tgchambers.com>

News

Inquest into death at Drayton Manor Theme Park

05/11/2019

Barristers involved: Charles Curtis

The Coroner is to send Prevent Future Death reports to all theme parks in the UK who run this type of water ride, raising her concerns regarding instructions given to passengers on the ride, monitoring of the ride, water rescue training and the absence of rescue equipment. Charles was instructed by Sinead Cartwright of Hilary Meredith Solicitors.

You can view the publication at <https://www.bbc.co.uk/news/uk-england-50375840>

TGC Health and Safety Conference 2017

25/04/2017

Barristers involved: Keith Morton QC Dominic Adamson QC Fiona Canby Charles Curtis

The aim of the seminar is to bring together solicitors, in-house lawyers, insurers, directors and senior managers concerned with health and safety to inform and excite debate on a variety of topical issues in Health & Safety law.

TGC Fraud Update

03/02/2016

Barristers involved: Charles Curtis Marcus Grant Edward Hutchin George Davies Tim Sharpe Anthony Johnson James Henry Richard Boyle Matthew Waszak

Thank you for reading this second edition of TGC Fraud Update, a publication which was set up with the stated aim of facilitating the sharing of information about decided claims involving issues of road traffic fraud and related matters. Thank you also for all of the kind words and helpful feedback received about the inaugural edition.

Some of the trickiest types of fraud cases to defend at trial are those involving fraud rings- linked cases involving several separate purported road traffic accidents featuring the same or overlapping personnel (sometimes organised criminals, albeit frequently caught out by their disorganisation!) and usually deliberately staged, contrived or induced accidents. Often there is an overall 'guiding mind' linking seemingly unrelated incidents, be it an individual, an accident management or hire company or even a firm of solicitors.

However, one of the challenges that arises is that intelligence can never be perfect and often the identities of some of the dramatis personae will never be known (this may well often be because they do not exist). Often the fraud ring cases that do reach trial are those where the links between the claims and the claimants are at their most oblique- direct evidence of communication and co-operation between individuals who claim not to know each other is usually enough to scare off even the most stubborn claimant solicitors!

As with most rapidly developing areas of law, information about the outcome of decided claims, and more importantly the reasons behind them, is a great way equipping oneself to best tackle future claims where the same or similar issues are raised. Fortunately, TGC has had a glut of fraud rings successfully defended to trial in the last couple of months- the lead article focusses on the particular challenges posed (and duly overcome) in some of these cases. It can be seen that thorough preparation is critical, as these types of cases are invariably 'document heavy', but also that there is no substitute for demolishing the credibility of a suspect individual through robust cross-examination.

The TGC fraud team are more than happy for you to contact them if you have any queries about any of the contents of this issue, or indeed about any other issues relating to insurance fraud and related matters.
