



## Charles Curtis

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Charles Curtis is a highly experienced practitioner in all aspects of injury claims, having practiced in this field, acting for Claimants, Defendants and Prosecuting Authorities for 25 years.

His practice as a busy junior includes:

- High value personal injury and fatal accident claims
- Clinical negligence claims
- Health and Safety prosecution and defence
- Representation at Inquests
- Insurance fraud – in particular organised motor insurance fraud.

Charles is ranked as a leading Junior for both Personal Injury and Insurance Fraud (2022).

## Expertise

### Personal Injury

Charles is ranked as a leading junior for Personal Injury. He specialises in high value injury claims, often involving complex medical disputes (including neurological, psychiatric, chronic pain). He has a particular interest in fatal accident claims and the assessment of quantum in contentious cases.

Charles acts for both insurance companies and for Claimants and receives a large proportion of his instructions from many of the leading personal injury firms, including Horwich Farrelly, DAC Beachcroft, Keoghs, Irwin Mitchell, Thompsons and Slater and Gordon.

Charles regularly advises in conference with liability and medical experts, to ensure that his client's case is, tactically, at its strongest. He represents clients in group actions and in individual claims arising from road traffic accidents, and as a result of employer's liability and industrial disease. He is involved in a number of foreign claims.

He is regularly instructed to attend JSMs and mediations, where claims are often successfully settled.



## Notable Personal Injury cases

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Liability dispute as a result of the expected Perception Reaction Time of a professional driver who struck and badly injured a pedestrian.

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Neurological dispute as to whether a road traffic accident could cause a subsequent stroke, causing significant left sided paralysis.

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The impact of Brexit on accidents abroad and those involving foreign drivers in the UK.

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Fatal accident claim where car driver who collided with cyclist alleged he was blinded by the sun. Liability dispute.

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The impact of a minor road traffic accident on fibromyalgia and the extent of any disability due to the accident, with a dispute between Rheumatologists and Psychiatrists.

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Fatal accident claim and the impact of drugs and alcohol on liability.

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Psychiatric dispute as to travel anxiety following a fatal road traffic accident and the reasonableness of the Claimant giving up a very well paid job as a result.

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The impact of a possible mild traumatic head injury on a child with pre-existing ADHD – dispute between paediatric psychiatrists.

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Death due to drowning in an inadequately supervised swimming pool at a London gym.

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Injury sustained in an inadequately supervised game of Zorb Ball Soccer.



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Whether attendance at the scene of a road traffic accident fulfilled the criteria required to bring a claim for nervous shock.

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Traumatic arm amputation and complex quantum implications.

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Enforceability of periodical payments order against the MIB.

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Stress at work claim against a Government Department.

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A subsequent prosecution for assault and its impact on a claim against the CICA.

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Death of a holidaymaker from Legionnaires disease – liability and quantum.

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Death of a successful investment banker in a light aircraft crash. Air accident experts and a substantial dispute on quantum.

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## **Motor Insurance Fraud**

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Charles is ranked as a leading Junior for insurance fraud. He has repeatedly acted, and continues to act, for a number of large insurance companies in respect of claims where fraud and fundamental dishonesty are suspected and alleged. He has a particular interest in complex fraud ring cases and has represented many of the leading road traffic insurers at trial in such claims.

Charles led the way, on behalf of insurers, in seeking and obtaining awards of exemplary damages against fraudulent Claimants. He continues to pursue awards of exemplary damages, together with findings of contempt of Court arising from dishonest claims.

In addition Charles is regularly involved in claims where deliberate exaggeration is alleged, both for insurers and for Claimants. He gives robust and practical advice on the tactics required in such claims.



## Notable Motor Insurance Fraud cases

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5 linked Claimants all found to be fundamentally honest following a serious of deliberately induced road traffic accidents.

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21 linked road traffic claims all found to be fraudulent.

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Successful defence of a complex fraud ring involving 16 road traffic collisions and 73 claims.

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Costs awarded against Claimant's solicitors, who had failed properly to investigate allegations of fraud.

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Costs awarded against large credit hire company, where claim dismissed as fundamental dishonesty and a six figure sum for credit hire had been claimed.

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Exemplary damages against Claimants found to have been brought dishonest claims.

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## Health & Safety

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Charles represents both prosecuting local authorities and Defendant organisations in both the Crown Court and the Magistrates Court. He has considerable experience advising both large and small organisations on strategy, tactics and plea mitigation. He has been instructed to attend a large number of Inquests where Health & Safety prosecutions are likely to arise from fatalities.

## Notable Health & Safety cases

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An NHS Trust in respect of a number of hospital deaths.

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A Local Authority in respect of the death of a child in care, killed by her parents.



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A construction company in respect of the death of a worker on site, when the building collapsed.

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A Local Authority in respect of the death of a child at a Nursery.

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The family of a young girl killed while on a school trip to Drayton Manor Theme Park.

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The family of a worker killed on the Crossrail Project.

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The family of a Romanian construction worker, killed when a lift fell to the bottom of the lift shaft.

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## Clinical Negligence

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Charles acts principally for Claimants in clinical negligence claims. His cases regularly involve complex medical issues with disputes on breach of duty, causation and condition and prognosis. He is instructed in claims involving a failure to diagnose, incorrect diagnosis, a failure to treat and negligent treatment.

Recent cases have included:

- Alleged negligent cancer surgery
- Alleged negligent treatment for renal failure
- Alleged negligent ophthalmological treatment
- Alleged negligent diabetes treatment leading to amputation
- Death due to pulmonary embolism
- Alleged failure properly to diagnose and treat a spinal injury leading to cauda equina syndrome.

He is presently involved in a large group action concerning the negligent prescription of anti-malarial medication and its long term neuro-psychiatric consequences.

## Inquests

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Charles has represented organisations and families at a large number of Inquests over many years. These have ranged from reasonably straight forward road traffic accident deaths to deaths caused by complex medical treatment and suspected murder.

Charles has, in appropriate circumstances, acted for families on a pro-bono basis at Inquests, and will \_\_\_\_\_



continue to do so.

## Notable Inquests cases

Death of a child on the Splash Canyon ride at Drayton Manor Theme Park, while on a school trip.

Death of patients in hospital due to possible waterborne bacterial infection.

Death of a child at the hands of her Father – issues as to the supervision provided by the local authority and a social work agency.

Death of a child who choked on a jelly cube while at a day Nursey.

Death of a worker on the Crossrail Project, when the tunnel ceiling collapsed.

Death of a construction worker when a lift fell down the lift shaft while he was strapped to the lift – unlawful killing.

## Education

- BA Hons, Durham University

## Languages

- French



## Memberships

- PIBA
- HSLA

## Recommendations

- Ranked as a leading Junior for Personal Injury Work. "A very commanding presence in court." "Pragmatic and sensible approach." "A good all-rounder, especially so on quantum." **Legal 500 2022**
- Ranked as a leading junior Insurance Fraud. "Pragmatic and sensible approach." **Legal 500 2022**