



Paul McGrath

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Paul McGrath's practice is generally split between the following main areas: insurance law (particularly motor), motor insurance fraud, personal injury / fatal accident.

He also has considerable past experience of employment cases but is presently only accepting either restraint or trade/injunction work or pro bono cases through Advocate.

Expertise

Personal Injury

He is mainly instructed in high value, Multi-Track, work in the County Court or High Court and also appellate work in the High Court and Court of Appeal. He is also regularly instructed to attend mediations and JSMs.

He also has considerable experience acting for cruise companies and airlines in relation to personal injury claims arising from incidents at sea (involving jurisdictional issues and issues under the Athens Convention and The Merchant Shipping Act 1995 and also on board aircraft.

Motor Insurance Fraud

He has significant experience of drafting, advising and representing in the full range of fraud cases from the small opportunistic claims to large scale, nationwide, fraud rings.

He also has considerable experience of declaratory proceedings, recovery actions (including in the tort of deceit), enforcement actions, and committal proceedings (e.g. *LV v Hall*, QBD November 2019).

He appeared in the Court of Appeal case of *Hamid v Khalid and Co-Operative Insurance*.

Insurance

Paul has significant and broad experience in this area. In relation to 'pure' insurance law issues, he has represented clients in relation to disputes between insurers, avoidance disputes between insured and insurer (including claims for contractual indemnity), disputes between insurers and third parties (e.g. issues arising under ss151-152 Road Traffic Act 1988), representations to third parties (such as the MIB, Financial Ombudsman Service, etc), and interpretation of insurance contracts and any resulting declaratory proceedings. His work has mostly been in connection with motor insurance, but he has also acted in cases involving disputes about employer's liability insurance, life insurance and legal expenses policies. *Mason v TNT and Groupama Insurance* saw him acting for a successful insurer on a point of great significance to the industry: whether an insurer was liable for the 'same damage' as a tortfeasor for its (potential) breach of indemnity.

Credit Hire

Leading expert on credit hire law, having practised in the area since its inception.

Paul is targeted as a leading junior for many of the most significant consumer law cases and has appeared in the County Court, High Court and Court of Appeal. His work involves vast experience of credit hire cases, including those of the greatest value and / or significance, including the seminal case of *Burdis v Livsey*.

He is regularly sought out to undertake complex appeals.

Automated & Electric Vehicles

Academic experience at this stage.

Costs & Litigation Funding

Experienced with a range of costs points, especially wasted costs and non-party costs orders.

Employment

He also has considerable past experience of employment cases, appearing for predominantly corporate clients or public bodies, and having been instructed by a range of leading City firms. He has also acted for senior executives. He had regular appearances in the Tribunal, Employment Appeal Tribunal and Court of Appeal.

He was previously ranked in Legal 500 for this field of work, however, he is presently only accepting employment cases on a pro bono basis through Advocate so that he is able to concentrate on his other areas of specialism.

Paul does, however, continue to accept restraint of trade and injunction work relating to the termination of employment.

Appointments

- Recorder (2022)
- Panellist, Teaching Regulation Agency Professional Conduct Panel
- Reviewer for Advocate

Awards

- Lord Justice Holker major scholarship award from Gray's Inn
- Lee Essay Prizewinner (judged by Lord Mustill)
- Chartered Secretaries and Administrators Award for Excellence (achieving top A Level mark in the country)

Education

- BVC, Inns of Court School of Law
- LLB Hons, University of London

Recommendations

- Band 1, Motor Insurance Fraud. "Demonstrates considerable expertise" and a "robust, well-prepared advocate" who is "careful and considered." **Chambers & Partners 2021**
- Band 1, Personal Injury, Industrial Disease & Insurance Fraud. **Legal 500 2021**
- Band 1, Motor Insurance Fraud. Recommended as having a "considerable expertise in a range of motor fraud cases, including those related to exaggerated claims, fundamental dishonesty and staged accidents" and noted for "his strength in handling fraud ring matters." He is noted to have a "tremendously endearing court manner" and that "Judges like him and he's persuasive." He is also praised as being a "great advocate who is excellent on technical points." **Chambers & Partners 2020**
- Band 1, Personal Injury, Industrial Disease & Insurance Fraud. "On top of his game – he is a leading expert in cases involving suspected fraud." **Legal 500 2020**
- "A persuasive advocate who is effective in his interaction with judges." "A well-respected practitioner." Noted as demonstrating "considerable expertise in a range of motor fraud cases, including those related to exaggerated claims, fundamental dishonesty and staged accidents. He is also noted for his strength in handling fraud ring matters." **Chambers & Partners 2019**
- Band 1, Personal Injury, Industrial Disease & Insurance Fraud. "He is a very good lawyer with a strong expertise in road traffic insurance law, personal injury and fraud work." **Legal 500 2019**
- Recommended as demonstrating "considerable expertise" in motor fraud cases and employing "enthusiasm and drive." He is also noted to have an ability to "slowly take the opposition apart in an almost surgical fashion rather than in a theatrical style – he's a silent assassin" and to be "very strong both on paper and in court", knowing "how to get the best result for the client" and good at "understanding a large amount of information." **Chambers & Partners 2018**



- Band 1, Personal Injury, Industrial Disease & Insurance Fraud. **Legal 500 2018**