



## Peter Harrison

Email: [clerk@stjohnsbldings.co.uk](mailto:clerk@stjohnsbldings.co.uk)

Phone: 0161 214 1500

Year of Call: 1983

“Acts in a variety of high-value catastrophic injury claims, including those resulting from military service and claims for psychological damage. Represents both claimants and defendants in complex cases of large value.”

Strengths: “He has a fantastic style and is very hard-working. A really good performer.”

Recent work: “Acted in a personal injury claim pursued by a serving member of the armed forces who was injured in Afghanistan when struck by a military vehicle.” **Chambers & Partners 2018**

“He has keen attention to detail and the ability to think on his feet.” **Legal 500 2017**

Peter was called to the Bar by Middle Temple in 1983 after having read law at Liverpool University. He practises in all the traditional areas of personal injury litigation including fatal accidents, catastrophic injury and disease. Interrelated areas of specialisation are product liability, insurance policy coverage, inquests and HSE prosecutions. A recent entry in the Chambers & Partners directory states:-

“He is well versed across a broad range of personal injury matters. He represents both Claimants and Defendants in cases involving serious injuries and fatalities... He is very good in conference with clients – makes them feel very comfortable and he’s a very good courtroom advocate”.

## Memberships

- Personal Injury Bar Association
- Professional Negligence Bar Association

# EXPERTISE

## Personal Injury

Peter is a personal injury specialist covering all of the normal, and some of the less obvious areas of this wide ranging field of practice. He has extensive experience of employers' liability, public liability, sports injury and road accident claims. He also deals with product liability injury claims, fraudulent claims (including staged accidents) and psychiatric/nervous shock claims. He has a particular interest in motor sport claims.

The majority of his caseload has a value ranging between £50,000 – £1,000,000. He is however frequently instructed in claims valued at £1 – 5m. He receives instructions on behalf of Claimants and Defendants.

In these challenging days of close scrutiny and case management by the Courts with pressure to achieve cost effective early settlement, careful initial preparation and fine tuning of expert evidence are often the key to a successful outcome. Accordingly, in addition to traditional court work, Peter is often heavily engaged in the cost management process, conferences with experts, production of schedules/counterschedules of loss, liaising on trial preparation and conducting settlement meetings/mediations.

## Cases

**Batley v Wright [2017]:** High value claim. Allegation of fundamental dishonesty. Video evidence. Non disclosure of previous criminal record and lengthy imprisonment.

**Stott v Huntsmere & Os [2017]:** Severe injury sustained due to collapse of flooring during engineering construction project. Contractor dispute – failure to warn etc.

**Jarrett/Elliott v Palfinger Tail lifts [2016]:** Fatal accident claim relating to suicide, allegedly precipitated by psychiatric illness, triggered through modest soft tissue injury sustained at work.

**Kennedy v Grzebisz [2014]:** High value injury claim involving controversial expert evidence on life expectation in the context of C's obesity, smoking and alcohol related lifestyle risks.

**Hewison/Trevorrow v Welch [2014]:** Single vehicle, multiple fatality road accident claim following unexplained loss of control in quiet daylight conditions on M6 motorway.

**Dutton v Fiat [2014]:** Product liability personal injury claim on behalf of motor cyclist struck by spare wheel which spontaneously detached from vehicle travelling ahead.

**Mitchell & Os v United Co-operatives [2012] EWCA Civ 348:** Lead action in series of generic claims pursued by shop workers suffering psychiatric injury following exposure to robbery incidents.

**Sellers v Surgicare [2012]:** Product liability claim arising from defective implants used during breast augmentation procedure.

**Robinson v MOD [2011]:** Nervous shock claim following catastrophic explosion on board naval submarine.

Re Bussey (deceased) [2010]: Inquest into death by scalding of resident in retirement home.

Battersby v MOD [2010]: Fatal accident claim arising out of helicopter accident during military operations against insurgents in Iraq. Issues of combat immunity, human rights etc.

Dean and Harrington v CRG [2008]: Employers' liability – catastrophic injuries sustained during terrorist attack in Iraq – nature of employer's duties to employee.

HSE v Edeco [2008]: Breaches of HSWA s2 and s3 – major civil engineering project – fatal crushing accident – exceptional aggravating features.

Hyldon v MOD [2007]: Employers' liability – parachuting accident – mitigation of loss – loss of congenial employment – loss of chance – career model quantification.

McManus v Mannings Marine [2001] EWCA Civ 1668: VWF – limitation – date of knowledge – exacerbation of injury by successive employers.

NSP Enterprises v Mainline Buses [2000] LTL: RTA – liability of bus driver – treacherous icy conditions – vehicle sliding from stationary.

## Product Liability

Peter has wide ranging experience of product liability litigation relating to a variety of fire damage, damage to property and injury claims.

The majority of his caseload has a value ranging between £50,000 – £1,000,000. He is however frequently instructed in claims valued at £1 – 5m. He receives instructions on behalf of Claimants and Defendants.

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## Cases

Dutton v Fiat [2014 cont'g]: Product liability personal injury claim on behalf of motor cyclist struck by spare wheel which spontaneously detached from vehicle travelling ahead.

Holden v Lylevale [2014 cont'g]: Public liability – exploding shotgun – Consumer Protection Act 1987 strict liability.

Sellers v Surgicare [2012]: Product liability claim arising from defective implants used during breast augmentation procedure.

Baxenden Chemicals v NEM [1994]: Product liability fire claim – defective insulating materials – professional negligence – insurance broker – material non disclosure – waiver of entitlement to avoid.

## Directory Entries

“Acts in a variety of high-value catastrophic injury claims, including those resulting from military service and claims for psychological damage. Represents both claimants and defendants in high-value, complex cases”.

Strengths: “If there’s a joint settlement meeting which requires silk gloves he can be extremely amendable. If there are negotiations or a trial where a fight is needed he can be aggressive as well”.

**Chambers & Partners 2017**

“He has an excellent technical ability coupled with consistent professionalism.” **Legal 500 2016**

“He acts for both claimants and defendants in personal injury and industrial disease claims, with a particular niche in motorsport cases. He is valued by sources for his skill in negotiations and his ability in complex and serious cases.

Strengths: “He is very experienced, very smooth, very detailed and very prepared in anything he does. He is absolutely excellent.” “He is very well prepared, well organised and good with medical experts and with clients. He is very technical and, if an issue needs to be argued, he won’t shy away from that.” **Chambers & Partners 2016**

He has 25 years’ experience handling both claimant and defendant personal injury and disease litigation.” **Legal 500 2015**

*“Adept at handling a multitude of personal injury matters for both claimants and defendants, including fatal accidents. Strengths: “He is very good in conference, and has a good client manner; he knows how defendant clients think.”*

*“He is very thorough, knows his stuff and he’s extremely personable.”* **Chambers & Partners 2015**

## Disease

“Peter Harrison has in depth up to date technical knowledge of complex industrial disease claims” **Legal 500**

Peter is a disease specialist covering all of the traditional areas including asbestos, asthma, dermatitis, HAVS/VWF, RSI, stress at work etc.

The majority of his caseload in these fields has a value ranging between £25,000 – £100,000. He is however frequently instructed in claims valued at £1 – 5m. He receives instructions on behalf of Claimants and Defendants.

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## Cases

Hoskins v Alfred Mcalpine [2017]: Defective service – dispute regarding submission to the Court’s jurisdiction by service of Defence, even if defective service raised as an issue. Relief from sanctions CPR 3.9.

Aston v AGCO [2016]: VWF/HAWS Limitation, actual/constructive knowledge.

Garside v Rolls Royce [2014]: Dermatitis – COSHH – Personal Protective Equipment at Work.

Johnson v Lancashire County Council [2013]: Asthma – Exposure to wood dust – hard/soft wood – application of COSHH Regs.

Thompson v Renwick Group [2013]: Asbestos – Duty of care – assumption of responsibility by parent company for acts/omissions of subsidiary.

McManus v Mannings Marine [2001] EWCA Civ 1668: VWF – limitation – date of knowledge – exacerbation of injury by successive employers.

## Catastrophic Injury

Peter has an extensive personal injury practice comprising high value and catastrophic injury claims arising from eg. brain injury, spinal injury, loss of limbs and chronic pain conditions such as fibromyalgia, complex regional pain disorder, somatoform pain disorders etc.

The majority of his caseload has a value ranging between £50,000 – £1,000,000. He is however frequently instructed in claims valued at £1 – 5m. He receives instructions on behalf of Claimants and Defendants.

In these challenging days of close scrutiny and case management by the Courts with pressure to achieve cost effective early settlement, careful initial preparation and fine tuning of expert evidence are often the key to a successful outcome. Accordingly, in addition to traditional court work, Peter is often heavily engaged in the cost management process, conferences with experts, production of schedules/counterschedules of loss, liaising on trial preparation and conducting settlement meetings/mediations.

## Cases

*Creaney v MOD* [2017]: Serving soldier injured in Afghanistan when struck by Foxhound military vehicle. Elective amputation of one leg, injury to other limbs. Initial combat immunity issue.

*McKeever v Sykes Lee Brydson* [2017]: Claimant triplegic following accident during competitive motorcycle race. Original claim abandoned after 6 years with adverse costs of £400,000. New claim against former Solicitors for negligent conduct of claim and failure to secure ATE insurance cover.

*Coyle v Rimmer* [2016]: Infant brain injury claim. 70/30 compromise on liability, favouring D. Polarised medical evidence on potential for further rehabilitation and reasons for unsuccessful trial of independent living.

*Kennedy v Grzebisz* [2014]: High value injury claim involving controversial expert evidence on life expectation in the context of C's obesity, smoking and alcohol related lifestyle risks.

*Hewison/Trevorrow v Welch* [2014]: Single vehicle, multiple fatality road accident claim following unexplained loss of control in quiet daylight conditions on M6 motorway.

*Dutton v Fiat* [2014]: Product liability personal injury claim on behalf of motor cyclist struck by spare wheel which spontaneously detached from vehicle travelling ahead.

*Robinson v MOD* [2011]: Nervous shock claim following catastrophic explosion on board naval submarine.

*Dean and Harrington v CRG* [2008]: Employers' liability – catastrophic injuries sustained during terrorist attack in Iraq – nature of employer's duties to employee.

*Hylton v MOD* [2007]: Employers' liability – parachuting accident – mitigation of loss – loss of congenial employment – loss of chance – career model quantification.

## Fraud - Civil

Peter has a wide knowledge of, and a long standing reputation for dealing with fraudulent, fabricated and exaggerated claims.

Allegations of dishonesty are an integral part of personal injury litigation, ranging from fictitious and staged accidents through to fabricated medical conditions/symptoms and artificially exaggerated losses. Such allegations are even more prolific in this age of surveillance and social media. They require attention to detail at pleadings, evidential assessment, review of lay and expert witness, and forensic cross-examination stages.

Peter is well acquainted with these issues and can provide relevant and insightful tactical guidance/input into the preparation and trial of such cases.

## Regulatory

Peter is regularly instructed to defend HSE prosecutions on behalf of individual and corporate clients.

## Cases

HSE v JSF/Lancaster [2013]: Prosecution relating to traumatic amputation of minor's fingers in automatic band saw.

HSE v Smith [2010]: HSE prosecution following catastrophic collapse of building during construction process.

HSE v Edeco [2008]: Breaches of HSWA s2 and s3 – major civil engineering project – fatal crushing accident – exceptional aggravating features.



## Inquests

In tandem with his extensive personal injury/fatal accident practice, Peter is regularly instructed to appear at inquest hearings.

## Cases

Re Suthon (deceased) [2012]: Inquest arising out of unexplained fall from height in warehouse premises.

Re McMenemy (deceased) [2011]: Death following fall from mobile elevated working platform.

Re Jones (deceased) [2011]: Investigation into death soon after discharge from hospital – undetected infection.

Re Bussey (deceased) [2010]: Inquest into death by scalding of resident in retirement home.

## Professional Negligence

Peter has substantial experience of claims for and against insurers/brokers arising out of refusal of indemnity, material non disclosure, policy avoidance etc.

The majority of his caseload has a value ranging between £50,000 – £1,000,000. He is however frequently instructed in claims valued at £1 – 5m. He receives instructions on behalf of Claimants and Defendants.

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## Cases

McBride v Lancs Teaching Hospital [2017]: Clinical negligence. Missed diagnosis of Basilar Artery Occlusion resulting in C suffering permanent paralysis and locked in syndrome with distressing preservation of cognitive function and insight.

Kenworthy v Salford NHS Trust [2016]: Clinical negligence. Delayed diagnosis of cancerous haemangioblastomas. Provisional damages. Psychiatric consequences – disproportionate fear of death.

Waterman v Britannia [2013]: Claim for value of goods lost/destroyed whilst in storage – misrepresentation of insurance cover – duty of care towards owners – Hedley Byrne v Heller liability.

Bluebell Developments v Canopus [2012]: Claim for value of residential development destroyed by fire – refusal of indemnity – material non disclosure – broker negligence.

Breach v Lloyds TSB General Insurance [2002]: Fire damage – fraudulent insurance claim – avoidance of policy.

Baxenden Chemicals v NEM [1994]: Product liability fire claim – defective insulating materials – professional negligence – insurance broker – material non disclosure – waiver of entitlement to avoid.

# Costs