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## Martin Ferguson

Called in 2016

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Martin has a focussed civil practice. He is particularly sought after for personal injury, insurance, clinical negligence, road traffic, travel and housing disrepair matters.

He appears in court daily on the Fast and Multi-Track with a balance of repeat Claimant and Defendant instruction. He is particularly noted to be a calm and robust trial advocate. He manages a busy paperwork practice and is noted for his efficiency and clear advice.

Prior to studying for the Bar, Martin worked in strategic litigation and advocacy for an international human rights NGO in Budapest. On returning to the UK he qualified as an Independent Mental Health Advocate and represented people sectioned under the Mental Health Act.

Martin was graded Outstanding on the BPTC, ranking in the top 5 in his year. He received Hardwicke and Buchanan Awards from Lincoln's Inn, as well as the Shelford Scholarship and Overseas Placement Award.

## Personal Injury

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Personal injury work forms a large part of Martin's practice. He regularly appears at trial in employers' and public liability, highways, occupiers' liability and road traffic claims. He is also experienced in matters where there are allegations of fraud.

Martin also enjoys a wide ranging paperwork practice and is regularly instructed to draft pleadings and advise on issues of procedure, limitation, liability, quantum and medical causation.

### Disease

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#### Location

Farrar's Building,  
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#### Contact Us

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DX: 406 Chancery Lane

Martin has particular experience in Noise Induced Hearing Loss claims and is regularly instructed to attend CCMC's, interim applications, and trials. He is frequently instructed to advise on all NIHL matters by Claimants and Defendants.

## Clinical Negligence

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Martin has a developing clinical negligence practice. He is particularly interested in misdiagnosis, plastics, neonatal, dental, surgical and paediatric orthopaedics matters.

He has a mixed claimant and defendant practice and is sought after for his ability to handle experts and identify strategic opportunities at an early stage. He is willing to consider instructions on a CFA.

## Credit Hire

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Martin is regularly instructed in road traffic matters involving liability and quantum disputes, as well as allegations of fraud. He is well-versed in the law relating to credit hire and regularly appears for Claimants and Defendants.

## General Common Law

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### Housing

Martin has appeared and drafted documents in a number of housing matters, including possession proceedings for both landlords and tenants, harassment and private nuisance claims.

## Commercial

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Martin has experience of a wide range of commercial matters including sale of goods, consumer rights, breach of directors' duties, formation of contract, breach of contract and debt claims.

## Civil Fraud

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Martin regularly acts for both claimants and defendants where issues of fundamental dishonesty and/or fraud arise.

In particular, he frequently deals with such issues and the disapplication of QOCS / s. 57 in EL/PL personal injury claims, and RTA/credit hire claims.

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# Travel & Tourism Law

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Martin regularly appears for Claimants and Defendants in Fast and Multi-Track claims. His practice covers aviation claims, cancellations, sickness and insurance disputes.

He frequently represents airlines and passengers in respect of claims for statutory compensation arising out of delayed flights, pursuant to Regulation (EC) No 261/2004. He is also experienced in claims involving the Package Travel, Package Holidays and Package Tours Regulations 1992.

He has a busy paperwork practice drafting pleadings, and advising on prospects, quantum and / or tactics.

## Notable Cases

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### Hillier v Southern Rock Insurance Company Limited (2020)

Martin successfully represented the Defendant at first instance, on appeal, and was led by Jamie Carpenter QC in drafting the Respondent's Notice for second appeal. The Court of Appeal refused permission to appeal. The Claimant's credit hire claim was struck out as an abuse of process. The Claimant had compromised his entire claim at Stage 2 of the MOJ portal process.

### Parker v MIB (2019)

In 2015 Mr Parker was the victim of a hit-and-run accident in which he suffered life-changing injuries. Martin advised in writing and in conference, and settled a complex Schedule of Loss including a claim for considerable future losses. The matter ultimately settled for a significant six-figure sum favourable to the Claimant.

If you would like to instruct Martin Ferguson or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at [chambers@farrarsbuilding.co.uk](mailto:chambers@farrarsbuilding.co.uk)

For more information about our clerking team, please [click here](#) for the clerks page.

## Education & Qualifications

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BPTC, BPP, Outstanding, 2016

Mental Health First Aid Instructor, MHFA England, 2015

Independent Mental Health Advocate, 2014

LLB with Honours, University of Nottingham, 2012

## Publications

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## Publications

Well-managed Highway Infrastructure What the new Code means

Scope of Duty Owed by Police: Supreme Court Clarification, 2018

Section 57 CJA 2015: London Organising Committee of the Olympic and Paralympic Games -v- Sinfield, 2018

Public Identification during Community Sentence – Good or Bad?, Prison Service Journal, 2015

## Prizes

Lincoln's Inn:

Hardwicke Award

Buchanan Award

Shelford Scholarship

Overseas Placement Award

## Personal Interests

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Away from the Bar, Martin retains directorship of an Educational Company he founded which delivers training on ethics to medical students. When not at work he transfers his robust approach to the Barnet Sunday League representing AFC Muswell Hill, competes in endurance karting for Leopold Motorsport and enjoys time with his family.

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