

An excellent barrister and a safe pair of hands across the entire spectrum of personal injury matters.

Legal 500 2023



## Simon Hughes

Called in 2003 0207 583 9241

Simon practices across the spectrum of personal injury claims in cases of high value and/or significant importance, claims with a travel or jurisdictional element and in claims of industrial disease. He specialises in cases of serious injury (both organic and non-organic) and fatal accidents. He has extensive experience in representing insurers in cases where fraud and fundamental dishonesty is alleged. He is regularly instructed by the leading firms in the Country.

Simon lives in South Wales and practised at the Welsh bar for many years prior to moving to Farrar's Buildings. He maintains strong links with the Welsh legal community and is always keen to receive instructions in Wales.

In addition to his work as Barrister, Simon sits as both a Recorder (Wales) and Deputy District Judge (Midlands) (Civil). These roles give him an alternative perspective on the presentation of cases and appropriate tactical decisions.

His expertise has been recognised for well over a decade in the leading Legal Directories. The most recent editions describe him as having;

*"particular expertise in cases involving industrial disease and fatal accident claims. He is also regularly instructed in cases involving elements of fraud."*

(Chambers UK – Tier 2)

and

*"...very calm and considered which helps put clients at ease. He is pragmatic and sensible, taking into consideration the difficulties with litigated case loads, as opposed aggressive and antagonistic which does not necessarily serve in the best interests of the client."*

### Location

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### Contact Us

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## Personal Injury

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Simon's practice covers the full range of Personal Injury work. he is instructed by many of the leading personal injury firms in the country in relation to claims of significant value and importance.

He has extensive experience in relation to cases involving fatalities, catastrophic injuries and chronic pain and he is recommended in the leading directories for this work.

Simon also regularly appears in inquests arising from a contemplated personal injury claim.

## Civil Fraud

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Simon has acted for most major insurers in cases where dishonesty is alleged. He has acted in countless such cases over the course of his career and has extensive experience in relation to;

- Setting aside notices of discontinuance
- Staged accidents
- Low Velocity Impact claims
- Dishonesty in the context of industrial disease
- Exaggeration in the context of otherwise genuine claims

In that context Simon is well used to advising in relation to the forensic analysis of linked witnesses and the resultant evidential framework, the appropriate use of Part 18 requests, the appropriate point of disclosure of surveillance evidence and the tactical use of Part 36 offers.

Simon also has extensive experience of committal proceedings following findings of dishonesty.

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# Industrial Disease

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Simon is very experienced in industrial disease litigation and has been recognised in the major legal directories for this work.

He has experience of;

- Asbestos related claims
- Respiratory disease
- Stress at work claims
- Noise-induced hearing loss and acoustic shock claims
- Work-related upper limb disorders
- Hand arm vibration syndrome and other vibration related injuries
- Claims involving control of substances hazardous to health.

## Travel & Tourism Law

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Simon has extensive experience in dealing with claims with a foreign element or jurisdictional issue. He has appeared in many cases involving accidents which have occurred abroad, holiday sickness claims illness, Montreal and Athens Convention claims and claims against foreign insurers. He also regularly acts in cases involving accidents at sea.

## Notable Cases

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### Cowley v LW Carlisle & Company Ltd

Acted for the Defendant in respect of a first and then second appeal before the Court of Appeal. Issue as to the status of the dissolved and unrestored Defendant in the context of an historical industrial disease claim. Instructed by insurer to resist appeal against first instance Judge's decision to strike the claim out. Viewed as a case of particular significance for insurers and one of considerable value across the insurer's book. Appeal successfully resisted before Circuit Judge and thereafter before Court of Appeal. Claimant's solicitors ordered to pay the wasted costs of the appeal.

### L v 01408357 LTD (3) and E LTD (4)

Acted unled for Third Defendant in successful resistance of appeals in relation to dismissal of personal injury claim on grounds of limitation. Difficult arguments raised as to capacity on behalf of Claimant who lost capacity during currency of proceedings. Fourth Defendant represented by Leading Counsel. Appeal dismissed by Andrews J. (High Court/Q.B.D)

### AE (Executor of RE – deceased) v CS (1) SRI Ltd (2)

Acted for Claimant in relation to tragic claim in respect of the death of mother and wife in road traffic accident. Acted alone in opposition to Leading Counsel. Claims under the Law Reform (Miscellaneous Provisions) Act 1934 and the Fatal Accidents Act 1976 compromised at over £600,000. Child's significant personal injury claim is ongoing. (High Court/Q.B.D)

### ERS Ltd v SA

Acted for the Defendant in fraudulent claim brought following admitted significant road traffic accident. Issue as to who was driver at material time with no witnesses beyond parties and car burnt at scene. Acted for Defendant in respect of 4 day trial, subsequent committal proceedings and application to purge

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contempt (High Court/ Q.B.D.)

#### RM (by way of Litigation Friend MM) v VWM Ltd

Acted for the Claimant in relation to significant head injury resulting in loss of capacity. Claimant had no recollection of events and no witnesses. Defendant alleged injury most likely caused by pre-existing medical conditions. Matter settled shortly before 5 day contested liability trial at R.C.J. Lump sum award subsequently approved by Mr David Locke Q.C. sitting as a Deputy High Court Judge. (High Court / Q.B.D.)

#### AK v MGT Ltd

Acting alone for a Claimant who suffered a severe arm injury rendering him permanently unfit for physical work when he fell 30 feet through the roof of the Defendant's premises while at work. Liability disputed. Schedule of Loss advanced to £1.1M. (High Court / Q.B.D)

#### DW v CT Ltd

Acted for the Claimant in a fatal road traffic accident claim. Deceased was a high earner and father to two school aged children. Defendant raised significant issues in relation to likely period of dependency and career progression. (High Court / Q.B.D)

#### JS v PCC

Acted for the Claimant in a claim where a Claimant who suffered a relatively minor fall at work went onto develop significant psychological symptoms which affected her capability to continue to work. Significant volume of medical opinion as to causation of symptoms and attribution to index accident. Experts on behalf of Claimant and Defendant in respect of 6 different medical disciplines. Matter listed for 5 day trial and settled shortly before for £375,000 (High Court/Q.B.D.)

#### SMS v SP Ltd

Acted for the Defendant in claim following property collapse. Claims for pain disorder and permanent inability to work. Claim advanced to over £500k. Matter settled on morning of trial following receipt of Defendant's Skeleton Argument for a fraction of pleaded sum.

#### DB v NCS Ltd

Acted for the Defendant in respect of three day trial arising out of accident alleged to have occurred when Claimant fell at work. Defendant accepted breach of duty if fact of accident proved but alleged that claim was dishonest and accident happened when Claimant was at home. Claim dismissed and QoCS waived pursuant to CPR 44.16.

#### JK v SG Ltd (1) and TS Limited (2)

Acted for the Second Defendant in 5-day liability trial in relation to a collision between picker trucks at Defendant's warehouse resulting in amputation of Claimant's large toe. Issues in relation to responsibility of the Second Defendant for training and instruction along with culpability of Claimant by way of horseplay.

#### JB (Executor of SB – deceased) v NCC (1) GW (2)

Acting for the Claimant, in a fatal accident at work. Deceased stepped into path of digger due to inadequate traffic division. Ongoing HSE investigation. Liability and contributory negligence in issue. Instructed to attend Inquest. Very high value claim.

#### RR v CICA

Successful appeal against decision of Criminal Injuries Compensation Authority to refuse an award to a man left with 'locked-in syndrome' following an assault. Quantum ongoing.

#### HC v CVUHB

Acting for a Claimant who suffered two sexual assaults by her physiotherapist during treatment following the birth of her child. Breach of duty admitted. Claimant left suffering significant psychiatric symptoms as a result.

#### JS v NK

Acted for Claimant in case of severe multiple injury road traffic accident resulting in Claimant being confined to high dependency unit for a period of weeks and subsequent criminal conviction on the part of the Defendant. Advised in writing, conference and drafted schedule. Expert reports obtained from consultants in Orthopaedics, Neurology, Ophthalmics, Psychiatry and General Surgery. Case settled for in excess of £250,000.

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If you would like to instruct Simon Hughes 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.

## Appointments & Memberships

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- Recorder (Wales)
- Deputy District Judge (Midlands)
- Pupil Supervisor
- Pupil Supervisor trainer for Wales & Chester Circuit
- Previous contributing Author of Butterworth's Personal Injury Law and Practice
- Part-time Lecturer Cardiff Law School (2013-14)

## Education & Qualifications

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- Ysgol Friars, Bangor
- University of Liverpool
- Bar Vocational Course, The University of Nottingham

## Directory Quotes

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*"He has an outstanding ability to argue difficult cases."* **Chambers UK – Tier 2**

*'Simon is an excellent barrister and a safe pair of hands across the entire spectrum of personal injury matters. A superb cross-examiner, very thorough and knowledgeable, and excellent with clients.'* **Legal 500 – Band 1, Leading Junior for Personal Injury**

*"particular expertise in cases involving industrial disease and fatal accident claims. He is also regularly instructed in cases involving elements of fraud."* **Chambers UK – Tier 2**

*"...very calm and considered which helps put clients at ease. He is pragmatic and sensible, taking into consideration the difficulties with litigated case loads, as opposed aggressive and antagonistic which does not necessarily serve in the best interests of the client."* **Legal 500 – Band 1**

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