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# Richard Seabrook

**Year of Call:** 1987

**Telephone:** 0115 947 2581



## Overview

### **Richard has survived into his fifth decade at the Bar!**

After conducting a broad mix of work with a strong criminal and common law focus in his early years, he quickly developed a practice specialising in personal injury and associated areas.

Richard was first appointed to the Attorney General's Panel of Counsel in 1994, having been selectively re-appointed on each occasion he applied. His most recent appointment runs until March 2025. He is experienced in all types of personal injury and fatal accident claims, with a strong focus also on clinical negligence and inquest work as detailed below.

His interests away from work include off-piste/big mountain skiing (Verbier, Breckenridge, St Anton, Chamonix and many more) all with a large dose of "Après", rugby (sadly now as a spectator only), cycling up and down the Cols and mountains in Europe (Ventoux, Alpe D'Huez, Galibier and many more), gardening, travel, fine food and (good cheap) wine and a wide variety of types of loud music.

He has still not entirely given up on the idea of attending a music festival, albeit perhaps one with glamping! Married to Jane for 30 years, a musculoskeletal/sports physiotherapist, he has three grown-up children, none of whom have shown the slightest inclination to be mad enough to consider a career at the Bar.

# Expertise

## Personal Injury

Personal injury work has been the most significant component of Richard's practice since his call to the Bar.

Acting for both Claimants and Defendants, he has gained considerable experience of all stages of the full range of personal injury claims, including fatal accidents, serious traumatic injury and occupational disease claims.

His practice affords him a wealth of experience of conducting personal injury litigation from pre-issue, through to conducting appeals in the Court of Appeal. The range of work undertaken by Richard covers all types of personal injury claim litigated on the Multi Track. He undertakes advisory work in respect of all aspects of breach, causation, limitation, quantum, tactics and evidence, conducts conferences with relevant experts, attends interlocutory hearings and conducts trials and appeals. Joint Settlement Meetings are a very frequent entry in his diary. He is used to appearing against Silk.

He was first appointed as counsel on the Attorney General's Panel in respect of personal injury work since 1994. He has acted for most Government Departments and agencies over the years. However, he also free to act against them, with some insight into their workings.

## Serious Injury

Richard is routinely instructed in a range of catastrophic injuries often valued in excess of £1M arising from his motor, traumatic, employers' and public liability and clinical negligence work. He is confident and experienced in assisting in the identification and recruitment of the appropriate range of experts to ensure that all aspects of the injury are addressed. He is used to advising on the types of issue which commonly arise including those relating to capacity, accommodation, prosthetics, Court of Protection and periodical payments. He is experienced in claims relating to upper limb/lower limb(s) amputation and traumatic brain injury claims.

## Clinical Negligence

Richard's clinical negligence work continues to increase in volume, complexity and value. In this field he acts predominantly for Claimants. He finds this area of practice particularly rewarding.

The litigation he has had experience of conducting includes deaths and injury, including significant brain injury, resulting from inadequate medical attention, poor surgical practice, failure to administer appropriate medical treatment and systemic failure.

He has dealt with a very wide range of areas of medical practice, including orthopaedics, oncology, general practitioner practice, dentistry, ophthalmic, obstetrics and gynaecology, accident and emergency and plastic surgery. He has dealt with claims, to name but a few, relating to failed hip replacement surgery, failure to diagnose diabetic retinopathy, failure to diagnose cancer, failed breast enlargement surgery, death resulting from failure to recognise the progression of hereditary angedema and negligently conducted hysterectomies, amongst many others.

## Disease

Occupational disease work has been a significant aspect of the personal injury work conducted by Richard. He has obtained very considerable experience of all aspects of this type of work since he moved to Ropewalk Chambers more than 20 years ago.

He has enormous experience in all types of disease litigation, including defending group actions, to Appellate level. His practice encompassed the range of work from serious NIHL claims, to work-related upper limb disorders, chest diseases,

asbestos-related and stress at work claims. As the disease market shifts Richard finds himself increasingly undertaking asbestos work in the Master's Corridor or more often now by way of a telephone Show Cause hearing.

## Counter Fraud

Fraudulent claims come in a variety of shapes and sizes, from the outright invention of an accident and injury through to the more subtle deliberate exaggeration of legitimate heads of damage.

Richard's initial ten years of practice, involving a significant element of Crown Court criminal work before moving to Ropewalk Chambers, makes him particularly well-placed to explore these types of claim. Cross-examination of Claimants thought to be pursuing fraudulent claims is, for him, an area of particular interest and professional reward.

Whilst aware of the recognition by courts of chronic pain, ME, fibromyalgia, somatoform disorders and the like, Richard is well able to probe into the divide between the genuine and the fraudulent.

He has experience of dealing with fundamental dishonesty both in the context of displacing QOCS protection and in relation to Section 57.

## Criminal Regulatory

Richard has much experience in defending and mitigating on Health and Safety prosecutions arising out of work-related personal injury and death. His experience of criminal law and procedure ensures a multi-disciplinary approach is brought to bear, when seeking the most favourable outcome for his clients.

## Inquests

So far as inquest work is concerned, he has considerable experience in representing a wide range of "interested persons", including the family of the deceased, albeit is more commonly instructed by those whose conduct is being critically enquired in to. He is very experienced in conducting both "Coroner only" and "Coroner with jury" type inquests and in those engaging Article 2 HRA.

He regularly attends pre-inquest review hearings, complex multi-party inquests lasting up to six weeks, and inquests where criminal charges against witnesses and organisations are still under consideration.

He has considerable experience in dealing with Care Home related inquests, with the involvement of CQC, HSE and the police as interested persons.

He is well used to dealing with the quasi-criminal nature attaching to some inquest hearings, the robust approach of some representatives and Coroners, as well as the peculiar sensitivities that will always arise. He is also instructed to advise clients on all aspects of inquest hearing and preparation and regularly holds conferences with proposed inquest witnesses.

He is regularly instructed as counsel on the Attorney General's Panel, acting for Government Departments at jury inquests.

He has acted, on instruction by the then Coroner for West Lincolnshire, as Counsel to the Inquest on a high profile Red Arrows "zero-zero ejection" inquest, which involved over 10 interested persons, mostly represented by QCs, and which lasted many weeks, attracting national media attention.

## Motor

Claims arising out of road traffic accidents have been a significant aspect of Richard's practice over very many years. These claims have touched on almost every legal scenario, and include claims involving the Motor Insurers' Bureau's untraced and uninsured driver's agreements, insurance and cover issues, fraudulent claims, catastrophic injury and multiple party claims.

By way of example, Richard currently acts for a number of motorcycle riders who have each suffering life changing injuries, and for a car driver in a pedestrian brain injury case.

## Group Actions

Over many years, Richard has had involvement in both bringing and defending group actions, most recently being involved in two occupation disease-based action brought against a North East based mining group. He is not concerned by having to digest the volume of material usually involved in such cases and is adept at creating helpful tables and spreadsheets which assimilate pertinent aspects of the evidence.

## Appointments

- Attorney General's Panel Counsel

## Memberships

- Personal Injuries Bar Association

## Education

- LLB (Hons) 2:1, Manchester

## Notable Cases

*Joseph Johnson v Ministry of Defence and Hobourn Eaton* [2012] EWCA Civ 1505

*Hartman v South Essex Mental Health NHS Trust & Others* [2005] EWCA Civ 6

*Holtby v Brigham & Cowan (Hull) Limited (2000)* 3 All ER 421

# Recommendations

*"Very thorough, incredibly knowledgeable and has an excellent bedside manner. He turns paperwork around quickly and is very approachable."*

- Chambers & Partners 2021 - Personal injury

*"Articulate and concise with experts and clients, thorough and reliable in their written work"*

*"Articulate when engaging with experts and clients, clear and concise in written work, and cool under pressure."*

*"A fantastic advocate with a thorough and methodical approach whose examination of witnesses is clear, concise and relevant to the issues."*

- Legal 500 2021 - Personal injury, clinical negligence and inquests and inquiries

*"Very professional, knowledgeable and approachable. He's very good on his feet." "Richard provides clear and concise advice, and at trial he is great at cross-examining witnesses and making sure the relevant and essential information is obtained."*

- Chambers & Partners 2020 - Personal injury

*"Particularly experienced in care home death cases."*

- Legal 500 2020 - Inquests & inquiries

*"His knowledge of disease is very good and he's a very compelling advocate on his feet." "He's excellent with clients and is very thorough and detailed in his advice."*

- Chambers & Partners 2019 - Personal injury

*"Represents a range of parties in inquests."*

*"Recommended for industrial disease claims."*

- Legal 500 2019 - Inquests & inquiries and personal injury and clinical negligence

*"A good advocate, who can pitch his arguments at the right level."*

- Legal 500 2017 - Personal injury and clinical negligence

*"He has an astute legal brain."*

- Legal 500 2017 - Inquest and inquiries

- Barrister of the Year - Nottinghamshire Law Society 2017

*"He has an astute legal brain and is always quick to grasp the issues."*

- Legal 500 2016 - Personal injury and clinical negligence

*"Richard Seabrook is particularly experienced in deaths in custody matters." "Has very good client care skills."*

- Legal 500 2016 - Regulatory, health and safety and licensing

*"Represents Claimants and Defendants in a wide range of personal injury cases."*

- Legal 500 2015 - Personal Injury and Clinical Negligence

*"An extremely effective junior."*

- Legal 500 2015 - Personal injury and clinical negligence



# Ropewalk Chambers

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