



## Alison McCormick

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Year of call  
1988

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Alison McCormick's practice is Claimant focused, specialising in the fields of personal injury and clinical negligence. Offering "sensitive yet robust advice" and "explaining things in plain terms" are key principles of her practice.

In personal injury, Alison specialises in catastrophic injury and industrial disease cases. Her caseload includes claims arising out of employers', occupiers' and public liability and road traffic accidents. She has particular expertise in dealing with Claimants who lack mental capacity, the terminally ill, recently bereaved and cases involving minors.

Alison's clinical negligence practice includes a wide variety of different types of cases arising out of general practitioner, surgical and anaesthetic negligence across many disciplines, including orthopaedics, neurology, oncology, gynaecology and obstetrics.

A significant part of Alison's practice is asbestos-related litigation. Alison's cases span the whole spectrum of asbestos related diseases, from pleural thickening to mesothelioma, often involving issues of both liability and quantum. She is very experienced in mesothelioma claims involving terminally ill or recently bereaved Claimants.

Alison was junior counsel for the Claimant in Lead Case 1 (*Durham v BAI*) in the *Employers' Liability Trigger Litigation* [2012] UKSC 14, high profile test litigation involving individuals, employers and insurance companies which was decided in the Claimants' favour by the Supreme Court in March 2012.

Alison has a compassionate and common sense approach to litigation, with an emphasis on client care and establishing close working relationships with solicitors. She aims to maximise the damages awards which her clients receive and assist them to understand and cope with what is, for many, very

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### London

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### Abu Dhabi

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### Dubai

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traumatic litigation.

Alison is always willing to travel to see clients at home or wherever is most comfortable for them.

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## Clinical Negligence

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Alison has a broad-based Claimant focused clinical negligence practice across many fields, including general practitioner, surgical and nursing negligence. She has experience of cases in many disciplines including orthopaedics, nephrology, neurology, cardiology, oncology, psychology, gynaecology and obstetrics. Many of Alison's cases involve vulnerable Claimants, frequently protected parties and minors.

Her cases are often of high value, and many are both legally and medically complex, involving multiple experts in different disciplines.

## Cases

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### **DJL v Dr D & Dr T**

A fatal claim arising out of negligently undiagnosed angina. It was alleged that the GPs failed to refer the deceased to the rapid access chest clinic, prescribe appropriate medication and advise him to avoid over exertion. The deceased subsequently died from a heart attack whilst on a strenuous bike ride. A settlement of £300,000 was negotiated.

### **FS v NUHT**

The Claimant's husband died due to a tension pneumothorax resulting from an anaesthetic accident prior to routine shoulder surgery. The Claimant also made a claim for psychiatric injury as a secondary victim due to witnessing attempts to resuscitate the deceased in the operating theatre. The claim was compromised for £117,000.

### **CC v NUH**

The Claimant is an 11 year old boy with underlying nephrogenic diabetes insipidus. The claim is for brain injury suffered due to negligent post operative hydrational management which resulted in the Claimant developing hypernatraemic dehydration. Liability has been recently been admitted and quantum of the claim postponed until the Claimant is older and the effects of his injury can be determined.

### **CC v RCHT**

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A high value claim arising out of negligent failure to diagnose a malignant melanoma in a 35 year old mother of two. Metastases have now occurred in the Claimant's lungs and her life expectancy is less than 5 years. Liability has been admitted but quantum remains outstanding.

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## Personal Injury

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Alison represents Claimants who have suffered very serious and often catastrophic injuries, with a particular emphasis on brain injury cases and spinal damage. Her caseload also includes many fatal accident cases.

Alison undertakes most of her cases without a leader, but she regularly participates in Joint Settlement Meetings against silks. Alison is highly experienced in representing Protected Parties and cases involving the Court of Protection.

Alison frequently acts in cases involving complex issues of primary liability and contributory negligence and difficult issues of causation. She is also used to dealing with claims, which are medically complex.

## Cases

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### **TE v AE**

The Claimant was 10 years old when he suffered a serious spinal cord injury in a road traffic accident, which resulted in motor and sensory complete paraplegia from the chest down. His mother was the Defendant. Subsequent to the injury the Claimant suffered expansion of a spinal cord syrinx, which required further surgery and also scoliosis. The Claimant had just turned 18 when the case was settled at a joint settlement meeting for £4.2 million on a provisional damages basis in respect of the continuing risk of further expansion of the syrinx.

### **KM v MK**

The Claimant suffered serious orthopaedic and internal injuries in a road traffic accident when she was aged 39. She developed a rare type of abdominal hernia, which proved difficult to repair and caused significant ongoing symptoms. The Claimant had remained in work on full pay for several years post accident, but ultimately left her post and was likely to suffer future loss of earnings. There was a risk that future surgery would be required and the Claimant would need ongoing domestic assistance. The case was settled for £600,000.

### **JR v AR**

The Claimant is an 18 year old boy who sustained a severe brain injury in a road traffic accident when

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he was 5 years old. There are significant issues on causation by reason of the Claimant's dysfunctional family background, gender identity issues and learning difficulties. Obtaining a declaration that the Claimant is a protected party has raised issues about the interplay between the jurisdiction of the Court of Protection and the High Court.

## Industrial Disease

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Alison specialises in asbestos related disease claims. She acts for Claimants in all types of asbestos related disease claims and is very experienced in handling mesothelioma claims where complex issues pertaining to breach of duty and causation arise. She frequently advises on difficult quantum issues in both living and fatal mesothelioma claims.

Alison was junior counsel for the Claimant in Lead Case 1 (*Durham v BAI*) in the *Employers' Liability Trigger Litigation* [2012] UKSC 14, high profile multi party test litigation in which the Supreme Court held that in mesothelioma claims the liability of an insurer to indemnify the insured employer is "triggered" by inhalation of the asbestos which initiates the disease.

## Cases

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### **JT v CBP**

A high value fatal mesothelioma claim. The deceased died at the age of 61. He was the director and principal shareholder in a business which provided computer software to the recruitment sector. There were arguments about the most appropriate method of valuing the Claimant's claim for income dependency and expert accountancy evidence was served by both parties. The claim settled at a round table meeting for £515,000.

### **MW v HKL**

A fatal mesothelioma claim. The deceased's widow suffers from CREST syndrome and has significant care needs which the deceased would have met but for his premature death. The claim was settled for £500,000.

### **JJ v CPL**

A mesothelioma claim arising out of the Claimant's exposure to asbestos on board steam ships operated by the UK arm of a foreign conglomerate. The case involves an argument about the

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employer's state of knowledge with the Defendant arguing that the UK company was a pure blue water shipping company and therefore did not have the knowledge of the dangers of asbestos which would be attributed to a land-based employer.

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## Appointments & Memberships

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- APIL
- PIBA
- AVMA

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## Recommendations



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## Testimonials

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“She has extremely good attention to detail, is fantastic with clients and is very approachable.”

**Personal Injury, Chambers & Partners 2021**

“Very approachable, down to earth and gets to the heart of the issues quickly.” **Personal Injury, Chambers & Partners 2020**

“She can analyse different concepts and translate them into language that can be understood by claimants from all walks of life.” **Personal Injury, Chambers & Partners 2020**

“One of the most astute and effective communicators at the Bar.” **Clinical Negligence, Legal 500 2020**

“She is able to translate complex legal issues into language readily understood by the lay client.” **Personal Injury, Legal 500 2020**

“She is very down-to-earth and approachable, and has great client care skills.” **Personal Injury, Chambers & Partners 2019**

“Alison can always be relied upon. She goes the extra mile for claimants.” **Personal Injury, Chambers & Partners 2019**

“Her strengths are conscientiousness, thoroughness, responsiveness, expertise and client friendliness.” **Personal Injury, Legal 500 2019**

“She has a detailed knowledge of the law; is empathic but remains professional at all times.” **Personal Injury: Industrial Disease, Legal 500 2019**

“She has a great attention to detail and is liked and appreciated by clients.” **Clinical Negligence, Legal 500 2019**

“Exceptional client care skills, very empathetic and tailors her approach to the client. Very friendly and approachable.” **Personal Injury, Chambers & Partners 2018**

“Outstanding, brilliant with clients and very down-to-earth.” **Personal Injury, Chambers & Partners 2018**

“She is amazing with clients and very experienced in her field.” **Clinical Negligence, Personal injury,**

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## Legal 500 2017

"She's very calm and measured in the advice that she gives, her advice is always very clear and concise and reasoned." **Personal Injury, Chambers & Partners 2017**

"Her client care skills and bedside manner are superb and really put clients at ease." **Personal Injury, Chambers & Partners 2017**

"Her attention to detail is second to none." **Personal Injury, Legal 500 2016**

"Her communication skills are exceptional, as is her attitude to client care." **Clinical Negligence, Legal 500 2016**

"She is able to explain things in plain terms and in a very compassionate way." **Personal Injury, Chambers & Partners 2016**

"She has client care skills that are second to none." **Personal Injury, Chambers & Partners 2016**

"Very, very good with clients, very bright, incredibly thorough and good to work with. My go-to barrister for high-value cases." "A highly experienced and versatile counsel whose involvement in the landmark employers' liability policy litigation was invaluable." **Personal Injury, Chambers & Partners 2015**

"Recommended for her first-rate client skills." **Clinical Negligence, Legal 500 2015**

"She is incredibly sympathetic with clients, providing sensitive yet robust advice." **Personal Injury, Legal 500 2015**

"She's brilliant at special damages and very, very user-friendly with the clients." "She's superb; sensitive and always on the ball." **Personal Injury, Chambers & Partners 2014**

"A formidable opponent, who has meticulous attention to detail." **Clinical Negligence, Legal 500 2014**

"A pleasure to work with as she is always so well prepared." **Personal Injury, Legal 500 2014**

Alison McCormick is an "extremely experienced" junior counsel with a devoted solicitor following. Leading claimant lawyers opine that she is "extremely thorough and unusually good with clients." **Personal Injury, Chambers & Partners 2013**

The "wonderfully approachable" Alison McCormick, "whose excellent demeanour and use of plain English quickly put clients at ease." A popular port of call for complex issues of law and quantum,

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McCormick divides her time between disease and catastrophic brain and spine injury cases. **Personal Injury, Chambers & Partners 2012**

Alison McCormick, is “extremely helpful and approachable” and has “great empathy for clients.”  
**Clinical Negligence, Legal 500 2011**

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