



Matthew Phillips QC

Year of call	Silk	Email
1993	2017	matthew.phillips@outertemple.com

Matthew Phillips QC practises in the following fields: Clinical Negligence, Personal Injury and Sport.

In the field of personal injury Matthew specialises in asbestos related disease claims and catastrophic head and spinal injuries.

In the field of clinical negligence he acts for Claimants and Defendants in a wide variety of high value claims.

In the field of sports law Matthew has extensive experience of personal injury claims and regulatory work involving anti-doping regulations.

Matthew practises nationwide and is happy to travel to meet clients. He prioritises the management of cases in a sensitive and inclusive manner.

He has been recommended in *Chambers & Partners* and *Legal 500* in personal injury since 2006. He appears in the "Spotlight Table" for industrial disease in *Chambers & Partners*.

London

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Personal Injury

Asbestos-related Disease Claims

Matthew has specialised in asbestos disease claims for over 20 years. His practice now focuses on mesothelioma claims.

In addition to cases involving workplace exposure to asbestos he has extensive experience of claims involving domestic / environmental exposure. He has acted for Claimants against all the major industrial / commercial asbestos users and manufacturers.

Matthew was junior counsel in the House of Lords in the landmark causation case of *Fairchild v Glenhaven Funeral Services*. He has also been instructed in international multi-party / group litigation: i) *Cape "Afrika"* litigation – on behalf of several thousand South African asbestos miners. ii) *Anglo American Plc.* litigation – on behalf of over a thousand South African gold miners suffering with silica / tuberculosis related diseases.

Matthew is instructed by the leading firms of solicitors in the asbestos field. He has lectured widely on asbestos-related litigation.

Cases

H & B v John Barnsley & Sons Ltd

Represented the successful Claimant at the trial of a mesothelioma claim. Relatively low exposure. Central issue whether in breach of duty in the light of CA decision in *Williams v Birmingham University*.

C v John Laing Plc

Represented the successful Claimant at the trial of a mesothelioma claim. Early and intermittent asbestos exposure sawing asbestos sheets in the 1940s. Central issue whether exposure "substantial" in the legal sense.

R v The National Coal Board

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Trial on liability in a mesothelioma claim. Alleged low level exposure to blue asbestos in a colliery workshop. Complex evidence on air testing and asbestos fibre levels.

D v National Grid Gas Plc

Trial on the issue of quantum in a mesothelioma claim in which period of pain and suffering endured by the deceased was exceptionally short (5-6 weeks). Issue of principle regarding the application of the JSB Guidelines. Successfully argued that the JSB Guidelines should not be applied. Recovered £45,000 by way of general damages.

E v Liberty Retail Plc

Claim arising out of asbestos related Retroperitoneal Fibrosis (RPF) – an unusual abdominal condition that has destroyed the Claimant’s kidney function. No previously litigated claims of this type. Issues of causation and foreseeability of injury. Claim compromised.

C v Birmingham City Council

Trial on liability in a “living mesothelioma” claim. Very low level exposure to asbestos in a school kitchen. Successfully recovered in excess of £200,000.

B v Horace W Cullum Ltd

Represented the widowed Claimant whose husband died of an asbestos related mesothelioma. The deceased was a relatively high earner with complicated pension arrangements in place. Complex dependency issues. Recovered in the region of £500,000.

I v Balfour Beatty Ltd

High value mesothelioma claim. Complex income dependency claim. Damages recovered in excess of £600,000.

S v The National Dock Labour Board

Domestic / environmental exposure claim. Acted for the Claimant who had contracted mesothelioma when exposed to asbestos working in a café on Tilbury Docks. Recovered in excess of £200,000.

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Catastrophic Claims

Matthew's personal injury practice revolves around high value spinal and brain injury claims arising out of road traffic and workplace/industrial accidents. Matthew is also experienced in handling fatal accident claims and the calculation of damages pursuant to the Law Reform Act and Fatal Accidents Act.

Cases

Y v The National Trust

Trial on the issue of liability on behalf of a spinally injured (paraplegic) tree surgeon. Unusual legal issue regarding the duty of care owed by occupiers to the employees of independent contractors.

W v Mckenzie

Acted for Claimant who had sustained a severe head injury in an RTA. Difficult quantum and case management issues. Recovered a lump sum and periodical payments worth in excess of £1.5 million on a capitalised basis.

H v Mackie

Claimant sustained severe head and spinal injuries in an RTA. Recovered in excess of £5 million on a capitalised basis.

H v MIB

Claimant rendered paraplegic when aged 5. Claim settled for in excess of £6 million when the Claimant was aged 17. Complex issues surrounding the suitability of periodical payments for a Claimant who was resident in Ireland.

W v Groupama Insurance Co

Claimant sustained a life-changing brain injury when only a few days old. Claimant compromised for in excess of £6 million (capitalised) at the age of 15.

G v Cooper

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Claimant paraplegic. Presented an interim payment application for £500,000 (on top of previous payment in excess of £1 million) in order to purchase and adapt a particular property. Claim compromised for in excess of £6 million (capitalised).

M v Burr & Warren Transport

Trial on the issue of quantum in a tetraplegia claim that compromised after case opened. Lump sum in excess of £3 million plus significant periodical payments – difficult indemnity issues relating to future state funding.

L v Ling

Devastating brain injury claim with Claimant requiring a 24 hour two carer regime. Difficult quantum issues in relation to care provision and accommodation. Settled shortly before trial. Lump sum value of the compromise in excess of £8 million.

M v CICA

CICA claim arising out of severe spinal injury. Applicant stabbed in the neck with a screwdriver in an unprovoked attack – suffers from Brown Sequard Syndrome (effectively incomplete tetraplegia). The claim involved an application for a new category of tariff award for “incomplete tetraplegia” which was accepted by the Tribunal who recommended it to the CICA executive. Total award in excess of £450,000.

P v James

Acting for the Claimant who sustained a severe spinal injury in an RTA at the age of 21. Claimant has undergone several major spinal operations and has been left with disabling symptoms of cauda equine with significant psychological consequences.

L v Nomorex

Acted for widowed Claimant whose husband, a builder, was killed at work when a wall collapsed. He was 48 years of age at the time of his death. Complex dependency claim under the Fatal Accidents Act on behalf of the Claimant and three children. Claim settled for in the region of £500,000.

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Clinical Negligence

In the field of clinical negligence Matthew represents both Claimants and Defendants in a wide variety of claims of significant value. He has particular experience in the fields of birth injury, failed spinal surgery and cardiological issues.

Cases

M & R v Aneurin Bevan Local Health Board

Acting for the Claimants in a birth injury claim of the utmost severity resulting from a delayed transfer to a specialist maternity unit. Complex causation issues. Involves a claim for psychiatric injury on the part of the child's mother. Recovered in excess of £4 Million on a capitalised basis.

J v Poole Hospital

Represented the Claimant who had sustained incomplete tetraplegia as a result of a delayed diagnosis of spinal infection. Amputation of left leg subsequently required. Challenging breach of duty and causation issues. Compromised for in excess of £3 million.

L v Dr Kanagaratnam

Claim arising out of the insertion of a pace maker without obtaining the Claimant's proper consent. Alleged failure to set out the non-invasive treatment options. Claimant developed pericarditis as a result of the pace maker procedure.

W v George Eliot Hospital

Infant Claimant sustained a severe brain injury following a clash of heads at school. Alleged delays in obtaining a CT scan, diagnosing the cranial bleed and surgical intervention. Recovered in excess of £3 million.

W v Oxford University NHS Trust

Claim on behalf of an infant Claimant whose had lost his mother to meningococcal septicaemia. Alleged failure to diagnose and treat the infection on the part of the hospital. Complex loss of services claim pursuant to the Fatal Accidents Act. Recovered in the region of £500,000.

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C v PC

Instructed by the MDU to defend a failed spinal surgery claim of the utmost severity. Claimant rendered tetraplegic. Significant liability and quantum issues. Compromise in excess of £10 million.

P v Nottingham University NHS Trust

Delayed diagnosis and treatment of severe spinal pathology resulting in collapse of spinal column and subsequent paraplegia. High value claim.

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Sports Law

In the field of sports law Matthew has extensive experience of personal injury claims and regulatory work involving anti-doping regulations. He has an academic interest in all aspects of sports law and practice. Matthew sits as a Legally Qualified Chair on the British Equine Federation's Anti-Doping and Controlled Medication Hearing Body.

Cases

A v B

Advised a former Premier League footballer in relation to a civil damages claim. He sustained a career-ending injury in an on-field challenge. Issues regarding degree of recklessness of the challenge.

M v The RFU

Advised a student rugby union player in relation to claim arising out of severe spinal injury. The client was rendered tetraplegic when a scrum engaged prematurely and collapsed. Central issue was the referees control of the scrum.

D v Smith

Represented the successful Claimant who was the victim of a reckless challenge in an ice hockey game that resulted in incomplete tetraplegia. Central issue whether the challenge constituted serious foul play. Compromised for in excess of £1 million.

J v Portsmouth City Council & Others

Representing an amateur racing cyclist who sustained a devastating head injury in a sprint finish on a closed racing circuit. Allegations revolving around the layout of the circuit and the numbers of entrants.

Q v Dr Achan

Advised semi-professional footballer in relation to his claim arising out of failed knee surgery that caused a premature end to his football career. Liability issues and quantum issues regarding loss of playing and management/coaching opportunities.

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A v W

Advised Premiership rugby union player in relation to a potential clinical negligence claim arising for a failure on the part of his club's medical team to diagnose and treat a blood disorder.

J v UKAD

Represented a professional footballer in front of the UKAD Tribunal. He had tested positive for a class A drug. Defence based on consumption of a "spiked" drink. Issues of credibility and degree of care taken by the player.

A v The Rugby Football League

Client a semi-professional rugby league player suspended following a positive test for a Class A drug. Appeared on his behalf before the Court of Arbitration for Sport (CAS).

M v The RFU

Anti-doping case on behalf of a rugby union player. Central issue whether player entitled to withdraw consent to having urine sample analysed after providing the sample and, of so, what the appropriate sanction is.

X v Y

Positive drugs test by an international level athlete whilst competing abroad. Defence based on food contamination.

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Appointments & Memberships

- Association of Personal Injury Lawyers
- Association for Victims of Medical Accidents
- British Association for Sport and the Law
- Personal Injury Bar Association
- British Association for Sport and the Law

Qualifications

- Called to the Bar, Lincoln's Inn (1993)
- Diploma in International Law, St. Catherine's College, Cambridge (1992)
- MA in Jurisprudence, Trinity College, Oxford (1991)

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Recommendations



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LEADING SET



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Testimonials

“A very strong advocate who gets stuck into his cases and delivers very good results for his clients.”

Personal Injury: Industrial disease, Chambers & Partners 2021

“Very experienced in the field of asbestos litigation and has been involved in some of the most important cases in this field.” **Personal Injury, Legal 500 2021**

“Extremely experienced in asbestos disease claims, he is pragmatic, gets to the point and never loses sight of the target.” **Personal Injury, Legal 500 2020**

“Very determined and realistic.” **Personal Injury: Industrial disease, Chambers & Partners 2020**

“An outstanding barrister with an immense knowledge of asbestos disease litigation.” “He’s excellent with clients.” **Personal Injury: Industrial disease, Chambers & Partners 2019**

“His advocacy is clear and persuasive, his advice is always pragmatic and he has sound judgement on liability and quantum.” **Personal Injury, Legal 500 2019**

“He is a forceful advocate and is able to get to grips with difficult issues quickly.” **Personal Injury: Industrial disease, Legal 500 2019**

“Practical and down to earth, really good with clients.” **Clinical Negligence, Legal 500 2019**

“Bright, talented and a pleasure to work with.” **Personal Injury, Chambers & Partners 2018**

“An excellent barrister whose client care skills are second to none.” **Personal Injury, Chambers & Partners 2018**

“Thorough, detailed, commercial and realistic.” **Personal Injury, Chambers & Partners 2018**

“An excellent advocate and very good with clients.” **Personal Injury, Legal 500 2017**

“Recommended for handling high-value claims.” **Clinical Negligence, Legal 500 2017**

“Well liked, he always provides thorough advice at the appropriate level. He’s able to explain the most complex legal issues in the most straightforward manner.” **Personal Injury, Chambers & Partners 2017**

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“A confident advocate with a keen eye for detail.” **Personal Injury, Chambers & Partners 2017**

“He is one of the standout junior barristers in the area of asbestos litigation.” **Personal Injury, Legal 500 2016**

“He is a bright and talented barrister, a pleasure to work with.” **Personal injury, Chambers & Partners 2016**

“He is very experienced in asbestos-related lung disease cases.” **Personal Injury, Chambers & Partners 2016**

“He has meticulous attention to detail and his technical knowledge of asbestos-related claims is first class.” **Personal Injury, Legal 500 2015**

“Very experienced. He’s a good communicator who is great with clients.” **Personal Injury, Chambers & Partners 2015** “Fantastic client care skills.” **Personal Injury, Legal 500 2014**

“He’s very knowledgeable in his field, his advice is very practical, and he’s unflappable – a standout at Outer Temple.” “He’s very approachable and he makes clients feel relaxed.” **Chambers & Partners 2014**

“A first-class junior.” **Chambers & Partners 2013**

“Matthew Phillips shows terrific strength in industrial disease work. Clients value “his approachability and clear communication”, whilst lawyers appreciate his “ability to assimilate information quickly.” ” **Chambers & Partners 2012**

“Highly regarded junior Matthew Phillips is particularly noted for his work on asbestos-related disease claims, matters he handles with aplomb. He epitomises the excellent client care skills on offer at the set and is further hailed for his “willingness to push cases.” ” **Chambers & Partners 2011**

“One of the most capable juniors around for dealing with the higher-value and higher-profile cases...down-to-earth and client friendly.” **Chambers & Partners 2010**

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