

James Hawkins

Call Date: 2003



James specialises in personal injury, travel law and professional negligence claims.

In his personal injury practice, James represents both claimants and defendants, often in claims of substantial value and with complex medical causation issues. Recently, James has been involved in claims involving traumatic brain injuries and other serious physical injuries which have resulted in a need for significant treatment and care. James is experienced in all aspects of such litigation, including advising (generally, and with regard to expert evidence), interim hearings, joint settlement meetings/mediation and trials. He also acts in (and has delivered seminars about) Fatal Accidents Act claims.

James is regularly instructed to defend injury claims brought against local authorities. He has particular expertise in cases involving legal issues in respect of the creation, maintenance and status of highways, as well as issues as to the duties owed by highway authorities. James also appears at inquests, including inquests involving issues as to the medical cause of death and the standard of care and treatment received at hospital. He has particular recent experience of cases where death has resulted from anaphylaxis.

James regularly undertakes work with a foreign element, including accidents which have occurred abroad, illness claims, Athens Convention claims and claims against foreign insurers. In his professional negligence practice, James has recently appeared in a claim for substantial damages against a firm of solicitors.

Legal Services

Personal Injury

A claim where the claimant suffered a very severe traumatic brain injury. A total of 19 experts were instructed. The claim settled at a joint settlement meeting. James was led in this case by Howard Stevens QC.

A claim in which an elderly claimant suffered a traumatic brain injury resulting in the need for residential care.

Claims involving issues as to whether footpaths were highways maintainable at the public expense for the purposes of the Highways Act 1980. The cases turned on issues of statutory interpretation and consideration of how a highway can come into existence.

3 HARE COURT

Travel Law

An inquest arising out of an incident which occurred while the deceased was on holiday.

An inquest concerning the death of a person under the care of a local authority. James regularly delivers talks and seminars to solicitors and has given a talk on highway law to a major insurer.

Kuoni Travel Limited, a case which concerns whether a travel operator is liable in contract / under the 1992 package travel regulations for a sexual assault that occurred when the claimant was on holiday in a hotel in Sri Lanka. This was the first time the Supreme Court had considered issues of liability in the context of a package holiday. Katherine Deal QC acted for the Appellant (the claimant at first instance) and Howard Stevens QC and James Hawkins acted for ABTA, which was granted permission to intervene given the importance of the decision to the travel industry.

Memberships

- London Common Law & Commercial Bar Association (LCLCBA)
- Personal Injury Bar Association (PIBA)

Qualifications

- MA (Law, First Class); LLM (First Class) Clare College, Cambridge University