

# Stephen Maguire

Year of call 2007

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Stephen’s practice is focused on complex and high value litigation. He handles cases of the utmost severity, which include traumatic brain and spinal injuries, severe orthopaedic conditions, chronic pain, amputation and fatal accident cases. He regularly achieves multi-million pound settlements and periodical payment awards.

Prior to becoming a barrister Stephen was a senior solicitor/partner in a large city practice, where he was Head of Litigation. During this time he specialised in high value and complex cases and was instructed to advise on class actions, some of which he acted as lead solicitor. He was a Higher Courts Advocate and regularly represented his clients at all levels of the Court before transferring to the Bar.

In May 2020, Stephen was appointed as a Fee Paid Judge of the First-tier Tribunal, and in 2022 was appointed as a Deputy District Judge on the Northern Circuit.

## Expertise

### Clinical Negligence and Healthcare

Stephen has over 20 years experience of dealing with clinical negligence litigation. He regularly provides advice in the areas of orthopedics, oncology, cardiology, general surgery, prescribing errors, obstetrics, cerebral palsy and other birth injury claims.

#### Notable Clinical Negligence and Healthcare cases

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Failure to diagnose and treat birth related cord prolapse resulting in cerebral palsy;

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Failure to treat Atrial fibrillation which resulted in severe brain injury

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Failure to adequately diagnose and treat severe neonatal infection resulting in respiratory distress leading to brain damage;

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Mismanagement of breech delivery;

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Negligent assessment of a psychiatric patient leading to catastrophic injuries from a suicide attempt;

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Negligent administration of ortotoxic mediation resulting in permanent injury;

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Failure to correctly treat ulceration resulting in lower limb amputation;

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Negligent catheterization resulting in the development of a penile stricture and other related bladder complications;

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Failure to adequately diagnose and treat skin cancer resulting in reoccurrence of the condition;

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Failure to correctly diagnose and treat Swine influenza;

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Failure to correctly follow guidelines relating to the diagnosis and treatment of orthopedic fractures resulting in deterioration in the condition;

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Recently instructed to act against a Defendant Trust and a medical prosthetics manufacturer in relation to the use of experimental heart valves resulting in claimant death.

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Poor results following cosmetic surgery;

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Stephen has also advised on a number of class actions including recent transatlantic litigation involving the incorrect clinical packaging of prosthetic lenses used in cataract surgery.

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## Inquests

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## Occupational Disease

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## Serious Injury

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Stephens's personal injury practice involves advising clients involved in road traffic collisions, accidents at work, product liability and public liability claims. He is regularly instructed to advise on health and safety matters and represents clients in the Higher Courts. Stephen has considerable experience in handling claims which involve public service employees including members of the armed forces and police.

### Notable Serious Injury cases

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#### Lawson v MOD [2022] QB

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the Claimant sustained significant injuries during a training exercise with the MOD. Damages recovered in the sum of £2.8m

#### Carosielli v Industrial and Marine Services Ltd [2022] QB

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The Claimant suffered serious hand injuries whilst undertaking maintenance work on a ship offshore. Damages recovered in the sum of £1m.

#### Sinclair v Smith [2022] QB

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The Claimant sustained spinal injuries during the course of an RTA. Liability and quantum were in dispute. Damages recovered with a full value of £8m.

#### Way v Butler [2022] QB

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The Claimant suffered a mild head injury and abdominal injuries during the course of a RTA. Quantum and causation were robustly disputed. Damages recovered in the sum of £1.75m.

#### SM (A Protected Party) v Shabbir [2022] Q

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The Claimant was struck by a motor vehicle driven by the Defendant. Liability was disputed. The Claimant was successful at the liability trial and recovered damages of £2.2m lump sum and £280,000 PPO.

#### MS (A Protected Party) v Beechy [2022] QC

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The Claimant suffered severe injuries during the course of an RTA. Liability and quantum were in dispute. Damages were recovered in the sum of £3.8m.

#### Smith v GLP Civil Engineering (1) & Balfour Beatty Civil Engineering Limited (2) QB [2021]

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The Claimant sustained severe leg injuries during the course of an accident at work. Liability was disputed by both Defendants, C's employer and the main contractors. At mediation the Claimant recovered damages of £1.2m.

#### Sajjad (deceased) v Highways England Limited [2021] QB

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The Claimant was the wife of Mr Sajjad who sustained fatal injuries during the course of an RTA when his vehicle left the carriageway at the site of a bridge and entered a river. The Claimant argued that the design of the road and the system of drainage was defective. Liability remained in dispute throughout. Damages were recovered in the sum of £900,000.

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PT (a Protected Party) v Evans [2020] QB

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The Claimant sustained severe personal injuries during the course of an RTA. Liability was disputed and allegations made against the Claimant. The Claimant was successful in recovering damages of £2.1m.

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TB (A Protected Party) v EU1 [2020] QB

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The Claimant was struck by the Defendant's vehicle. Liability was disputed on the basis that the Claimant walked into the path of the Defendant's car at night, in poor visibility and whilst the Claimant was under the influence of alcohol. There were also complex causation issues due to pre-accident medical conditions. The Claimant was successful and recovered damages of £1.8m.

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KJ v Sumner [2023] QB

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RTA case involving a child who suffered serious brain injury when he was struck by the Defendants car. He was awarded damages with a full value basis of £7.5m.

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Davies (deceased) v Global Strategies Group (Hong Kong) Ltd Court of Appeal (Civil Division) –

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the deceased sustained fatal injuries whilst performing private security operations in Mosul, Iraq

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Shaw (a Protected Party) v Wilkinson [2016]

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78 year old Claimant injured when struck by a motorcycle; recovered damages of £1.5m.

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Barnes v Ali & MIB [2015]

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the Claimant suffered complex injuries involving above knee amputation and brain injury during a RTA. He was awarded damages in excess of £4.5m.

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Leicester (a Protected Party) v Fone [2015]

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the Claimant suffered severe injuries, including brain damage during an RTA. The case involved complex issues relating to the ongoing care requirements and treatment. The Claimant recovered damages totalling in excess of £2.5m.

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Ashton v Moss (1), Brown (2), Department for Transport (3) and 3 others [2015]

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The Claimant suffered severe orthopaedic and neurological injuries during a multi vehicle accident on the A627(m). In total there were 8 parties involved in the action. After long and complex litigation the case was resolved at mediation where the Claimant was successful and recovered substantial damages.

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Bennet v James

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the Claimant suffered severe brain injury when a vehicle collided with his motorcycle. He developed complex cognitive symptoms and behavioural changes. He

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recovered damages of £1.26m plus an annual PPO of £100,000.

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Long v MOD [2014]

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The Claimant suffered severe spinal injuries during a military training exercise in the Brecon Beacons. He recovered substantial undisclosed damages.

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Various Claimants v Derby University

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presently instructed to advise a large number of Claimants who pursue a multi-party action against the Defendant for negligent hygiene during routine blood tests.

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Shoreham Air Crash

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Instructed to advise certain families affected by the disaster. Stephen is expected to appear at the inquest and advise the clients during the ongoing litigation.

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## Qualifications

- University: Lancashire
- Degree: LLB (Hons) Law
- Legal Practice Course: 1997
- Admitted as a Solicitor: 1998
- Solicitor Higher Courts Advocate: 2002
- Year of Call: 2007 (Inner Temple)
- Joined Chambers: 2007

## Recommendations

### Chambers UK 2023

“Stephen is an excellent advocate and has an approachable manner with clients.”

“Stephen is fantastic with all catastrophic injury claims.”

“He is always well prepared and performs well in conference with clients.”

### Chambers UK 2022

“Excellent in conference with both experts and clients alike. He is very approachable and is excellent in joint settlement meetings and on drafting schedules of loss.” “A very good advocate who has an easy manner with clients.”

### Legal 500 2022

“Tactically astute and lay clients are always delighted to have in their corner. His knowledge of paediatric brain injury claims in particular is second to none. A very safe pair of hands with any catastrophic injury claim. Solicitors are always more than happy to have him on their side against any silk.”

### Chambers UK 2021

"An excellent advocate."

"He is very energetic and passionate." "He takes a pragmatic approach to his cases and is very easy to deal with."

#### **Legal 500 2021**

"Very intelligent and someone you want in your corner when dealing with a catastrophic injury claim. Not afraid to take on the difficult cases and he is passionate about getting the best possible result for the people he acts for."

#### **Chambers UK 2020**

"He's very tenacious and always willing to work hard to get the very best for his clients." "He is brave and tactically very clever with the way he approaches high-value cases, which results in the best possible settlements for the clients. He is also fantastic at establishing a rapport with clients and making them feel at ease, even in tragic cases."

"His attention to detail is impeccable and he is able to retain a huge amount of information." "His solicitor background makes him very realistic, but he's also prepared to take on a fight and has been able to really bring experts round to our point of view."

#### **Chambers UK 2019**

"Stephen Maguire has an excellent grasp of the key issues in a case and is very thorough and focused with strong analytical skills. He is very approachable with clients and responds promptly to queries. Strong on quantum."

"He is incredibly thorough and his attention to detail is first-rate. He is not daunted by challenging or complex cases. His advocacy at a contested hearing has been impressive, bettered only by his performance at trial. He builds strong relationships with clients and instructing solicitors."

#### **Legal 500 2019**

"Very intelligent and hones in on a case's most important and complex issues with ease."

#### **Chambers UK 2018**

"He is an extremely competent barrister. He initially trained as a solicitor and therefore understands the challenges we face and how he can assist with that. He is very approachable and puts clients at ease."

"Responsive, approachable and not afraid of a challenge. He will go the extra mile for clients." "An exceptionally able junior. He always meets deadlines, his schedules are well prepared, he negotiates well and he is good with clients."

#### **Legal 500 2018**

"Brave and fantastic with clients."

#### **Chambers UK 2017**

"He's very aware of what the client has been through" and "is able to explain complex matters in a succinct and clear way that the client understands."

"He gets very good results in negotiations, often beyond our expectations." "His robust and uncompromising approach to litigation is inspiring. He is brave and willing to take on and win cases with difficult causation issues or where liability is in dispute."

#### **Legal 500 2017**

"A very clever, strong advocate with a passionate approach."

#### **Chambers UK 2016**

"He understands the solicitor's point of view, has good medical knowledge and specifics of the area of law. He's very down to earth and very friendly and approachable to clients."

"He is good with clients. He has a good eye for detail, provides good advice and turns around work quickly." "He is clever and very approachable."

#### **Chambers UK 2015**

"He's great on quantum, schedules and maximising damages." "He is adaptable and sympathetic, yet robust with clients when required."

“He is robust in negotiation.” “He is very good technically, and always has the answers.”

Legal 500 2015

“Very good with difficult clients.”

## Accreditations

