

CHRISTOPHER RUSSELL

Call 1982

Get in touch

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+44 (0)20 7822 1200



"An excellent trial barrister who is commanding in the courtroom"
(Chambers UK)

Practice Overview

Christopher is renowned as a specialist in personal injury, acknowledged as a leader in this field by the main legal directories for more than a decade.

Comments from his clients include *"An excellent technical lawyer and formidable trial advocate"* (Chambers UK), *"Highly recommended for abuse and stress cases"* (Legal 500), *"...an excellent advocate who holds his own against any leading silk"* (Chambers UK) and *"an excellent negotiator"* (Legal 500).

Christopher has been head of 2TG's Personal Injury Group (formerly the Common Law Group) since 2003, playing a pivotal role in the direction and development of the group to the point where it was shortlisted by Chambers and Partners for 'Personal Injury/Clinical Negligence Set of the Year' 2018.

Complimenting his personal injury practice, Christopher also has expertise in environmental health, product liability (especially in relation to food), clinical and other professional negligence, health and safety and other regulatory work.

Christopher is an advocate of enormous experience, cloaking a steely and dedicated approach with charm and eloquence. He is particularly in demand for cases requiring a high level of sensitivity and diplomacy with either client, opponent or judge.

Christopher's international practice includes appearances in the Cayman Islands, where he has practised for many years appearing before the Grand Court and Court of Appeal, and where he has been called to the local Bar.

Alongside his practice, Christopher is long established as a teacher of advocacy and trainer of advocacy teachers, and is often invited to teach advocacy overseas. He is a member of the Inns of Court working party considering wholesale change to the teaching of advocacy and of the panel to appoint Governors of the Inns of Court College of Advocacy.

Practice areas

Personal Injury
Clinical Negligence
Product Liability
Health & Safety

Memberships

LCLCBA (committee)
PNBA
PIBA

Qualifications

LLB
Admitted to the Bar of the
Cayman Islands (1998-)

Education

Exeter University



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Personal Injury

Christopher's particular strengths lie in claims for psychiatric damage, especially stress, bullying, abuse and harassment, and for brain and spinal injury, occupational disease, fatal claims and all types of catastrophic injury.

Notable and Exemplar Cases

Donnelly v Hindhaugh & Legal and General Insurance [2017]

Unusual claim by secondary victim witnessing her mother injured in RTA. Complex medical conditions [non-organic visual loss (near total blindness) and dissociative identity disorder] attributed to legacy of PTSD. Complicated causation matrix including sexual abuse as infant, domestic stresses and school bullying. Claim for £5.5M settled at mediation for less than £1M. [Eversheds Sutherland (International) LLP]

T v Birmingham NHS Trust [2016 – 2018]

Claim for psychiatric harm caused by alleged sexual relationship initiated and maintained by T's treating psychotherapist. Matter made more complex by causation issues which brought T, aged 16, to psychotherapy in the first place and by a parallel claim against local authority for not removing her timeously from a grossly abusive homelife. [DAC Beachcroft LLP]

R v C [2011 – ongoing]

Claim for severe brain injury following RTA when R was child of 10. Difficulties compounded by Litigation Friend being wife of Defendant driver, variable levels of insight of R, unrealistic vocational expectations of R's parents for R, cultural aspects due to strict Islamic principles of R and his family (including R's education at a Jamiah) and allegation of indecent assault carried out by R when aged 20. [DWF LLP]

Griffiths v Poole High School [2014 – 2016]

Claim for psychiatric injury manifesting in Body Dysmorphic Disorder arising from alleged school bullying. Liability resisted on grounds of absence of knowledge of alleged bullying and acceptable systems being in place. Issues of causation and quantum muddled by G's dysfunctional homelife. G discontinued in week prior to trial. [Plexus Law]

C v V [2016 – ongoing]

High value claim for back injuries against personal trainer allegedly sustained in training session. C maintaining she was about to develop successful livery business and other equestrian business interests and

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become a world class dressage competitor. Evaluation of loss of a chance against expert evidence of international competition, costs, prize money and sponsorship opportunities and of commercial realities of making money out of equestrian activities. [Weightmans, Leicester LLP]

McGarry-Gribbin v BUPA [2014 – 2016]

Claim for psychiatric injuries arising from heavy handed investigation of alleged abuse of elderly patient in care home. Liability issues on foreseeability of harm. Issues on causation and quantum complicated by M's previous abuse, campaign to make the incident television newsworthy and M embarking on a speculative career in the pub trade. Case settled at JSM [DAC Beachcroft LLP]

AFC 1 – 21 v C [2016 – ongoing]

Multi-claimant litigation for psychiatric injuries due to "non-tactile" abuse committed by housemaster/teacher at independent boarding school who filmed pupils engaged in private and sexual activities alone and with each other for his own gratification. Pupils unaware of filming but reacted adversely to disclosure of it in publicity generated by teacher's arrest and conviction. A case seeking to push the boundaries of claims for breach of privacy and Article 8 ECHR. [Veale Wasborough Vizards LLP]

W v H [2017 – ongoing]

Claim for workplace stress, victimisation and harassment made by W following his resignation from a business controlled by a family to one member of which he had been married. Claim coloured by W's long established mental ill-health, the importation of issues arising from a bitter divorce into an employment relationship and W's development of a new relationship with another member of staff. W's claim allegedly tainted by fundamental dishonesty. [DAC Beachcroft LLP]

S v G [2016 – 2018]

Significant claim for shoulder and psychiatric injuries arising from fall at work allegedly sufficient to end her financially rewarding occupations but not sufficient to prevent her developing extensive unpaid charity interests with dogs and Eastern European good causes. [Clyde & Co/DAC Beachcroft LLP]

H & others v T [2016 – ongoing]

Multiple claims for HAVS due to use of vibrating tools in park keeping/gravedigging departments of local authority. [Kennedys LLP]

B v C [2017 – ongoing]

Claim for sexual abuse of B, a vulnerable woman with learning difficulties, who had been placed in work experience by a charitable organisation to foster an earning capacity. The assault was by R, a fellow employee, and

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occurred in R's flat. Issues of consent, the extent of the duty of care upon the charity and the work experience provider and vicarious liability for R. [Tollers LLP]

Seward v AGD [2017 – 2018]

Fatal claim arising from death of man who was the alleged "breadwinner" for two families; accordingly issues on extent of dependency and ability of deceased to provide for whom and for what period. Settled by mediation. [Gateley plc]

Lupton v Lancashire CC [2016]

Claim for injury attributed to historic sexual and physical abuse by foster parents, which local authority failed to control. Causation issues complicated by L's previous and subsequent life experience. Settled. [Tollers LLP]

Lloyd Owen v Spire Healthcare [2015 – 2016]

Claim for psychiatric injury made by senior clinical nursing assistant of the notorious breast surgeon, Ian Paterson. Lloyd Owen's injury was allegedly due to a reaction to the investigation into her own work practices while working with Paterson prompted by concerns about Paterson's methods and alleged serious misconduct on her part. Claim settled. [DAC Beachcroft LLP]

L v M [2016 – ongoing]

Claim for psychiatric injury attributed to alleged workplace stress, bullying and harassment suffered by L, an English teacher employed by M. Issues of limitation, causation, foreseeability and breach of duty and contributory fault. [Berryman Lace Mawer LLP]

Re Lorraine Rawbone (deceased) [2016]

Instructed by leading department store chain in inquest into the death of R who was found dead in the WC of its Folkestone store, having been locked in the store overnight. High degree of commercial profile sensitivity. [Kennedys]

Senghani (deceased) v Brent Housing Partnership [2015 – 2016]

Instructed by owner of tree in LB Brent which fell crushing bus stop and S. Representation at inquest and in deflecting liability onto BHP's tree management service despite active supervision. [Berryman Lace Mawer LLP]

Re John Turner (deceased) [2015]

Instructed by large farming enterprise to represent interest in inquest following death of its senior stockman who was crushed in an attack by a Limousin cow. Successfully deflected prospect of prosecution by HSE. [Langleys LLP]

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Grant v SOS Transport [2015 – 2016]

Fatal claim for mesothelioma sustained by former railway employee. Claim of unusually high level and complexity due to business interests developed in later life including property development and hotel/club businesses. [DWF LLP]

Kosecki v Tower Bridge International [2015 – 2017]

High value claim for psychiatric injury by K, a high-flying city broker, who attempted suicide after alleged campaign of victimisation and racial and sexual discrimination. Problems in case multiplied by antagonism between insured and insurer. [DWF LLP]

B v H [2015 – ongoing]

Claim for manual handling transformed by B suffering leakage of cerebral spinal fluid 7 months after, but attributed by B to, the back strain. [Maclay Murray Spens LLP/DAC Beachcroft LLP]

Clinical Negligence

Christopher's expertise is focused on claims arising from the management of psychiatric conditions and in the provisions of psychiatric and related services.

Exemplar Cases

T v Birmingham NHS Trust [2016 – 2018]

Claim for psychiatric harm caused by alleged sexual relationship initiated and maintained by T's treating psychotherapist. Matter made more complex by causation issues which brought T, aged 16, to psychotherapy in the first place and by a parallel claim against local authority for not removing her timeously from a grossly abusive homelife. [DAC Beachcroft LLP]

Oxley v Northumberland, Tyne and Wear NHS Foundation Trust [2017 - 2018]

Claim by O for Trust's failure to prevent her husband making a second (and successful) suicide bid. Contentious liability issues concerning treatment strategy of deceased while in Trust's care. Case settled at JSM. [DAC Beachcroft LLP]

Product Liability

Christopher has broad experience in litigation involving defective products. Food products are a particular area of his specialism but he has

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also successfully managed cases about a wide range of products extending from micro scooters which amputated children's fingers to light fittings which severely fire damaged a Vauxhall car showroom to a laptop causing extensive fire damage to a flat. He has acted for Toni & Guy in litigation about hair products used in its salons nationwide. His product liability practice and experience also includes medical products and elective plastic surgical procedures, such as breast implants and cosmetic fillers. He has had particular success in litigation about the right of restaurants to serve rare beef products.

Notable and Exemplar Cases

Multiple Claimants v S (a restaurant) [2016 – ongoing]

45 claims for food poisoning at 2013 Spice Festival attributed to presence of type of Salmonella not previously known in UK. Contamination traced to curry leaves used raw in South Asian cooking. Issue in contribution claim of point of contamination and nature of warranty/implied terms in purchase of leaves from wholesaler. [Langleys LLP]

Building Product Design Ltd v DP&L Group Ltd [2017]

Claim in respect of allegedly defective modular housing unit weather protective covers. Issues of adequacy of design, fabrication and subsequent storage of units together with abuse of covers by building trades during course of construction [Weightmans]

Forest of Dean DC v Tomlins t/a The Country Butcher [2016 – 2017]

Regulatory proceedings in respect of raw meat products supplied to London restaurants in contravention of UK and EC regulations [Maclay Murray Spens LLP]

Re A (a pharmaceutical company) [2016 – ongoing]

Advising in anticipated regulatory proceedings by Medicines & Healthcare Regulation Authority as to status of its product, M, and whether it is a medicine or a food supplement, the relevant regulatory framework and steps necessary for compliance with EC and UK drugs regulation. [Fladgate LLP]

Re B & B (a chain of restaurants) [2014 – ongoing]

Advising in anticipated regulatory proceedings by Westminster CC as to its ability to serve rare and medium rare burgers. [GSC Solicitors LLP]

Westminster CC v Davys Wine Bars [2012 – 2014]

Acting for D in regulatory proceedings brought by W; successfully upholding its ability to serve rare and medium rare burgers. [McClure Naismith LLP]

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Westminster CC v Byron Hamburgers Ltd [2012 – 2013]

Acting for B in regulatory proceedings brought by W; facing a challenge to its ability to serve rare and medium rare burgers. [McClure Naismith LLP}

Health & Safety

Christopher brings sensitivity, realism and diplomacy to this area of practice, securing outstanding results by negotiation with the prosecuting authority or by engaging the tribunal with his advocacy.

Reported Cases

R v Jamies Italian [2009] (Bath Magistrates)

Serious injury to chef; client in the public eye; priority to manage limitation of publicity (instructed by McClure Naismith).

R v VGC and others [2007 – 2009] (Stafford Crown Court)

Double fatality on railway (one deceased being VGCs Controller of Site Safety); successful defence of reasonable practicability to charge under S2 HSAWA (instructed by Denton Wilde Sapte).

HSE v Keen Construction [2008 – 2009] (Reading Crown Court)

Catastrophic injuries from fragile roof accident; Work at Height Regulations (instructed by Beachcrofts).

HSE v LB Barnet and others [2005 – 2007] (Central Criminal Court)

Double fatality of two boys in Hendon Police College swimming pool while engaged in police/community youth bonding programme; s.3 HSAWA (instructed by Watmores).

Recommendations

"A very sound barrister and an excellent negotiator." "His advocacy is outstanding and he is very careful and meticulous in his preparation."
Chambers UK 2021

"Has forensic attention to detail and an excellent understanding of the approach to take in relation to settlement negotiations."
Legal 500 2021

"He has excellent attention to detail, but his real skill is in negotiations and the psychology of securing the best deal for the client." "Nothing is

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too difficult for him, he just rolls his sleeves up and gets on with it"
Chambers UK 2020

"Excellent advocacy skills and very good at reading judges"
Legal 500 2020

"He provides an excellent service and is very professional and courteous with clients, managing to build a good rapport with them"
Chambers UK 2019

"An excellent trial barrister who is commanding in the courtroom" "A natural advocate on his feet"
Chambers UK 2018

"Meticulous in his preparation, never fearful of being challenged on his views and an excellent team player"
Legal 500 2018

"Very intelligent, he is an excellent advocate who holds his own against any leading silk in the personal injury field"
Chambers UK 2017

"Highly recommended for abuse and stress cases."
Legal 500 2017

"Acts for defendants across the full range of claims concerning serious psychiatric and physical injuries. He has also been instructed on cases concerning historic sexual abuse and workplace accidents"
Chambers UK 2016

"An impressive performer in court and with witnesses"
Legal 500 2016

"An excellent technical lawyer and a formidable trial advocate"
Chambers UK 2015

"Combines forensic attention to detail with excellent tactical and negotiation skills"
Legal 500 2015

"Very calm, collected, and unflappable"
Chambers UK 2014

"A highly effective advocate, who applies meticulous preparation"
Legal 500 2014

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"Strong in industrial accident and occupational stress claims"

Chambers UK 2013

"Unbelievable thoroughness, grasp of the medical facts and management of clients' expectations"

Chambers UK 2012

"Praised for his thorough preparation, attention to detail and analytical mind"

Legal 500 2012

"Quite fearless in the courtroom and willing to tackle witnesses head on whilst not being prone to unnecessary drama"

Chambers UK 2011

"An excellent negotiator"

Legal 500 2011

"Extremely effective" and "He has such an easy and beautiful manner in negotiations that you don't realise that he is driving you down"

Chambers UK 2010

"Measured but devastating in cross-examination"

Legal 500 2010

"Knowledgeable and effective"

Legal 500 2008

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