

Brian Cummins

CALL: 1992

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Overview

Brian Cummins has represented both Claimants and Defendants, in a variety of hearings for over 25 years.

He has also appeared on behalf of bereaved families and employees, in Jury and coroner-only inquests, concerning: rail crashes (Potters Bar); death in prison custody; RTA; hospital and medical treatments; social services welfare; and fatal work accidents.

He has a sound and common sense manner in conference, putting clients at ease, and readily explaining complex matters in a comprehensible way. He accepts CFA and Legal Aid claims.

Brian has provided seminars on a variety of personal injury and Inquest topics. He is a member of APIL and PIBA.

He has experience of: Barristers' Chambers in Brisbane; City Solicitors' offices; and an Attorney at Law, in Richmond, Virginia, USA.

Brian was called to the Bar in 1992 and is a Queen Mother Scholar. He graduated from UCL, LLB (Hons) and from the University of London, LLM (Lond).

Personal Injury

In his personal injury practise, Brian represents mainly Claimants in trade union, CFA, CCFA and insurer funded claims.

He is instructed by national and regional firms, at High and County Court levels. He undertakes Joint Settlement Meetings securing significant awards for Claimants in "Ogden Disability" and other claims.

Brian has extensive advocacy experience from trials and applications, in addition to advising and settling: case statements, Schedules of Loss; and professional and lay conferences, mediations, and round table discussions.

Brian undertakes multi-track claims in all aspects of personal injury work; including RTA; MIB; employers liability; HSWA; fatal accident; occupiers liability; industrial injury & illness; rail crashes, brain injury, amputation and paraplegia claims; and quantum only hearings.

Brian was junior counsel to Nigel Cooksley QC, representing Claimants in landmark litigation against the National Dock Labour Board.

Fraud

Brian is an experienced personal injury litigator, with in excess of 25 years' experience. He is on approved counsel lists for the fraud team of national firms of solicitors, and has been involved in claims (and provided seminars on) issues such as: fundamental dishonesty; collusion between parties to "stage" accidents, exaggerated and fabricated claims. He advises on information searches, and analyses: expert surveillance and engineering reports; as well as enquiry agent and loss adjuster investigations.

Expertise

- Clinical Negligence
- Inquests & Public Inquiries
- Personal Injury

Recommendations

"Good at seeing the big picture in cases and always shows empathy for claimants." The Legal 500 2021

"He has a forensic eye and a passionate approach to difficult cases." The Legal 500

Key contacts

William Meade

Senior Clerk

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Team Leaders Assistant

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Inquests & Public Inquiries

Brian has extensive experience of jury and coroner only inquest hearings, representing bereaved families and union clients as interested parties, in pre-inquest hearings and inquests over several weeks duration.

He has appeared in workplace health & safety inquests, for employees crushed or otherwise fatally injured whilst operating machinery and/or working in unsafe systems of work.

Brian was junior counsel to [John Hendy QC](#), when representing the bereaved families at the *Potters Bar Inquest* (2010).

He has also appeared on behalf of: prison officers following: deaths in custody from suicide, drug use; murder at the hands of another inmate; the bereaved family of a deceased rail worker struck by a train; bereaved families of passengers killed in rail crashes; parents of children subject to local authority involvement / intervention (foster placements, hard to reach young adolescents); and employees killed by carbon monoxide poisoning in London Underground premises amongst others.

General Civil Litigation

Brian has undertaken many civil applications under the CPR, including: admissibility of expert evidence (medical, non-medical, life expectancy experts); cost capping; interim payments; summary judgment; provisional damages; strike out and relief from sanctions.

Notable reported cases include:

- in the Court of Appeal: *Ammah v Kuehne & Nagal Logistics* (2009); *Garrett v Saxby* (2004); *Zimble v Miller* (2000); *Karbachian v Parvazian* (1998);
- in the High Court: *Rice & Thompson v National Dock Labour Board & Others* (2008); *Tolley v Kershaw* (2006);
- in the County Court: *FHG Publications Ltd v Tee-Hillman* (2000);
- In the HM Coroner's Court: *re Ismay* (2014); *re Barry* (2013); *Potters Bar* (2010); *re Aziz* (2007); and *re Mungovan* (2002).

Recent and current work

- *Todd v Smith, Moore & Aviva Insurance* - successful claim in complex brain injury action, following distinct accidents many years apart.
- *Inquest touching the death of Hajer Hannachi* - represented bereaved family of young mother, following blood poisoning suffered as a hospital patient
- *Kerry-Ann Johnson -v- Commissioner of Police for Metropolis* - Successful claim against the Met Police, regarding its CS spray training of police officers.
- *Inquest touching death of Keith Murphy (deceased)* - Prison Inquest following death of inmate after ingestion of synthetic chemical or cannabinoid substances, or 'Legal High'.
- *Hutson v Tata Steel* - ongoing group litigation claims on behalf of UK wide Cove Oven Steel workers following respiratory and carcinogenic illnesses.
- *Knight & Others V Refresco Gerber (UK) Ltd* - Successful Industrial Illness, group litigation claim - on behalf of injured employees.
- *Robinson v Abellio Greater Anglia & Network Rail* - ongoing amputation claim following accident at train / platform interface.