



1 CROWN OFFICE ROW

Shahram Sharghy

Call: 2000



Shahram is a specialist personal injury and clinical negligence barrister with extensive expertise in handling complex and catastrophic claims including brain injury, spinal cord injury and fatal accidents. He regularly represents claimants in the Coroner's Court, the High Court and in the Court of Appeal. In addition to his medical law expertise, Shahram has appeared in several of the leading cases regarding High Court Enforcement.

He is recognised as a leading junior in personal injury and clinical negligence by Legal 500 and is APIL accredited specialist counsel.

"Shahram is a consummate courtroom advocate, ensuring he achieves the very best possible results for his clients."

Legal 500 2022

'An excellent, hard-working advocate. An excellent ability to forward plan so that final outcomes always maximise damages. A true Star!'

Legal 500 2021

'An impressive barrister who goes the extra mile and whose analysis of the case is detailed and astute.'

Legal 500 2021

Personal Injury

Shahram has extensive experience in all aspects of personal injury law over the past two decades. However, his main areas of expertise are claims concerning catastrophic injuries. His practice encompasses not only

quantum related issues within claims but also liability and causation arguments. Shahram is highly regarded for his tactical awareness as well as ability to maximise recovery of damages for his clients.

Shahram also represents defendants in his personal injury practice and is much sought after for his pragmatic approach to high value claims and his clear and robust advice when it comes to defending claims.

Selected Cases

Traumatic Brain Injury

- **Bates v. (1) MMA Insurance (2) Bates [2021]**: Represented claimant who sustained acoustic shock caused by airbag activation in a serious road traffic accident.
- **Haines v. Jarman [2021]**: secured for an elite athlete following a road traffic accident.
- **Hancock v. Mohamud & Ors [2021]**: Speeding driver who caused a multi-vehicle collision himself sustained traumatic brain injury as well as serious orthopaedic injuries. Advantageous settlement was negotiated on liability and damages notwithstanding speed being the main causative issue in the collision.
- **Ma v. Saghir [2021]**: Traumatic brain injury suffered by shipping broker who was run down on his way from watching Manchester United at Old Trafford. Whilst able to return to his pre-accident career path, his chances of onward promotion and quality of life had significantly reduced. He was awarded substantial damages on account of his lost career opportunity and in order to enhance his quality of life.
- **Appleton (A Protected Party) v. University of Cambridge [2020]**: Subtle traumatic brain injury at work which gave rise to a change in personality such that the claimant was unable to communicate with those around her. Medical evidence was supportive on causative link between accident and impact on claimant. A substantial settlement was approved by the Court which allowed the claimant's Deputy to invest her damages and plan for her life-long needs
- **Palizban (A Protected Party) v. Protech (UK) Ltd [2020] EWHC (QB)**: Accident at work (fall from height) causing traumatic brain injury with personality change. Claimant established liability against the defendant and received substantial damages which permitted him to stop working and concentrate on his rehabilitation. With the financial security provided by the compensation the claimant's quality of life was substantially improved.
- **Chalmers v. House of Goodness [2020]**: Accident at work where a pallet fell on the claimant's head from height causing traumatic brain and orthopaedic injuries. Claimant had lived and worked in a church commune all of his adult life but was required to move away due to the accident. Claimant received significant settlement to provide for his accommodation in a protected environment as well as his care and rehabilitation needs in the future.
- **Sam Bryant v. Obee [2019]**: Passenger in a vehicle sustained traumatic brain injury when the defendant driver lost control and collided with a tree before ending up in a ditch. Claimant and other passengers were rescued after many hours of being trapped in the car. Claimant recovered substantial damages which provided financial security.
- **Low (A Protected Party) v. O'Connor [2019]**: Road traffic accident causing traumatic brain injury and other significant orthopaedic injuries. Claimant required life-long care and support with childcare in order to remain living at home with her children. Court approved a substantial seven figure settlement lump sum.

Spinal Injury:

- **Ali v. (1) Osborne (2) Motor Insurers Bureau [2021]:** Secured settlement for victim of Finsbury Park Mosque Attack. Led by Henry Witcomb QC.
- **Paige Bryant v. Obee [2021]:** Passenger in a vehicle sustained spinal cord and brain injury when the defendant driver lost control and collided with a tree before ending up in a ditch. Claimant and other passengers were rescued after many hours of being trapped in the car. Claimant also sustained gynaecological injuries possibly impacting on her ability to have children in the future. She recovered substantial damages based on her full losses claimed including fertility treatment in the event of wanted to have children.
- **Day v. The Royal Marsden NHS Foundation Trust [2020]:** Nurse sustained multiple prolapsed discs due to unsafe working conditions in a patient's home. She was unable to continue with her career as a community nurse and retired early. After much dispute, breach of duty and causation was established and the claimant received substantial damages on account of a full loss of career and generous pension provisions as well as life-long rehabilitation and care.
- **Powell v. Powell [2019]:** Claimant was run over by her husband's van that had not been securely parked. She sustained life-changing orthopaedic injuries, though her main injuries were multiple spinal fractures and cord injury. Complex claim evidentially and emotionally for the claimant who did not relish suing her husband due to his negligence. Matter settled amicably prior to trial for full value.
- **Monk v. Lady Gordon-Lennox [2019]:** Former serviceman who had retrained and was a senior executives at a multinational service provider sustained a spinal cord injury when he was knocked off his bicycle by the defendant. The claimant's career path was substantially altered due to his injuries. After exchange of medical and employment expert evidence settlement achieved for near full value.
- **Pilefouroosh v. (1) Medfood London Ltd (2) Sunley Farms Ltd [2019]:** Passenger in a van that collided with another vehicle at 80mph. Claimant sustained catastrophic spinal cord injuries. The force of the collision dislodged her seatbelt. However, allegations of contributory negligence were dismissed. Claimant recovered substantial damages as she was required professional care, aids and equipment for life.
- **Trussler v. Morrison [2019]:** World renowned hovercraft pilot sustained a severe spinal injury which meant that he was unable to continue in the profession. His ability to apply his skills in another field was so limited that he was likely to have to retire early from a job that he loved. Substantial damages were awarded to the claimant on account of the loss of career.
- **Low (A Protected Party) v. O'Connor [2019]:** Road traffic accident causing traumatic brain injury and other significant orthopaedic injuries. Claimant required life-long care and support with childcare in order to remain living at home with her children. Court approved a substantial seven figure settlement lump sum.

Catastrophic Injury to Limb(s):

- **Deller v. (1) Standon (deceased) (2) Zurich Insurance Plc [2020]:** Claimant suffered catastrophic bilateral injuries to her lower limbs causing permanent mobility issues. She was unable to return to her role as a teacher and retired early. Claim settled for significant seven figure sum.
- **Fletcher v. (1) Mace Ltd (2) Imperial College Healthcare NHS Trust [2019]:** Claimant injured her knee in a tripping accident but was then negligently treated in hospital resulting in limb-threatening symptoms. As part of her job, the claimant was required to be on her feet and mobile for significant parts of the day

in charge of facilities for a multinational retailer. She was no longer able to continue in this role and was forced to retire. The claimant received substantial damages.

- **Lymn v. (1) Amos (2) EUI Ltd [2019]:** Clothing and shoe model sustained permanent injuries to her lower limbs including significant scarring such that she was no longer able to continue with her modelling career. She recovered substantial damages.
- **Wright v. The Royal Automobile Club Limited [2019] EWHC 913 (QB):** Employee sustained serious injury to her ankle as a result of falling down stairs at work. The defendant's pre-action admission was successfully defended on appeal and the claim was settled for a substantial sum on a confidential basis.
- **Mawdsley v. MacLeod Pinsent Care Ltd [2019]:** Care worker sustained moderate injury to his knee at work which developed into Complex Regional Pain Syndrome. His leg lacked any meaningful functionality resulting in likely amputation in future. Claim settled for a significant seven figure sum.

Fatal Accidents:

- **ABC (A Protected Party) v. (1) HIJ (2) Ageas Insurance [2021]:** Sole child dependant suffering with profound learning difficulties who lost her mother in a tragic head-on collision. Mother was main carer and educator of the child. Claim settled for a significant seven figure sum on the basis of the claimant's educational, care and developmental needs all had to be provided for on a private basis for the remainder of the mother's pre-accident life expectancy.
- **Jambhulkar v. Munford & Sons [2020]:** Widow and young daughter claimed damages due to the loss of the husband/father who was a successful IT consultant. Complexities surrounding the likely earning potential of the deceased in light of the introduction of IR35. Claimants awarded a substantial seven figure
- **Taghizadeh (deceased) v. (1) Medfood London Limited (2) AXA Insurance UK Plc [2019]:** Claimant killed when the overloaded van he was travelling in overturned on the motorway and collided with other vehicles and the central reservation at 80mph. Claimant was ejected from the van due to a faulty seatbelt. Complex claim due to difficulties in locating his dependants. Nevertheless, the claim concluded for a substantial amount of damages shortly before trial.
- **Roche v. (1) Reid (2) Aviva Insurance Ltd [2019]:** Claim brought by widow and her young son due to the loss of her husband. Causation firmly disputed on the basis that the cause of death was heart attack as opposed to the actual injuries sustained. Evidence obtained established a clear causal link between the heart attack and the actions of the negligent driver. Claim settled shortly prior to trial for a substantial six figure sum.
- **Pyke v. (1) Cover-More Insurance Services Ltd (2) RNR Syndicate [2019]:** Claimant died as a result of complications from injuries sustained in an accident whilst on holiday in the UK. Claim successfully compromised on the basis of the costs of 24/7 professional care whilst in the UK and thereafter on his return to Australia where he died a few years after the accident.
- **Gaviria (2) John v. BP Plc [2019]:** Claims brought by two widows on behalf of themselves and their children due to the loss of their husbands in a terrorist attack on a BP gas plant in Algeria. Despite full denials of liability, causation and jurisdiction the claims were all compromised on confidential terms.

Currently Ongoing Catastrophic Injury Claims:

- **A (deceased) v. A Limited t/a A Flight Training [2021]:** Claim brought for financial dependency by the

family of a trainee commercial pilot killed in an accident whilst on a training flight. .Complex evidential issues surrounding the career progression of an airline pilot in light of the Covid-19 pandemic. Liability admitted.

- **H v. J (ongoing)**: Elite athlete who was part of the Great Britain Taekwondo team injured by an emerging vehicle whilst on a recovery run after a major championship. Sustained significant and limb-threatening injury to his leg. Forced to retire from the sport and unable to fulfil dream of going to the Olympics in 2021. Devastating impact on the claimant's life and emotional well-being. Future employment prospects are uncertain.
- **V v. CEH Ltd (ongoing)**: Maintenance worker fell from over 30m through a gap in an overhead crane landing on the dock floor sustaining catastrophic spinal as well as other significant orthopaedic injuries. Liability is denied.
- **U (A Protected Party) v. G (ongoing)**: Cyclist sustained traumatic spinal and other catastrophic orthopaedic injuries when a car veered onto the opposite side of the road and collided with him at over 30mph. Defendant claims to have spontaneously lost consciousness and leading experts in the field of syncope instructed.
- **D (A Protected Party) v. (1) H (2) MIB (ongoing)**: Claimant passenger on a quadbike that lost control and collided into the back of a parked van. Claimant was not wearing a helmet and sustained severe brain injury with personality change. Quadbike was uninsured at the time. Liability denied by the defendants who claim that claimant knew about the lack of insurance and therefore is not entitled to recover damages under the MIB agreement. .
- **C (A Protected Party) v. S&SH NHS Trust (ongoing)**: Elderly visitor to hospital fell off defective chair and hit his head sustaining severe haemorrhaging on the brain. The claimant was placed in an induced coma and has a minimally conscious state. Breach of duty has been established, though causation and professional care needs and life expectancy are in issue.
- **K (A Protected Party) v. R (ongoing)**: Claimant driver of a car sustained traumatic brain injury when his car slid on mud by a farm and swerved off the road and into the forks of a tractor. Liability is denied.
- **L (A Protected Party) v. H (ongoing)**: Claimant on his way to work sustained traumatic brain injury and significant orthopaedic injuries when the defendant drove his car nearly five times the speed limit for the road. Liability compromised in light of forensic police investigation and reconstruction. Rehabilitation is ongoing and medical evidence is due to be finalised.
- **M (A Child) v. EKRCC Ltd (ongoing)**: Child claimant sustained traumatic brain injury when hit by a car as he attempted to cross at a designated crossing. Accident was unwitnessed and the claimant was unable to recall events due to his brain injury. Liability has recently been compromised and the claimant is receiving intensive rehabilitation in order to ascertain the extent of his injury.
- **Y (A Child) v. AS Ltd (ongoing)**: Child claimant sustained traumatic brain injury when hit by a car on a busy road. Liability has been compromised and approved by the High Court. Quantum remains to be determined once the claimant has reached 18 due to further developments of her brain.
- **Balignot v. East Sussex Healthcare NHS Trust [2020]**: Claimant nurse suffered permanent psychiatric injury as a result of being strangled by a patient. She was unable to return to the profession she loved and suffered with severe agoraphobia. Claim settled for a substantial six figure sum on account of her complete loss of earnings in the future and requirement for life-long private psychiatric intervention.
- **Perry v. Ivor King CEC Ltd [2020]**: Claimant hit in the face by metal object causing a dozen fractures to the skull and facial bones giving rise to permanent structural changes to the head/face as well as neurological damage impacting on sight. Claimant also suffered with significant PTSD symptoms causing him to retire early and become reclusive. Claim settled on confidential basis for a substantial sum and near full value.

- **Azam v. (1) Gibbons (2) MIB [2020]:** Aspiring lawyer who was deliberately rundown by an uninsured driver as part of a vendetta. Claimant sustained multiple orthopaedic injuries as well as serious scarring to his face, arms and legs which caused significant cosmetic embarrassment and psychiatric symptoms. Claimant was not able to pursue a career in law due to his permanent physical and psychiatric symptoms. He received substantial compensation to take account of his lost career opportunities as well as permanent and life-changing symptoms.
- **Proni v. (1) Merodiev (2) Levs Insurance Company [2019]:** Successful secondary victim claim on behalf of a claimant who witnessed her sisters being catastrophically injured when a lorry collided into their car and burst into flames. Claimant suffered permanent PTSD symptoms and change of personality which rendered her unfit for work. Claimant was awarded substantial damages.

Clinical Negligence

Shahram is instructed in claims concerning most areas of alleged medical mismanagement and negligence. Recently he has concentrated on claims concerning delayed treatment such as surgery and cancers, spinal cord injuries, cerebral palsy and other birth related complications.

Selected Cases

- **Platt v. South East Coast Ambulance NHS Foundation Trust [2021]:** Claimant suffered catastrophic spinal cord injury due to the failure of paramedics to immobilise her whilst removing her from the accident location. Claimant was forced to give up her career and was wheelchair bound. Liability and causation were established in 2019 and the claim settled for a substantial seven figure sum in 2021.
- **Miah v. (1) Barking & Redbridge University Hospitals NHS Trust (2) Barts Health NHS Trust (3) Homerton University NHS Foundation Trust [2020]:** Vulnerable adult claimant suffered permanent spinal cord injury resulting in paraplegia requiring suitable accommodation and life-long care. Though breach and causation were denied by the three Trusts, the claim settled at mediation for a substantial seven figure sum.
- **Baby S (deceased) v. Guy's & St Thomas' NHS Foundation Trust [2020]:** 3 month old baby died on the operating table whilst undergoing a routine hernia repair. Cause of death was negligent insertion of the endotracheal tube which blocked his airway. Claim settled for full value. As a result of this tragic case all such procedures and methods throughout Europe have been improved to prevent a similar incidents arising.
- **Wadsley v. Dr Jones [2019]:** Delayed diagnosis of an obstructed bowel resulting in a colectomy and bladder repair being carried out. The claimant was fitted with a colostomy bag and suffered with regular infections. He also developed recurring hernias. Claim settled for full value notwithstanding a denial of breach and causation.
- **Tomlinson v. (1) Lewisham & Greenwich NHS Trust [2019]:** Negligent rupture of the popliteal artery by nearly 75% leading to catastrophic blood loss requiring transfusion. Claimant was left with significant narrowing of the artery which impacted on daily life and functionality. He required life-long assessment, monitoring and treatment. Claimant awarded substantial damages.
- **Kersey v. Epsom & St Helier University Hospitals NHS Trust [2019]:** Claimant left with permanent damage to her small bowel with repeated hernias caused by a negligently positioned mesh and staples. Claim compromised on a full loss basis to account for the claimant's life-long medical needs and

dietary requirements.

- **B (A Child) v. (1) B Children's Hospital NHS Trust (2) N General Hospital NHS Trust:** Child with a rare heart condition was discontinued on life-saving medication resulting in repeated strokes causing permanent functional disability.
- **FWZ v. S NHS Foundation Trust:** Baby suffered from significant hypoxic brain injury resulting in cerebral palsy. Breach of duty and causation has been admitted and matters proceed on the issue of quantum.
- **C-P v. B&T University Hospitals Foundation Trust:** Claimant sustained permanent injury to her dominant hand as a result of the ulnar branch of the median nerve being severed during routine carpal tunnel decompression surgery. The claimant has been left with a hand that lacks significant functionality and as such cannot perform any bi-manual tasks.
- **C (A Child) v. M&TW NHS Trust:** Failure by Trust to treat torsion injury to a child's testicle resulting in removal of the testicle giving rise to significant cosmetic and emotional trauma. Future fertility issues may arise.
- **M v. S NHS Foundation Trust:** Delayed diagnosis of carcinoma requiring drastic surgery resulting in significant cosmetic, gynecological and functional disability.
- **H v. (1) Dr S (2) Dr B:** Claimant sustained life-threatening thrombotic event as a result of the failure of two GPs to note persistently raised platelet count and start her on prophylactic medication. As a result the claimant is at increased risk of suffering further thrombotic episodes which could prove fatal.

Inquests

Shahram brings his breadth of medical knowledge when representing Interested Persons at inquests, often arising from fatal accidents, in the Corner's Courts.

Selected Cases

- **Nash v. Norfolk & Suffolk NHS Foundation Trust [2021]:** Inquest touching on the death of a severely depressed adult who committed suicide due to the failure of statutory services to adhere to his care plan.
- **Baby S (deceased) v. Guy's & St Thomas' NHS Foundation Trust [2020]:** Inquest touching upon the death of a young baby during a routine operation when an endotracheal tube was incorrectly inserted so as to block his airway.
- **Taghizadeh v. (1) Medfood London Ltd (2) AXA Insurance UK Plc [2019]:** Inquest touching upon the death of a passenger in a van who was killed whilst travelling in an overloaded van containing goods belonging to his employer.
- **Gaviria & Ors v. (1) BP Plc (2) Statoil (3) Foreign & Commonwealth Office [2018]:** Inquest touching on the events in Algeria where Al-Qaeda affiliated terrorists killed a large number of ex-pats.

High Court Enforcement

Shahram has nearly two decades of experience in the niche field of High Court Enforcement.

He is regularly instructed to advise on the actions of and powers exercised by High Court Enforcement Officers ('HCEOs') and their Enforcement Agents, in particular the interaction between the recent complex statutory provisions and longstanding common law principles dating back many centuries.

Selected Cases

- **Just Digital Marketplace Limited v. (1) The High Court Enforcement Officers' Association (2) The Civil Enforcement Association (3) Ministry of Justice [2021] EWHC 15 (QB)**
- **VB Football Assets v. Oyston v. Asker (HCEO) [2018] EWHC (QB)**
- **Midtown Acquisitions LP v. (1) Essar Global Fund Limited v. Asker (HCEO) [2017] EWHC 2206 (QB)**
- **Gupta v. Partridge v. The Burlington Group [2017] EWHC 2110 (QB)**

Appointments

- PIBA, Executive Committee Member
- APIL, Executive Committee Member
- Junior Panel Arbitrator for Personal Injury Arbitration Service (PIcARBS)
- Ogden Working Group
- Journal of Personal Injury Law Editorial Board
- Bar Council Race Working Group

Awards

- Blackstone Publishing Prize for top exam results
- Hardwicke Entrance Scholarship (Lincoln's Inn)
- Sir Thomas More Bar School Bursary (Lincoln's Inn)
- Sir Robert Megarry Pupillage Scholarship (Lincoln's Inn)

Education

- BVC, Inns of Court School of Law (2000)
- Masters in Law LLM, University of Cambridge (Trinity Hall) (1999)
- Law LLB(Hon), University of Sussex (1998)

Memberships

- PIBA
- APIL
- AvMA
- PNBA
- South Eastern Circuit