

# BRIAN McCLUGGAGE



**YEAR OF CALL**  
1995, Middle Temple

**EDUCATION**  
MA (Hons) Law, Cambridge University  
LLM, University of Toronto  
Middle Temple Fox Scholar

**PROFESSIONAL MEMBERSHIPS**  
British Insurance Lawyers Association  
Personal Injury Bar Association  
Employment Lawyers Association

*"He is technically very good and his strategic advice is always spot-on." "He is definitely leading the way, particularly in terms of complex fraud rings: he just gets it."*

*Chambers & Partners 2015*

*"He's pragmatic, personable and proactive."*

*Chambers & Partners 2014*

*"is 'impressive with clients and experts.'"*

*Legal 500 2013*

*"Brian McCluggage has a broad practice which encompasses employment and insurance law alongside his personal injury caseload."*

*Chambers & Partners 2013*

*"...one of the best juniors in Manchester"*

*Legal 500 2012*

*"Absolutely superb"*

*Chambers & Partners 2012*



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## APPOINTMENTS

Fee paid Employment Judge (2010)  
Attorney General's Panel – Provincial  
("Treasury Counsel") (2002)

## PROFILE

Brian McCluggage's practice covers general insurance law issues, with an emphasis on cases involving allegations of dishonesty.

Mr. McCluggage enjoyed a solid grounding in insurance law at the outset of his career, having studied insurance law at the University of Toronto as a post-graduate student and undertaken an insurance pupillage in London. He has maintained traditional insurance policy work within his practice, involving non-disclosure/misrepresentation, policy construction and other legal/technical points in property, PHI, PPI, motor and other policy types.

Mr. McCluggage is however best known for his expertise in dealing with fraud issues in insurance law. He has been at the forefront of advancing insurers' interests in property and motor insurance cases in particular through the torts of deceit and conspiracy, exemplary damages, and in general litigation in the High Court and County Courts. Having been instructed in fraud cases for some 15 years, he holds a considerable body of experience in this field. Though he is interested in technical points, his instructing solicitors value him most for his courtroom advocacy, particularly cross-examination skills.

He is regularly instructed to advise, draft papers and conduct advocacy in cases of strategic or commercial importance to insurers. He has significant experience of conducting and advising in substantial 'fraud ring' cases.

His expertise extends to defending exaggerated personal injury claims. Mr McCluggage is instructed in high value suspect malingering cases involving conditions such as chronic

regional pain syndrome, ME and fibromyalgia and he has assisted his instructing solicitors in cutting 7-figure sums off such claims.

Recent example cases include:

- "Operation Orion": (leading Ben Morris) in Britain's largest motor insurance civil fraud case acting on behalf of 7 insurers suing some 60 defendants in the torts of deceit and conspiracy, recovering almost £400,000 in damages including £92,000 exemplary damages.
- *Zurich v. Dean & Catley*: the case leading to the imprisonment of the proprietor of Nationwide Car Care. £90,000 damages including £30,000 exemplary damages in this serious fraud recovered by the insurer.
- "The Shipwrecked Frauds" (2010): findings of fraud in multi-party action in Liverpool, including against TV reality show winner of Channel 4's *Shipwrecked*.
- Operation X: fraud ring involving large numbers of suspected fraudulent accidents involving the travelling community in Northamptonshire.

Instructions for paperwork are accepted by prior arrangement. Please contact Mr. McCluggage's clerks to discuss requirements. Instructions are not accepted in LVI or Fast Track matters.

