Russell Dickinson

YEAR OF CALL 2002

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AREAS OF EXPERTISE

Insurance Fraud, Personal Injury



Insurance Fraud CV

Russell practices exclusively in the field of personal injury work and has developed a significant depth of expertise and experience in fraud work within the personal injury field over the years. He regularly acts for Defendant Insurers in high value claims where there is a suspicion of malingering and/or exaggeration and in personal injury claims arising out of suspected fraudulent road traffic accidents, (including large and complex "fraud rings").

Areas of particular expertise within fraud work include

- Defending claims involving suspected malingering or exaggeration, (including advising in relation to the tactical use and deployment of covert surveillance evidence).
- Defending claims involving complex medical issues such as chronic pain conditions and psychiatric conditions such as somatic symptom disorders.
- Advising in large and complex fraud rings.
- Defending claims involving suspected fraudulent accidents, (including staged/induced accidents and bogus/phantom passenger claims).
- Assisting in claims by insurers for remedies such as strike out, exemplary damages etc. against fraudulent and dishonest claimants.

He is regularly instructed to advise on expert evidence and is very experienced in dealing with experts in conference and at trial. He is regularly instructed for Joint Settlement Meetings and to advise in relation to negotiation and settlement tactics more generally. He also continues to attend court on a regular basis, for case management and at trial, which gives him an invaluable insight into the current court approach to various issues. He is regularly instructed for Costs and Case Management Hearings and is very experienced in dealing with contentious directions and disputes over costs budgets.

Russell is often instructed in contentious and high value proceedings involving significant disputes of fact and/or complex medical causation issues, including in cases involving the suspicion of exaggeration and malingering and the use of covert surveillance evidence. His usual caseload is Multi-Track cases with a value of £100,000 to £1.5 million but

he also has experience of being led in very high value and/or complex cases.

With a background in economics and finance, (including a stint working in the City in corporate finance), Russell is adept at working with figures and is regularly instructed to draft Counter Schedules. He combines a friendly and approachable manner with a keen eye for detail and appreciation of commercial considerations, which is regarded as a key asset by his clients. He is regularly complimented on his ability to "get on" with his lay clients and to work within a team to secure the best possible outcome. This approach has led to regular instructions from a broad range of loyal clients, including many of the country's leading insurers, local authorities and national firms of solicitors.

As part of his commitment to developing solid working relationships, Russell often provides seminars to his solicitor and insurer clients.

Sample of recent interesting cases:

- A v OVT Instructed by D following a serious road traffic accident which resulted in life-threatening injuries including multiple internal injuries, serious lower limb injuries and psychiatric injury. At an early JSM negotiations resulted in a settlement at £300,000.
- M v OCS Instructed by D following a slipping accident in a public area. In addition to a modest hand injury, C maintained that she had suffered significant colorectal injury, with serious ongoing symptoms that impacted her ability to return to work. Expert evidence was obtained by both parties in the areas of orthopaedics and colorectal surgery and initially there was significant dispute as to the credibility of C and causation of her injuries. An application by C to adduce further documents, lay witness evidence and expert colorectal evidence on causation shortly prior to trial was successfully defended. C subsequently accepted D's (approximately 12 month) old Part 36 offer to settle the claim for £5,000 with costs consequences shortly before trial.
- C v N Instructed by D following a serious RTA resulting in C sustaining significant multiple injuries including pelvic fractures, leg fractures, loss of a kidney, erectile dysfunction and psychiatric injury. C advanced significant claims for PSLA, Loss of Earnings and Care and his Preliminary Schedule was pleaded at in excess of £1 million. D had not yet obtained all necessary preliminary expert evidence but there were particular concerns as to the level of damages sought by C, particularly in relation to future care. At an early JSM settlement was negotiated at £475,000 gross.
- K v ARMC Instructed by D following a slipping accident at D's premises. C maintained that she sustained injury to her neck and right shoulder in the index accident and relied upon expert evidence from an orthopaedic and neurology expert. Although liability for the accident was admitted by D, subsequent analysis of C's medical records raised serious concerns over causation. A robust Defence was served and Part 35 questions put to the experts. Following negotiations immediately prior to commencement of the trial C accepted D's old Part 36 offer with cost consequences.
- Instructed by D in respect of a claim made by an employee injured as a result of confronting a shoplifter. Issues arose as to the extent of C's injury and ongoing earning capacity. At a subsequent JSM, settlement was achieved at a small fraction of the pleaded claim.
- Instructed by a local authority in an alleged tripping accident which was said to have resulted in significant injury and ongoing pain. At trial, (following robust cross-examination of C), issues of capacity were raised. The claim was ultimately successfully defended and a substantial costs order secured against C.
- Instructed by a large insurer in respect of suspected fraudulent road traffic accident claim. The matter was ultimately successfully defended and exemplary damages and a substantial costs order were secured for the insurer client.

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