

# Barrister Profile

## Charles Feeny



Charles Feeny is a barrister, mediator and legal analyst. He is a Director of Complete Counsel which supports his practice as a barrister. Since 2016 he has practised as a mediator through CEDR and through Complete Mediation, a sister company to Complete Counsel. His activity as a legal analyst is focused on Pro-VIDE Law a web based project providing education and training.

Charles began his practice as a barrister as a general common law practitioner. In his early years at the Bar he had very substantial advocacy experience, including in front of juries. As the trend for specialisation at the bar developed, his litigation practice became centered on personal injury work, where it remains, in particular in high value personal injury actions, industrial disease claims and clinical negligence litigation. There are clear similarities in the challenges faced in such claims, as the cases often involve complex medical, technical and legal issues.

Charles has been acknowledged as a leading specialist in his practice field. He has achieved the highest ratings in legal directories including the status of Star individual in Chambers UK Directory, both in relation to clinical negligence and personal injury work.

Charles has appeared in over 50 reported cases and has been at the cutting edge of litigation in his specialist fields for two decades. Including;

- Briody v. St Helens & Knowsley NHS Trust [2001] – claim for damages for surrogacy in clinical negligence.
- Matthews v. Portland Cement [2001] – part of the Fairchild litigation.
- Maguire v. Harland & Wolff [2005] – leading case on date of knowledge for mesothelioma caused by

secondary exposure.

- Barker v. Corus (UK) Ltd [2006] – application of Fairchild principle and apportionment in mesothelioma claims.
- Shortell v. BICAL Construction [2008] – causation in asbestos-related carcinoma of the lung.
- Sienkiewicz v. Greif (UK) Ltd [2011] – application of Fairchild principles and low level of exposures.
- Williams v. University of Birmingham [2011] – contemporaneous knowledge of risk in mesothelioma claims.
- McCarthy v. Marks & Spencer [2014] – liability for low level exposure mesothelioma claims.
- Reaney v. University Hospitals of Staffordshire NHS Trust [2015] – approach to causation in clinical negligence cases where breach has exacerbated pre-existing disability.
- McGeer v. McIntosh [2017] – Court of Appeal decision on liability of HGV driver to cyclist undertaking his vehicle.
- RSA v. Bothnia [2018] – whether the Civil Liability (Contribution) Act 1978 applies to claims for contribution between insurers.
- Zeromska Smith v United Lincolnshire Hospitals NHS Trust (2019) Anonymity in PI Litigation and assessment damages for complex psychiatric injury
- XX v Whittington Hospitals (2020) Surrogacy revisited in the Supreme Court.

Charles has extensive experience of Group Litigation. He is instructed in major Group litigation for Claimants and Defendants.

Charles has regularly lectured on legal, medical and technical issues in his specialist fields. He has published extensively, including

- 2001 JPIL “Mesothelioma, Asbestos, and Causation“ (with Doug Cooper and Per Laleng)

- 2013 Torts Law Review “The Dust Settles? Fairchild to Williams “
- 2015 Journal of Patient Safety and Risk Management “She should have died hereafter? When is death in law caused by breach of duty“ (with Ana Samuel and Charles Austin)
- 2020 Journal of Patient Safety and Risk Management “Medical accidents : A Socratic Resolution“ (with Professor Gus Baker and Sam Irving)

In 2013 he, with others, established Pro-VIDE Law to act as a focus for lecturing, training and writing activity. Pro-VIDE Law operates pro bono through a website with a number of contributors and organises training events. In 2019 and 2020 Pro-VIDE Law ran 2 major conferences on Epidemiology and the Law with participation from lawyers, scientists, and academics with international standing. An article based on the discussions authored by Charles and Per Laleng has now been submitted for publication.

Having worked in Chambers for nearly all of his practising life, in 2015 Charles left Chambers and became a sole practitioner. He helped establish Complete Counsel, which operates as a digital support business for barristers, but also with focussed support in terms of practice development, financial management and paralegal support. Complete Counsel aims to provide an efficient, economic service for barristers which will enable them to practice successfully in a developing and changing market for legal services.

In 2016, Charles qualified as a mediator with CEDR and was subsequently invited to join their panel. Charles now has extensive experience as a mediator through CEDR which qualifies him as a Senior Mediator. He offers Mediation through Complete Mediation, a parallel venture to Complete Counsel. These Mediations go beyond his recognized practice areas as a barrister with issues concerning mental health, data protection, and disability discrimination.

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For further practice details of Charles please contact Claire Labio or Emma Wall.

