

Barrister: Shahram Sharghy

Overview:

Shahram is one of the most capable and outstanding Juniors at the Personal Injury and Clinical Negligence Bar. He leads our ever growing and successful Clinical Negligence team, ranked by Chambers and Partner, which comprises no fewer than 5 Silks and over 30 Juniors. His practise in this field, as well as Personal Injury, consists exclusively of high value and complex claims. He has an unrivalled work ethic and thrives on dealing with complex issues of liability and causation, just as much as evaluating claims and drafting multi-million pound Schedules of Loss.

Shahram's approach is very much client focused and results driven. He brings formidable intellect, energy and drive to any case to ensure the best possible outcome is achieved for a client. He is seen as a 'safe pair of hands' and a calming and confidence-building influence on clients and instructing solicitors alike. He has built his reputation and success on accepting difficult and challenging cases, but is equally efficient and effective dealing with the more straight-forward claims.

He is highly regarded by clients and solicitors for his direct and hands-on approach, and is much respected by Judges for his sensible and effective approach to interlocutory and trial advocacy. Shahram is able to quickly grasp and process complex issues of fact, evidence and law in order to skilfully construct cogent arguments in a charming and persuasive manner.

Shahram is currently engaged in a number of claims with a value in excess of £50 million, some of which he is being led by Silks within and outside Chambers and others he is leading Juniors in Chambers.

In addition to his Personal Injury and Clinical Negligence practice, Shahram also undertakes High Court Enforcement work acting almost exclusively on behalf of High Court Enforcement Officers (HCEOs). He was the first barrister to be retained by one of the largest firm of HCEOs in the UK to act, via Direct Access, as their lead advocate for all High Court Enforcement proceedings.

Shahram is recognised as a Leading Junior by [Legal 500](#) who state:

- 'He will take on any case and run it all the way if he believes in it' (2017) - Tier 4
- 'He is willing to take on those difficult cases that other barristers won't touch and see them through to a successful conclusion' (2016) - Tier 5

Client comments:

"Shahram is a fantastic barrister and a great asset to Chambers. His attention to detail is staggering, his pleadings a work of brilliant art and his advocacy is top drawer. What I like the most is he does all this in the real world. He realises how important a claim is to either a client or the instructing solicitor. Without compromising his independence or integrity he always gives the instructing solicitor enough to run with. In other words he has intelligence and is 'street smart' which is why he does very well and will continue to do so. Chalk up another fantastic result on a case the majority of lawyers would not have touched!"

"Shahram is a very personable and professional barrister. His knowledge and drive has made him a great advocate to work with."

Awards:

- Blackstone Publishing Prize for top University 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)

Interests:

Outside of work, Shahram occupies his time with road cycling which is done for fitness and relaxation as well as raising money for charity through sponsored events. He also enjoys travelling extensively around the globe learning about new cultures. As a life-long Everton fan, Shahram finds that stressing over his team's results and league position often helps to take his mind off work, though remains ever hopeful of a change in fortunes.

Privacy Notice

[Click here](#) to download.

Personal Injury

Personal Injury:



Call: 2000

Appointments:

Executive Committee of the Personal Injury Bar Association; Executive Committee of the Association of Personal Injury Lawyers; Junior Panel Arbitrator for Personal Injury Arbitration Service (PIcARBS); Direct Access qualified; APIL Specialist Counsel accredited

Education:

University of Sussex - LLB (Hons) (First Class);
University of Cambridge - LLM (Commercial);
Inns of Court School of Law - BVC (Very Competent)

Practice areas

- Arbitration
- Clinical Negligence
- Inquests
- Personal Injury
- Professional Negligence

Recent News

- Shahram Sharghy successfully persuades the High Court to reject an Appeal
- Shahram Sharghy and Helen Pooley settle multi-million-pound brain injury case
- Shahram Sharghy represents the family of a three-month-old baby
- Shahram Sharghy gains APIL's Specialist Counsel accreditation
- Shahram Sharghy acts for the High Court Enforcement Officer in the leading authority on Warrants of Entry under the Tribunals, Courts and Enforcement Act 2007
- Shahram Sharghy successfully represents a High Court Enforcement Officer in the leading case concerning what constitutes 'sufficient of notice' when applying for a Writ of Possession
- Shahram Sharghy examines the Safer Maternity Care & RRR (Rapid Resolution and Redress)
- Shahram Sharghy elected to APIL's Executive Committee
- Shahram Sharghy secures successful breach of duty verdict against English Heritage

Shahram has extensive experience and expertise in all areas of Personal Injury in particular claims involving drivers/passengers, pedestrians, motorcycles and construction site accidents where brain and spinal injuries as well as limb amputations are prevalent. He is able to relate to clients in a way that ensures they are at the heart of everything that occurs in a case. Clients appreciate his direct and honest advice, which is explained clearly but with authority. Whether advising victims of serious accidents or insurers keen to minimise losses, his effective and efficient advisory have won him many plaudits from clients and instructing solicitors alike. He is one of the busiest and sought-after Personal Injury/Clinical Negligence Junior at the Bar.

In the last 24 months, Shahram has concluded claims worth over £10 million pounds, and currently has a caseload with a value in exceeding £50 million. However, he appreciates that money is only part of the service and that he must ensure a client's experience of the litigation process is positive and their expectations are sensitively understood and managed.

Shahram's is currently being led by the leading Silks in the field of Personal Injury in several complex seven-figure claims. He is also leading Juniors in Chambers in multiple high value claims. He regularly appears in the High Court and has dealt with appellate level claims in the Court of Appeal and Supreme Court. He is a particularly ferocious cross-examiner and highly persuasive trial advocate.

Shahram has been recently instructed in a number of high profile claims including:

- The representation of two widows of BP employees who were killed in a terrorist attack at a gas plant in Algeria;
- the representation of six of the twelve victims in the M1 minibus crash;
- A victim of the Vauxhall helicopter crash;
- A child who sustained catastrophic brain injury whilst in care;
- A cyclist who was knocked off his bicycle and unable to return to his pre-accident employment as a Managing Director of a FTSE 100 company;
- A young girl knocked over whilst crossing the road sustaining serious brain injury; and
- An employee who sustained brain and spinal injuries when he fell from an industrial generator he was tasked with maintaining without training.

Shahram has published works within the Personal Injury field, namely contributing chapters to the APIL Road Traffic Accidents book as well as several books published by Chambers on employment related claims. He has also edited the Road Traffic Accident and Fatal Accident Claims section in the Butterworths Personal Injury Litigation Service. Shahram regularly provides seminars on novel, developing and/or interesting topics within the field of Personal Injury.

Recent Concluded Cases:

- **Airey v Maintenance Associated Services Limited [2016]** - Representing a maintenance engineer who was burnt as a result of gunpowder residue being left in situ at a police firearms range. Liability was denied by multiple defendants (including the Claimant's employer). Shahram advised the Claimant throughout the claim and the case settled shortly before trial for a significant sum.
- **Gilbert v Yetman [2016]** - Representing a driver who sustained serious brain and facial injuries when a surf board strapped onto the roof of the car ahead became loose and came through the Claimant's windscreen. Liability was denied and the Defendant was prosecuted and acquitted. Despite this, Shahram obtained a substantial settlement for the Claimant.
- **Acton v Prospects for Young People [2016]** - Representing the Claimant who was severely assaulted at work by a special needs child. She sustained career changing injuries which prevented a return to normal working life. Liability was denied throughout the claim, but the Defendant eventually made a substantial offer to settle the claim prior to a High Court trial. The case settled for a significant six-figure sum.
- **Mortimer v J D Wetherspoon [2016]** - Representing the Defendant employer in a claim brought by its employee for brain injury arising from an accident at work. Liability was denied throughout and with Shahram's assistance a robust defence was advanced on the facts and medical evidence. The claim was discontinued a month before trial.
- **Lye v (1) Evans (2) Aviva Insurance Ltd [2016]** - Representing a young Claimant who was run over whilst crossing the road sustaining catastrophic orthopaedic injuries. Primary liability was admitted, but it was alleged that the claimant was equally responsible for the accident. Shahram assisted the Claimant in settling her claim prior to trial with a token reduction and a substantial six-figure sum by way of compensation.
- **Marshall v (1) Springfield Cricket Club (2) Shaw [2016]** - Representing a young Claimant who was hit on the head by a cricket ball whilst watching a game. She sustained serious brain injury with associated cognitive issues. The case was complex and involved no less than 7 fields of medical expertise. A Silk was instructed by the First Defendant and a Senior Junior was instructed by the Second Defendant. Shahram obtained not only an admission of liability but also a substantial award of damages.
- **Allen v (1) Ortega (2) Julius Rutherford & Co Ltd [2016] Master Cook** - Representing a Claimant who lacked capacity at an Approval Hearing in the High Court involving a seven figure settlement which had been reached between the parties. The Defendants were represented by a Silk.
- **Taylor v English Heritage [2016] EWCA Civ 448** - Representing the Claimant at first instance (Mr Recorder Blunt QC sitting as a Deputy High Court Judge) and in the Court of Appeal (Lord Dyson MR, Beatson and McFarlane LJs) in this leading case on the application and interpretation of the Occupiers' Liability Act 1957 to obvious dangers. The Claimant was successful at first instance and on Appeal. Shahram was led by John Foy QC in the Court of Appeal. Shahram dealt with the Defendant's petition to the Supreme Court which was dismissed.
- **(1) Clark & Ors v (1) Clark (2) Direct Line Insurance [2016] HHJ Harris QC** - Representing several Claimants in a serious road traffic accident which was alleged had been fraudulently

caused in order to claim compensation. The Court dismissed all the allegations of fraud and awarded the claimants substantial damages. The Defendant appealed to the Court of Appeal for permission, which was refused on paper and orally which Shahram was involved in.

- **Lentner v Tesco Stores Limited [2016]** - Representing a Claimant who suffered significant orthopaedic injuries as a result of tripping over a dangerous defect. Whilst liability was admitted, causation and quantum were firmly in dispute due to the uncertainty with the Claimant entering his chosen profession as a railway engineer. Following, Shahram's advice significant supporting evidence was obtained and a substantial settlement was achieved for the Claimant by Shahram.
- **Sharman v McEwan [2016]** - Representing a Claimant who developed symptoms of MS as a result of a relatively innocuous road traffic accident. This was a case concerning a controversial and developing area of medical knowledge. Causation was firmly denied, but Shahram managed to negotiate a substantial and important concession and settlement for the claimant. The Defendant was represented by a Silk.
- **Engelbrecht v (1) Prudlo (2) DHL Supply Chain (UK) Limited [2017]** - Representing a cyclist who was knocked over and subsequently suffered catastrophic injuries. Liability and quantum were fully denied, but as a direct result of the tactics engaged by Shahram, the Defendants offered to settle the claim at the door of the Court for a substantial sum of damages.
- **Byng v South Africa Lodge Limited [2017]** - Representing the Defendant employer in a claim brought by an employee in relation to a serious accident at work giving rise to permanent injuries preventing a return to work. The claim was valued at several hundred thousand pounds. Shahram advised that the Defendant make a low Part 36 Offer, which was eventually accepted by the Claimant the day before trial and out of time with cost consequences.
- **Collins v BT Plc [2017]** - Representing a motorcyclist who sustained catastrophic head and orthopaedic injuries when a van turned across his path. Liability was denied and accident reconstruction experts were engaged by both parties. Shahram worked closely with his instructing solicitor to ensure their evidence was more cogent than that of the Defendant. This resulted in an admission of liability and payment of a substantial sum in damages by the Defendant shortly before trial.
- **Canham v Screwfix Direct Limited [2017]** - Representing a catastrophically injured Claimant who almost lost his leg in an accident. The case was complex not only due to his injuries and the failure of the same to unite but also as a result of the need for alternative accommodation to cater for his life-long needs for aids and equipment. The case was successfully negotiated on terms whereby the claimant was able to move properties and install the full array of aids and equipment required. The settlement was one of the first to utilise the -0.75% discount rate.
- **Radley v (1) Passfield (2) Liberty Insurance Limited [2017]** - Representing a rear seat passenger who sustained severe and life-changing internal injuries in a high speed accident. Whilst liability was not in dispute, causation and quantum was complex due to pre-existing symptoms in the Claimant's medical history. Shahram negotiated a settlement at a round-table meeting whereby the Claimant achieved a 100% recovery of compensation notwithstanding her prior medical history.
- **Millard v Skanska Morrison Utility Services Limited [2017]** - Representing a Claimant who sustained a catastrophic injury to his leg, which was crushed between two cars. He was the main carer for a disabled new-born baby which complicated the quantification of the claim. Shahram successfully negotiated a six-figure settlement on the basis of the impact which the accident had had on the Claimant as well as his ability to care for his young child.
- **Astier v Edwards [2017]** - Representing a pedestrian who sustained catastrophic head and orthopaedic injuries when she was hit by a motorcycle. The Claimant was about to embark on a success career in a top America law firm but was unable to perform at the high level as prior to the accident. Shahram provided clear and robust advice on the gathering of evidence in support of the Claimant's losses and conducted the litigation, which settled for a significant six-figure sum on account of the delay and impact on career progression.
- **Page v Zurich Insurance Plc [2017]** - Representing a catastrophically injured claimant who was a passenger in a car involved in a high-speed collision. Whilst liability was admitted, quantum was extremely complex due to significant pre-existing symptoms suffered by the claimant which had a not insignificant impact on his daily life and activity. Shahram held many meetings with the client and medical experts in order to clarify how best to advance the claim. A six-figure settlement was achieved for the Claimant despite significant issues remaining regarding causation and surveillance evidence.
- **Shade v (1) Fairway Construction Kent Limited (2) G W Electrical Services [2017]** - Representing a Claimant who fell from the roof of a construction site through an unguarded hole sustaining serious brain injury and catastrophic orthopaedic injuries. Liability was denied between the Defendants, one of whom was uninsured. There was a dispute as to who the main contractor was on site and the respective responsibilities of the Defendants towards the Claimant who was a labourer on site. Shahram took on the case which was had borderline prospects due to allegations of theft against the Claimant which allegedly caused him to be in the area of the hole. As a result of the advice and conduct of the claim by Shahram, the claim was settled for a substantial award of damages with a confidentiality clause attached.

Clinical Negligence

Clinical Negligence:

As the head of the Clinical Negligence team in Chambers, Shahram has a thriving practice acting mainly for Claimants, though he has represented medical practitioners and NHS Trusts in recent years. He possesses an encyclopaedic knowledge of most areas of medical treatment, particularly birth injuries/defects, orthopaedic injuries (including those resulting in amputation) as well as organ injury/damage. Within these areas failure to or delay in diagnosis and treatment are prevalent and require detailed consideration of a large volume of medical records in order to understand the chronology of events, analyse issues and advise on whether there is a claim. Much of his skills in advising and advocacy have been developed whilst practising in the field of Personal Injury. However, he has adapted his style and approach to the unique needs of a Clinical Negligence claim, such as the detailed approach to be adopted when reviewing thousands of pages of medical records, creating a clear chronology of events and handling expert witnesses.

Recent cases in which Shahram has been instructed include those concerning spinal surgery, neurosurgery, cerebral palsy, delayed diagnosis of cancer, failure to treat appropriately resulting in amputation of a limb and claims involving laser eye surgery.

Shahram was seconded by APIL to assist with the Governments proposals for fixed-costs in Clinical Negligence claims via a staged portal process.

Recent Concluded Cases:

- **Tyler v Southend University Hospital NHS Foundation Trust [2016]** - Shahram represented a patient who received negligent treatment following the birth of her child resulting in bleeding, infection and the need for a hysterectomy. Shahram assisted the Claimant in achieving an admission of breach of duty and causation, which ultimately resulted in a significant monetary settlement.
- **Bhamra v Medway NHS Foundation Trust [2017]** - Shahram represented an elderly Claimant whose fractured ankle was not treated in time causing her to sustain serious and permanent deformity resulting in the need for life-long care. Breach of duty and causation was denied throughout the case until shortly before trial when Shahram successfully negotiated a substantial settlement for the Claimant who had also been the victim of an accident whilst in hospital recovering from the delayed surgery and who had brought a personal injury claim alongside her claim for Clinical Negligence.
- **Saroy v Dr Khan t/a Harley Street Skin [2017]** - Shahram represented a Claimant who underwent cosmetic surgery in circumstances where she suffered from body dysmorphia and was never a suitable candidate. This was the first case of its kind to deal with the line between free choice and the need to adequately consent and, where necessary, refuse to treat due to an underlying diagnosed emotional condition. Despite a denial of liability throughout the proceedings, Shahram's perseverance and belief in the claim resulted in a substantial confidential settlement being achieved for the Claimant.
- **Hayward v Ministry of Defence [2017]** - Shahram represented a Royal Marine whose surgery for an injury was delayed negligently such that he suffered permanent damage resulting in his discharge from the Armed Forces. Despite a denial of breach of duty, the Defendant conceded breach of duty and causation and Shahram negotiated a substantial six-figure settlement for the claimant.

Inquests

Shahram's experience and knowledge of conducting Inquests arises from undertaking complex and high profile Personal Injury and Clinical Negligence claims where sadly death occurs all too often. Shahram utilises the inquisition into the death which is led by the Coroner to ascertain and extract as much information as possible to enable him to advise a client on the strength of a potential civil claim.

Recent Concluded Inquests:

- **Gaviria v BP Plc [2015]** - Representing the widow and dependents of a senior executive at BP Plc who was killed by armed terrorists at the In Amenas Gas Plant in Algeria. Led by Andrew Ritchie QC, the Inquest was the first of its kind in the UK involving a large number of deaths in an employment context abroad due to terrorist action. The civil claim is continuing and valued at tens of millions of pounds.
- **Welch v Rendercraft Limited [2016]** - Representing the widow and dependants of the deceased who was killed in a work accident due to defective scaffolding. Obtained sufficient evidence and findings at the Inquest to mount a successful civil claim which concluded without the need for proceedings for a substantial six-figure sum.
- **Re: Mercedes Guadelupe Palemero [2017]** - Representing the family of young lady who was killed whilst crossing railway lines at an unguarded crossing point which had previously been the scene of many near-misses. Shahram conducted the Inquest on behalf of the family in such a way that Network Rail gave an undertaking to close all such similar crossings and in the meantime will ensure further safety features are put in place to prevent similar future deaths.
- **Re: Lothar Passon [2017]** - Representing the former wife of the deceased on behalf of his Estate in order to ascertain why he had died during surgery and whether his death could and/or should have been prevented. As a result of Shahram's representations to the Coroner, two hospital trusts agreed that their systems for the identification of vulnerabilities in alcohol dependant patients was inadequate and will be changed due to this incident. Although no civil claim is likely to ensue, the family were comforted to learn about the incident and that it is highly unlikely to ever happen in the future due to the change in systems.

High Court Enforcement

Shahram has over 15 years of experience of advising client's regarding the actions of High Court Enforcement Officers (HCEOs). He is regularly instructed to deal with significant and complex matters of statutory construction and commercial dealings between debtors, creditors and HCEOs. He is the first port of call for such work and has been involved in two of the most recent authorities concerning the powers of the HCEO in the context of landlord and tenant possession proceedings and the taking control of goods legislation. These authorities have clarified the ambit of the powers of the HCEOs when enforcing Writs of the High Court.

Recent Concluded Cases:

- **Oyston v (1) Asker (2) SHCE Limited [2018] EWHC (QBD) HHJ Melissa Clarke** - Shahram represented the High Court Enforcement Officer and his employer in injunctive proceedings concerning the authority of a High Court Enforcement Officer to use reasonable force to enter specified premises in accordance with a Writ of Control, pursuant to paragraphs 17 and 18 of Schedule 12 to the Tribunals, Courts and Enforcement Act 2007. The Judgment debt exceeded £32 million and the case raised novel issues relating to the interpretation of the general powers to use force under Schedule 12 of the 2007 Act.
- **Midtown Acquisitions LP v (1) Essar Global Fund Limited & Ors v David Asker (HCEO) [2017] EWHC 2206 (QB) Blair J** - Shahram represented the HCEO in a claim concerning the taking control of a \$60 million dollar Boeing 737 business jet in part satisfaction of debts amounting to several hundred million dollars. The Court, for the first time, authoritatively interpreted the provisions of the Schedule 12 of the Tribunals, Courts and Enforcement Act 2007 and validity of the Writ of Control.
- **Gupta v Partridge v The Burlington Group [2017] EWHC 2110 (QB) Foskett J** - Shahram represented the HCEO in proceedings brought by the tenant regarding the lawfulness of the notice provisions for enforcing a possession order in the High Court. This case set a precedent on what is required for correct notice to be provided by the HCEO and overturned previous authority on the point.

Recommendations



For more information please call our clerks on **020 7832 0500**

© 2020, Chambers of Jacob Levy QC, 9 Gough Chambers