

Event

event 9 Mar, 2015

9 Gough Square Seminar: Fundamental Dishonesty - the new Strike Out Provision

The Criminal Justice and Courts Act 2015 has now received royal assent. Pursuant to s.57 the court must dismiss a personal injury claim, the whole claim, where it makes a finding of fundamental dishonesty and it would be just to do so. The standard of proof is only the balance of probabilities and the clause is expected to apply to every case issued after April 2015.

This clause has the potential to be one of the most significant changes to personal injury litigation in recent times and it will change the way clients are advised; funding agreements are drafted; schedules are devised; and cases are managed.

This seminar is designed to equip practitioners with an understanding of the new clause and how it is expected to be approached and applied by judges and defendants. Further it will enable claimant practitioners to undermine a defendant's application by considering the applicability of non-organic causes for symptoms and how to attack seemingly detrimental surveillance evidence.



Simon Brindle - Was junior counsel in the only case to consider the definition of fundamental dishonesty to date, under the QOCS regime (Gosling -v- Screwfix). He is uniquely placed to provide an insight into the courts approach in that case and his talk will

consider the definition under s.57of the Criminal Justice and Courts

View by:

- ▶ [News RSS](#)
- ▶ [Events and Seminars RSS](#)
- ▶ [Cases RSS](#)
- ▶ [Newsletter Aticles RSS](#)

Featured News & Events

- ▶ [Coroner returns narrative verdict at inquest into the death of Amy Bottomley](#)
- ▶ [Mother and lover found guilty of killing Ayesha Ali](#)
- ▶ [Widow of BP executive killed in the terrorist attack at the In Amenas gas facility in January 2013 expresses shock at security flaws](#)

Recent Cases

- ▶ [R v Criminal Injuries Compensation Authority](#)
- ▶ [B v St Barts \[2013\]](#)
- ▶ [Re S, £5.6million Brain Damage claim](#)

Related pages:

- ▶ [Personal Injury Barristers](#)

Act 2015; the overall approach the courts are likely to adopt and the likely tactics of defendants when approaching cases involving apparent dishonesty.



Jeffrey Simm - the expert in the landmark case of Samson -v Ali . As a professional covert surveillance operative and video analysis expert, his evidence highlighted where the defendant's surveillance operatives had edited and manipulated surveillance footage to the detriment of claimant, including speeding up of film showing the claimant walking. Jeffery's talk will include:

- an industry insight into how the world of surveillance works;
- the benefits and the pitfalls;
- what to look for when video evidence is received.

Dr Michael Spencer / Dr Rajesh Munglani - does discrepancy equal dishonestly? From their unique perspectives, where an organic cause for a claimant's presentation is lacking, can assistance be derived from investigating psychiatric and/or pain disorders? These issues will be explored in two individual talks and a panel session.



Dr Michael Spencer is a Consultant Psychiatrist practising in Cambridge, London and Chelmsford, and also as Honorary Consultant Psychiatrist at the Department of Pain Medicine, West Suffolk Hospital, Bury St Edmunds.



Dr Rajesh Munglani is an Honorary Consultant in Pain Medicine at the West Suffolk Hospital, Bury St Edmunds. He has a Private Practice in Cambridge and London. He specialises in a wide range of pain conditions including spinal pain, cancer related pains and complex regional pain.

Please [email us](#) to book your place. The seminar will be followed by a drinks reception at the venue and will qualify for 2.5 CPD points.



Contact us

For more information please call our clerks on **020 7832 0500** or [Email »](#)

Follow us



Subscribe to our updates

[SUBSCRIBE EMAIL](#)

Search

[SEARCH](#)

[Practice Areas](#)

[Personal Injury](#)

[Crime & Fraud](#)

[Family Law](#)

[About us](#)

[Client Care](#)

[Working With Us &](#)

[Our CFAs](#)

[Quick links](#)

[Unsolicited Emails](#)

[Your Privacy](#)

[Report A Problem](#)



- Clinical Negligence
 - Police Law
 - Employment Law
 - Professional Negligence
 - Commercial & Property
 - Inquests and Inquiries
 - Regulatory & Disciplinary
 - Mediation
 - Costs
 - Public Law
 - Direct access
- Testimonials
 - Barrister Training & CPD
 - Equality & Diversity
 - Barrister Publications
 - Books
- Contact

© 2015, Chambers of Andrew Ritchie QC, 9 Gough Square

Site by Tela