



## 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. In 2016, Charles qualified as a mediator with CEDR and was subsequently invited to join the CEDR panel of mediators. He practises as a mediator through CEDR and through Complete Mediation, a sister company to Complete Counsel. His activities as a legal analyst are focused on the web based project, Pro-VIDE Law.

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 practice became centred 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 work often involves complex medical, technical and legal issues.

Charles has been acknowledged as a leading specialist in his practice field for many years. 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 nearly two decades. In particular, he appeared in:

- 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] – liability of HGV driver to cyclist undertaking his vehicle.
- XX v. Whittington Hospitals NHS Trust [2018] – damages for surrogacy revisited.
- RSA v. Bothnia [2018] – whether the Civil Liability (Contribution) Act 1978 applies to claims for contribution between insurers.

Charles has regularly lectured on legal, medical and technical issues in his specialist fields. He has published extensively, in particular in 2013 an article in the leading Australian academic journal Torts Law Review, "The dust settles? Fairchild to Williams".

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. Charles is now regularly invited to speak at major conferences on personal injury and clinical negligence.

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 dedicated 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 and was subsequently invited to join the CEDR panel. Charles now has extensive experience as a mediator through CEDR and through Complete Mediation, which in 2016 was established as a sister company to Complete Counsel.