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Neil Rees

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Practice Overview

Neil has a wide practice encompassing all of Chambers core civil areas, but he has a particular interest in personal injury and clinical negligence claims.

His practice is split between acting for both Claimants and Defendants in claims involving the RTA, EL/PL, OLA, FAA, LVI, and Fundamental Dishonesty.

Neil also frequently appears on behalf of clients in consumer finance disputes, contractual and commercial disputes, actions against the police and professional conduct matters.

He has a national practice that sees him travelling across the country.

Neils court-based practice includes representing both Claimants and Defendants at interim hearings, strike out applications, CMC's, CCMC's, Trials and Appeals.

His paperwork practice involves advising clients on liability, quantum, drafting particulars of claim, defences, and schedules and counter-schedules of loss.

Prior to his call to the Bar, Neil worked as a solicitor for 12 years specialising in claims involving serious and catastrophic injuries and was the lead solicitor on multi-million-pound settlements. He attained his Higher Rights of Audience in 2017 before being called to the Bar. His time working as a solicitor provided him with an astute appreciation of litigation tactics.

Away from court, Neil enjoys time at the beach surfing and is an avid guitarist having played several times in the Principality Stadium, Cardiff City Stadium, and most recently, the Utilita Arena in Birmingham.

Notable and Reported cases

- CE v JCDSM



Neil was instructed to represent the Claimant in a claim for damages following a road traffic accident. The Claimant was on remand at the time of trial which was therefore conducted in the Crown Court and the Defendant attempted to use that to support an allegation of fundamental dishonesty. The court accepted that the Claimant had been entirely credible, and that the Defendant had failed to prove its defence. The Claimant also beat his own Part 36 offer and was awarded enhanced damages, indemnity interest and indemnity costs.

- WN v BBCEL

Neil represented a Claimant who had been involved in an accident at work at a trial in which both liability and quantum were in dispute. The claim was limited to £25,000 and prior to trial the Defendant made an offer of £15,000. Neil advised that the case had good prospects on liability and that the offer was too low and should therefore be rejected. The claim proceeded to trial where the Judge accepted Neils submissions and found liability in favour of the Claimant. In terms of quantum, despite the claim being limited to £25,000, the Judge accepted that the injuries and losses sustained by the Claimant were sufficiently serious to warrant an increase in the claim value and Judgment was entered for just under £40,000.

- AP V NATL

Neil was instructed to defend a personal injury claim brought by the Claimant following the alleged use of a defective seat during his employment with the Defendant. In cross-examination the Claimant conceded that part of the evidence that had been provided related to a period of time prior to the index accident. The court accepted that the evidence had been provided in error as it related to a separate claim against the Defendant. Neil successfully argued that given the error with the evidence the Claimants evidence could not be considered credible, and the Claimant had therefore failed to satisfy its evidential burden to prove that an injury had been sustained in the manner alleged. The Court accepted Neils submissions and dismissed the claim.

- EE V ZI

Neil was instructed by a Defendant insurance company to defend a claim for vehicle damage. Liability was admitted but quantum was in dispute. Neil successfully argued that whilst damages were payable, the Claimant's conduct in litigating the matter through to trial was unreasonable such that the Court debarred the Claimant from recovering any of his costs of the litigation and the Claimants solicitors were ordered to pay Neil's brief fee.

- MJ v JD

Neil was instructed to act for a Defendant in road traffic accident when it was alleged that the Defendant had overtaken the Claimants stationary vehicle whilst it was waiting for oncoming traffic to pass. Neil was able to establish the plausibility that the accident had occurred in a manner other than that which had been suggested by the Claimant such that the Claimant had failed to prove her case and the case was dismissed.

Practice Areas

Personal Injury: Neil acts for both Claimants and Defendants in claims for damages for personal injury and associated losses arising from road traffic accidents, accidents involving employers liability, public liability, occupiers liability, and the consumer protection act. He attends hearings at all levels from stage 3 hearings to trial.

Fatal Accidents: Neil acts for both Claimants and Defendants in actions arising under the Fatal Accident Act.



Employers Liability/Public Liability: Neil accepts instructions for Claimants and Defendants to act on EL and PL cases. He has represented parties in claims for work related stress and accidents at work.

Education & Qualification

- University of Glamorgan post-graduate diploma in legal practice
- University of Glamorgan post-graduate diploma in law
- University of Wales Swansea BscEcon (Sociology)

Memberships

- Personal Injury Bar Association (PIBA)

- Honourable Society of the Inner Temple

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