



**Five Pump
Court Chambers**

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Simon Conway

Barrister

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Practice overview

Simon has a busy personal injury and credit hire practice, appearing regularly for defendants as well as representing claimants. He specialises in defending cases relating to transport accidents and also has considerable experience in cases relating to travel and holidays.

He is very experienced at defending cases involving allegations of fraud, including those involving exaggeration, dishonesty and misrepresentation, and has given seminars to insurers on various QOCS issues.

Simon also has wide experience of costs issues (including technical arguments arising out of cases exiting the RTA Portal).

Simon approaches every case with a great attention to detail; his careful analysis makes him very well suited to cases where there are complex or technical arguments. He is often instructed to act in cases where there are costs issues, arguments about allocation, pleadings or other technical points.

Simon is extremely approachable and easily forms good working relationships with solicitors and clients.

Personal injury

Simon has extensive court and advisory experience in all issues relating to road traffic accidents as well as a broad range of other personal injury cases. He also has experience of occupiers' liability cases and claims under the Highways Act.

Simon has experience of acting for claimants and defendants but has a particular focus on defending cases – including where there are issues relating to allegations of fundamental dishonesty, QOCS and s.57 CJCA 2015. At the start of his practice, Simon was seconded for a year to the Revenue and Customs Prosecutions Office and is able to draw upon this experience in defending these cases.

Simon acts in cases relating to travel and holidays, including litigation under the Package Tour Regulations and EU Regulation 261/2004 (the 'denied boarding' regulation). He has experience of acting in cases where holidays had to be changed from advertised due to external events such as civil war.

Credit hire

Simon regularly acts in credit hire cases of all values. He primarily acts for defendants and is experienced at dealing with the issues raised in those cases including impecuniosity, enforceability and the recoverability of associated costs such as storage and recovery fees.

Simon is well suited to dealing with the meticulous but robust cross-examination required when defending credit hire claims.

Education

- B.A.(Hons) Oxford University
- LL.M. Harvard Law School

Memberships

- Personal Injury Bar Association

Prizes

- Lord Haldane CPE Scholarship
- Lord Denning BVC Scholarship
- Hardwicke Entrance Award
- HLS Edmund J. Curley Scholarship
- Lincoln's Inn Pupillage Scholarship

Notable Cases

Smith v Owen [2016] WLUK 799 (Costs): Case analysing the appropriate circumstances to exit the Pre-Action Protocol Portal for failure to pay disbursements.

K v M (Costs): Successfully reduced Claimant's costs for unreasonably exiting the Portal following direct communication with the Claimant driver.

Z v S (Allocation): Appeared for Claimant in a complex application relating to unparticularised admissions under CPR 26.8(2) (amounts in dispute), and the appropriate allocation which followed.

C v B (Experts): Appeared for the Claimant in a complex two-day false accident trial involving expert evidence and serious allegations of fraud; despite the finding of fraud Simon persuaded the court that they should not give permission for committal.

Murray v Smith [2013] 5 WLUK 414 (Costs): Assessment dealing with the cross-over interpretation of the MOJ Stage III costs, CPR 44.4 and the need for psychiatric reports.

B v T (Package Tour Regulations): Successfully appeared for the Defendant in a trial involving Package Tour Regulations, a cruise requiring changes due to the Egyptian Civil War and the required early morning wake-up calls.

W v T (Montreal Convention), Bradford County Court: Succeeded at trial and permission for appeal hearing in intricate air travel case, involving the interaction of the Montreal Convention 1999 and injuries caused by responses to the spiciness of otherwise safe food.