

# FRASER LINDSAY

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 Nationwide

## AREAS OF EXPERTISE

Mr. Lindsay has extensive experience of acting for both Claimants and Social Landlords to pursue and defend claims for damages borne from alleged housing disrepair.

He is experienced in pursuing and defending possession claims and has pleaded and advised on claims for damages due to a failure to protect tenancy deposits and unlawful eviction.

Civil  
Catastrophic Injuries

Mr. Lindsay has a wide experience of Claims where injury has been caused in the workplace, public places (to encompass Highways Act and Occupiers' Act litigation), road traffic collisions etc. and where the claim is of significant value and complexity. He has an impressive past and present caseload of claims involving catastrophic injuries instructed by both Claimant and Insurer clients.

## APPOINTMENTS

- Deputy District Judge (Northern Circuit)
- Attorney General's Regional B panel.

## EDUCATION

- University of Liverpool
- Manchester Metropolitan University BVC

## PROFILE OVERVIEW

Mr. Lindsay has and is willing to provide training and seminars to Solicitors on a wide range of topics, and accepts instructions for both Claimants and Defendants.

In the past Mr. Lindsay has provided seminars in the following areas;

- Fatal Accidents;
- Animals Act
- Highway Tripping Claims;
- Credit Hire;
- Case preparation including the drafting of witness statements; and
- Consumer Protection Litigation.

In the past Mr. Lindsay has assisted in the preparation and conduct of mock trials. For example, he has taken part in a mock trial for the benefit of NHS litigation departments within the North west to assist them to understand and see the potential issues which arise in a claim of assault by a patient.

Mr. Lindsay further assisted with the preparation and conduct of 2 mock trials, one in Manchester and one in London, for the benefit of local authority, charitable and social landlords in the area of Landlord and Tenant litigation. The exercise was very useful to inform the participants of the common issues which arise in such cases and how such claims can be defeated/the Defence strengthened.

In early 2022 Mr. Lindsay delivered training on "Fundamental Dishonesty" to approximately 80 delegates from various government legal departments.

## DIRECTORIES

**Legal 500 2026:** Tier 2

"Fraser is extremely approachable. He has a knack for connecting with clients and a natural talent for explaining complex legal issues in a simple and easily understandable way"

**Legal 500 2024:** Tier 2 (Leading junior personal injury)

"Fraser is personable and approachable both with clients and instructing solicitors. He has good attention to detail and is good at grasping issues. He provides a prompt service and return of papers, and is a good communicator."

**Legal 500 2023** Tier 2

"Fraser is approachable, very efficient and firm in providing both the initial prospects opinion and advice, and then as the claim proceeds."

Ranked: Tier 3

## NOTABLE CASES

- **(2025)**. Representing the Ministry of Justice to Defend and advise upon a Claim brought by a Prisoner Guard who suffered life threatening injuries following an assault by a prisoner
- **(2025)**. Mr. Lindsay represented the interests of a Brazilian national who suffered catastrophic injuries following a road traffic accident including the loss of his spleen. The consequences of this injury mean he cannot return to his native country due to the risk of infection and his inability to fight off the effects of the same. Claim settled for a five figure sum;
- **(2025)** Represented the interests of a social landlord at trial. The Claimant discontinued his claim for housing disrepair after being cross examined by Mr. Lindsay;
- **(2025)** Advised a motorcyclist who suffered limb threatening injuries to the right lower limb thereby rendering him unable to return to his pre-accident employment. Claim settled for a five figure sum;
- **(2025)** Represented the interests of a social landlord at trial at which Mr. Lindsay successfully argued that causation of loss was not made out despite breach of duty under Section 11 of the Landlord and Tenant Act being found. Claim dismissed;
- **(2025 to date)**. Mr. Lindsay is instructed by the MOJ to defend a Claim for psychiatric injury that is said to have been caused by work induced stress. The Case is listed for a 5-day trial in early 2026;
- **(2024)** Mr. Lindsay represented a Claimant who suffered severe lower limb threatening injuries following a road traffic accident. The Claim settled before trial for a five figure sum;
- **(2024)** Mr Lindsay represented the interest of a third party provider of scanning services to the NHS at the inquest of a gentleman who died after a sonographer had misread the results of a CT scan thereby resulting in a feeding tube being inappropriately placed into his lung.
- **(2024 to Date)** Mr. Lindsay is representing the interests of a Claimant who has suffered a significant degloving injury to the leg and ongoing intrusive back pain which has prevented his return to any meaningful level of work. The Case is listed for JSM in the new year;
- **(2024 to date)** Mr. Lindsay is representing the interests for a Claimant who suffered the loss of most of his dominant right hand in a workplace accident. The Claim is valued in excess of £2,000,000;
- **(2024 to Date)** Mr. Lindsay is representing a Claimant who by reason of the psychological consequences of a road traffic accident has not been able to return to his role as a Consultant in the NHS. The Claim is scheduled for JSM in the new year;
- **(2023)** settled a claim in the sum of £770,000 for a Claimant who suffered a catastrophic amputation to his dominant hand
- **(2023)** represented the ministry of justice at trial on a claim pleaded at £100,000, which settled prior to trial at £30,000;
- **(2023)** represented an Insurer at a joint settlement meeting in a claim pleaded at over £300,000, which settled for £85,000
- **(2023)** Mr. Lindsay, being led by Christopher Melton K.C. acted on behalf of a Soldier who suffered cauda equine syndrome following a lifting accident at work and thereafter a failure on the part of the MOJ to promptly diagnose his symptoms. Mr. Lindsay had been acting for the Claimant for several years and appeared on his behalf at all interlocutory hearings, including an application to rely upon ergonomic expert evidence. Mr Lindsay drafted the final Schedule of Loss for use at the JSM, which involved the calculations of lost earnings for the Claimant through the ranks of the army to retirement and thereafter a proposed future career in the fire service and the consequential pension loss. The Claim settled after the JSM for £2,000,000.
- **(2023)** Mr. Lindsay successfully defended a Claim brought by a prisoner following an assault by a fellow inmate. The matter was listed for a 2-day final hearing at which
- **(2022)**. Represented a fast food chain at trial to defend a Claim brought following an alleged slipping accident. Mr. Lindsay persuaded the Court that the Claimant had been fundamentally dishonest in the presentation of her injuries and losses. The Claim was dismissed and the Claimant was ordered to pay the Defendant's costs of £15,000.00 (QOCS set aside)
- **(2022)**. Represented a Claimant who was attacked by a horse as a child and suffered the loss of a kidney. The Claim settled after conference for £220,000;
- **(2022)** secured a finding of fundamental dishonesty at trial against a prisoner who alleged he was injured in an accident whilst in prison. Represented the ministry of justice
- **(2022)** Represented the Government Legal Department to defend an application for trial by jury in a claim for damages pleaded at £1,000,000;
- **(2022)** Represented Claimant at a JSM where a compromise of £185,000 was secured. The Claimant will have to retire earlier than anticipated due to a back injury suffered in a road traffic collision;
- **(2022)** Represented a Claimant at conference who suffered significant orthopaedic injuries following a road traffic collision. The Claimant was rendered unconscious by the accident and his recollection of events was negligible. Despite the aforesaid, a settlement of £130,000 was achieved;
- **(2022 to Date)** Representing an insurer to defend a Claim brought by a Claimant for alleged catastrophic injuries (complex regional pain), which she says has limited her ability to work and tend to her domestic tasks. The Claim is pleaded in excess of £250,000.00. The case is being defended on an allegation of fundamental dishonesty following the acquisition of surveillance evidence;
- **(2022 to Date)** Representing a Claimant who has lost several fingers of his dominant hand in a workplace accident. The Claimant is unable to return to work and seeks significant damages for past/future care and lost earnings;
- **(2021)**. Represented an insurer faced with a Claim by a young Claimant who alleged that her Olympic career had been affected by a back injury caused in a road traffic accident. Following the service of a Defence and counter schedule pleaded by Mr. Lindsay, in which fundamental dishonesty was raised, the matter settled for a fraction of its pleaded value;

## NOTABLE CASES

- **(2021)**. Represented a Claimant who suffered an injury at a building site where liability was in dispute. The Claimant will be unable to return to his pre-accident occupation and will need to retrain in a less manual role. The Claim settled after conference for £190,000.00.
- **(2021)** Represented Ministry of Justice in a Claim brought by a former employee for alleged injuries sustained at work. The Claimant alleged that he is suffering with chronic pain and will be unable to return to work. The Claim was pleaded at £1,000,000.00 and settled at a JSM for £315,000.00.
- **(2021)** Represented a Claimant who suffered a significant knee injury in a road traffic accident and will require repeat knee replacements in the future. Liability remained in dispute. Settled after conference in the sum of £150,000.00;
- Mr. Lindsay successfully argued that the Claim under the Human Rights Act was statute barred and for the Claim in negligence to be dismissed
- Mr. Lindsay is known for his detailed Schedules of Loss, for both Claimants and Defendants and his meticulous approach to the calculation of both past and future losses.
- Mr. Lindsay has extensive experience working with experts to ensure the meticulous preparation of cases from Part 35 Questions to trial.

## ROAD TRAFFIC ACCIDENTS

Mr. Lindsay has a broad practice encompassing both Claimant and Insurer clients. On behalf of Claimants Mr. Lindsay is known for the careful scrutiny and testing he puts Claimants through.

He has for many years acted for Claimants in circumstances where their credibility has come under severe attack by reason of an allegation of fraud and/or LVI and/or causation.

In such scenarios he is trusted by those firms who instruct him to robustly test the reliability of Claimants in conference and is known for his pragmatic approach in advising both clients and Solicitors as to the likelihood of success.

He has extensive experience advising multiple Claimants in circumstances where express pleadings of fraud are made. Further, he is more than capable of analysing vast amounts of data to ensure that Claimants are appropriately prepared and tested prior to trial.

On behalf of his Insurer clients Mr. Lindsay has extensive experience defending claims where fraud, low velocity impact or dishonesty are alleged or suspected. He has successfully secured findings of fundamental dishonesty and the setting aside of QOCS protection to obtain an award of costs for his Insurer clients.

Mr. Lindsay can be trusted to adhere to strict timetables for the production of Defences (of varying complexity), Part 35 Questions to medical and engineering experts and other necessary documentation e.g. Part 18 Requests.

Prior to trial Mr. Lindsay is willing to assist with advising Solicitors and Insurers on strategy, and the success or likelihood of findings of fraud or fundamental dishonesty.

## CREDIT HIRE

For many years Mr. Lindsay has enjoyed a balanced practice acting for both Claimants and Defendants in cases involving substantial claims for credit hire.

He is more than familiar with the necessary requirements that credit hire agreements must adhere to ensure that such are found to be enforceable by the Court.

He has advised credit hire providers of deficiencies that exist in their agreements to ensure that such comply with the statutory requirements of the Consumer Credit Act 1974/2006.

In recognition of the complexities that can surround this area of law Mr. Lindsay has delivered seminars on recent cases/developments in credit hire litigation, as well as refresher training on those common arguments that one sees in such claims.

## PUBLIC LIABILITY/OCCUPIERS LIABILITY

- Mr. Lindsay is regularly instructed to represent Claimants in respect of claims emanating from accidents on the public highways. He is fully familiar with the statutory duties under the Highways Act 1980 and the leading cases in the area.
- Aside from straightforward tripping cases, Mr. Lindsay is commonly asked to advise in the interpretation of the duties of Local Authorities, particularly the definition of those highways deemed to be 'maintainable at public expense' and where McGeown Defences are raised.
- He has successfully pursued claims alleging breaches of the Occupiers Liability Act 1957/1984 against schools, hospitals, restaurants, supermarkets, shopping centres etc.
- As part of his Defendant practice Mr. Lindsay has defended claims for occupiers, including shops, supermarkets, landlords etc., in circumstances where at trial the Court has been persuaded that reasonable steps had been taken to prevent injury.
- Mr. Lindsay is known, not only for his knowledge of the relevant law, but also his ability to provide pragmatic advice dependent upon the individual details of each case.

## EMPLOYERS LIABILITY

- Mr. Lindsay has developed a broad practice in the field of Employers Liability claims, dealing with matters of varying complexity for both Claimants and Defendants including claims for bullying, repetitive stress injuries, vibration white finger/HAVS etc.
- Mr. Lindsay has represented both workers and employers in wide fields of industry.

## LANDLORD AND TENANT/HOUSING

- In the field of housing Mr. Lindsay has significant experience acting for both Tenants and Landlords on possession proceedings and claims under the Defective Premises Act 1972 and the Landlord and Tenant Act 1985. For many years he has represented Local Authorities and social landlords in claims of disrepair, involving personal injuries and property damage.
- He is known for his common sense approach to such claims and is trusted to offer sensible advice to clients.
- "Very amenable and approachable barrister who thinks outside the box. Excellent understanding of social landlords obligations, and very good in dealing with claims arising from alleged defective premises."
- Partner BLM Housing Department.
- For Tenants, Mr. Lindsay is often instructed to draft pleadings in cases brought under Section 11 of the Landlord and Tenant Act 1985 and the Homes (Fitness for Human Habitation) Act. He is knowledgeable on the quantification of general damages in such cases.
- Mr. Lindsay has experience of claims for unlawful eviction and the quantification of losses for the same.

## SEMINARS

- In 2024 Mr. Lindsay delivered training to a multi-national Defendant firm on the implementation and effect of the new fixed cost rules to fast track, intermediate track and multi-track claims
- In 2025 Mr. Lindsay assisted with the preparation and conduct of a mock JSM for the Manchester Claims association and the Insurance Institute of Manchester playing the role of Claimant Counsel.

## OTHER AREAS OF PRACTICE

Mr. Lindsay has previously advised and represented clients at trial in the following areas;

- Claims involving consideration of the Consumer Protection Act 1987 and for breaches of the implied terms of quality under the Sale of Goods/Services and Consumer Rights legislation;
- Holiday injuries/Package Tour Claims;
- Nuisance;
- Animals Act;
- Pursuing and defending claims for injunctive relief and damages under the Protection of Harassment Act 1997;
- Professional negligence against Solicitors following under settlement;
- The pursuit and defence of medical agency fees on behalf of Solicitors; and
- Trespass to the Person.