



Lucy McCormick

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Lucy McCormick

“Has all the requisites one would expect of a top-class advocate...Poised, meticulously prepared and persuasive on her feet”

- Legal 500 2020

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Lucy is a commercial barrister with a particular emphasis on product liability, property damage, property and related areas.

A substantial part of Lucy’s practice concerns group actions or other multi-party litigation. She has extensive experience in the procedure, tactics and reputational issues such cases raise, and is a contributor to the leading practitioner text, *Hodge on Multi-Party Actions* (2nd ed) (OUP, forthcoming 2022).

Lucy is particularly well known for her expertise in matters with a technology element. She is on the Committee of the AI Group of the Society for Computers and Law, and on the Consulting Editorial Board for Lexis Nexis Technology Media and Telecoms. She has co-authored or contributed to *The Law of Artificial Intelligence* (1st ed) (Sweet & Maxwell; 2020), *The Law and Autonomous Vehicles* (1st ed) (Routledge; 2019), and *An Introduction to Technology Law* (1st ed) (Lexis Nexis; 2018). In 2021, Lucy co-authored the Bar Council response to the Law Commission’s third consultation paper on automated vehicle law.

Prior to starting practice, Lucy served as Judicial Assistant to Mummery LJ in the Court of Appeal. She also spent several months assisting the Financial Markets Law Committee at the Bank of England. In 2014/15, she was seconded to HSBC to work on the FCA’s Interest Rate Hedging Product Review. Since 2016, Lucy has been one of the Attorney General’s ‘C’ Panel of Junior Counsel to the Crown, advising and litigating for HM Government in her areas of specialism.

For a number of years, she has been recommended as a leading barrister by the Legal 500 and Chambers and Partners. She has been described by fellow professionals as having *“Great determination and an understanding of the nuances of complex areas...She has an acute sensitivity to strategising”* (Legal 500 2018); and as having *“all the requisites one would expect of a top-class advocate...Poised, meticulously prepared and persuasive on her feet”* (Legal 500 2019). It has also been said that *“her most exceptional skill lies in her ability to translate complex legal and sensitive factual problems for lay clients”* (Legal 500 2020) and that she is an *“excellent junior who provides sensible, pragmatic and commercial advice”* (Chambers & Partners 2021). In 2019, she appeared as one of The Lawyer’s Top 10 busiest female juniors in the Commercial Court.

Lucy appears at courts and tribunals at all levels and is equally at home as sole advocate or as a member of a team. She also has extensive experience in representing clients at mediation and other forms of ADR.

For more information about the way barristers at Henderson Chambers work, including our terms of engagement, fee transparency statement and our complaints process, [please click here](#). Barristers are regulated by the Bar Standards Board.

[Please click here](#) for a copy of Lucy McCormick's privacy policy.

Product Liability

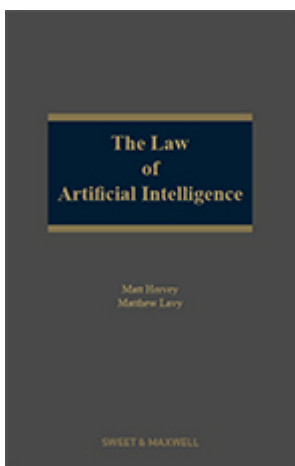
Lucy undertakes a variety of product liability work, with particular expertise in the automotive and healthcare sectors. She is ranked in this field by Chambers and Partners, who describe her as “An excellent junior who provides sensible, pragmatic and commercial advice” (2021).

A substantial part of Lucy's practice concerns group actions or other multi-party litigation. She has extensive experience in the procedure, tactics and reputational issues such cases raise, and is a contributor to the leading practitioner text, *Hodge on Multi-Party Actions* (2nd ed) (OUP, forthcoming 2022).

Lucy is a leading expert in the product liability aspects of Advanced Driver Assistance Systems (ADAS) and Connected and Autonomous Vehicles (CAVs). She is a co-author of *The Law and Autonomous Vehicles* (1st ed) (Routledge; 2019) and contributed the ‘Liability for Physical Damage’ chapter to *The Law of Artificial Intelligence* (1st ed) (Sweet and Maxwell; 2020). She lectures nationally and internationally, with recent engagements including the European Robotics Forum, the Future of Transportation World Congress, the Society for Computers and Law, the British Vehicle Rental and Leasing Association, and the Government Legal Department. In 2021, Lucy co-authored the Bar Council response to the Law Commission's third consultation paper on automated vehicle law.

Lucy is also familiar with the legal issues arising from the increasing use of e-scooters and other forms of micromobility.

Lucy is a regular participant in BIICL's Product Liability Forum.



Representative Cases

- *Hormone Pregnancy Test Litigation*

Lucy is representing the interests of a manufacturer of hormone pregnancy test pharmaceutical products in the defence of claims brought by multiple claimants alleging congenital defects as a result of in utero exposure to HPTs.

- *VW NOx Emissions Group Litigation*

Instructed on behalf of Volkswagen (both UK entities and foreign manufacturing entities) in relation to claims arising from vehicle emissions testing.

- *Re Willenhall Town Gas Works*

Instructed (as sole junior to Charles Gibson QC) in this matter in which it is alleged that residents of a housing estate built on the site of the former gas works sustained personal injuries due to environmental contamination.

- *Metal-on-Metal Hips litigation*

Instructed as part of a team by a prominent manufacturer.

- *G v B (parties confidential)*

Advised the insurers of a major provider of household goods on limitation issues arising out of the CPA 1987.

- *Arnold v Woodteam Limited*

Dispute over the quality of vinyl coating applied in commercial premises in Spain.

- *X v J (parties confidential)*

Advised a leading confectionary manufacturer on causation issues and expert evidence in relation to the breakdown of several items of production line machinery.

- *L v U Ltd (parties confidential)*

Advised claimant in claim arising out of alleged malfunction of an electric wheelchair.

Property Damage

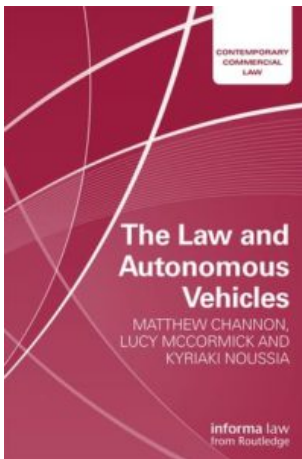
Lucy has a busy insurance practice, with a particular focus on property damage. She has extensive experience of acting in multi-party and high value claims arising out of:

- Fire
- Flooding
- Storms
- Subsidence (including tree roots)
- Gas and electricity tampering
- Industrial accidents

- Trees
- Pests
- Corrosion and chemical damage
- Damage to highway infrastructure

Claims of this nature typically involve complex issues that span a number of specialisms. In such cases, Lucy is able to bring to bear her complementary expertise in property law, product liability and mass torts. She is regularly instructed to act on behalf of both claimants and defendants.

Lucy is a member of the British Insurance Law Association (BILA).



Representative Cases

- *T v P (parties confidential)*
Advised on damage to industrial plant during loading of wind farm components.
- *H v O (parties confidential)*
Advised on fire damage arising out of alleged use of a property as a cannabis farm.
- *X v J (parties confidential)*
Advised a leading confectionary manufacturer on causation issues and expert evidence in relation to the breakdown of several items of production line machinery.
- *S v A (parties confidential)*
Advised on a substantial Water Industry Act flooding claim arising out of the failure of a pumping station.
- *Kanahasunderam & Ors v British Gas*
Acted for British Gas in a matter where a gas supply at a commercial property had been disconnected for alleged tampering. Defended substantial claim for business interruption and successfully counterclaimed for value of abstracted gas.
- *Baloun v Central Bedfordshire Council*
Acted for the RTA insurer, establishing at trial that the local council was liable for property damage to a car crushed by a falling branch on a public highway.

Property

Lucy's practice covers the full spectrum of property law, with a particular emphasis on real property.

She is recognised by the Legal 500 as a leading junior in Property Litigation, and in the related field of Agriculture. The current edition notes that “*Her most exceptional skill lies in her ability to translate complex legal and sensitive factual problems for lay clients*” and “*Her experience includes overage, grazing rights, rights of way, wayleaves, and ownership disputes*” (2020).

Her practice includes:

- Real Property, including adverse possession, boundary disputes, easements, land registration and conveyancing disputes, mortgages, options and rights of pre-emption, overage, rights of light and restrictive covenants.
- Commercial Property, including break clauses, consents, dilapidations, forfeiture, renewals, and rent reviews.
- Residential Landlord and Tenant, including enfranchisement, dilapidations and disrepair, possession proceedings, and service charge disputes.
- Co-ownership and trusts of land

In 2014/15, Lucy was seconded to HSBC as part of the FCA's review of the alleged mis-selling of interest rate hedging products. Her role focused on assessing a number of claims made by property developers and agricultural businesses for loss of profit. In 2016, she sat on the Estates Committee of Middle Temple. As such, she has valuable practical insight into the property and agricultural sectors.

Lucy is Secretary to the Henderson Chambers Property Group.

Representative Cases

- *T Ltd v S & Ors (parties confidential)*
Dispute concerning an alleged conspiracy between a number of local residents to obstruct a property developer's access to a shared passageway over which it held a right of way.
- *Ellis v (1) Fitton (2) Newman*
Four-day trial over the beneficial ownership of agricultural land.
- *Radiosite Limited v O'Connor*
Dispute about access to a telecommunications tower, leading to an application for an injunction.
- *F Ltd v X (parties confidential)*
Successful strike out application in an unusual case involving on the one hand a contractual/chancery dispute about mooring rights and on the other allegations of a breach of the Gender Recognition Act 2010 and the Data Protection Act 1998.
- *Whittle v Western Power Distribution Limited*
Dispute concerning placement of electrical/telecoms cables in agricultural land.

- *Trustees of St Mary's Church House Trust v Bollen*

Claim for possession under the now rarely encountered Rent Act 1977. The matter raised capacity and Equality Act issues and involved cross examination of a vulnerable witness. Represented the landlord at a number of interim hearings and full day trial.

Commercial

Lucy's commercial practice is informed by her time at the Financial Markets Law Committee at the Bank of England and on secondment to HSBC. As a result, she has a particular insight into the financial industry and the City. She is also well-known for her work in the automotive sector. While the majority of Lucy's commercial practice is contentious, she also does purely advisory work.

Particular areas of expertise include:

- Banking and finance
- Civil fraud
- Contractual disputes
- Consumer law
- Debt recovery
- Energy and utilities
- Insurance disputes
- Sale of goods issues
- Technology and telecoms

Lucy is a member of COMBAR.

Representative Cases

- *X v Y (parties confidential)*
Advised a well-known sporting institution as to the effect of an existing contractual agreement and its impact on a new development opportunity.
- *Sekhon & Ors v Khatkar & Ors*
Acted in a 26-handed partnership dispute between black cab drivers.
- *Gibbs Gillespie (a partnership) v (1) Sturch (2) Sturch Estate Agents*
Commission claim: Established that a commonly used clause in the industry was in fact an unenforceable penalty clause, and successfully argued in favour of a novel application of the Cancellation of Contracts made in a Consumer's Home or Place of Work Regulations 2008.
- *SMG v (1) Vanchhawng (2) Nakarintrakupt*
Acted in a complex claim by a mortgage broker arising out of a dispute with investors over the re-mortgage of their portfolio.
- *Aktiv Kapital Portfolio AS Zug Branch v Hackett*
Claim for substantial credit card debt, raising issues of validity of assignment and CCA 1974 s.78 issues.

Successful at trial, additionally obtaining rare order under CPR 31.22 for commercially sensitive documentation used at trial to be kept confidential.

Personal Injury, Health & Safety, Inquests

As a member of the Attorney General's 'C' Panel of Junior Counsel to the Crown, Lucy undertakes a substantial amount of personal injury work on behalf of the government, with particular emphasis on multi-track litigation involving Highways England, the Prison Service, and the MOD. In addition, Lucy maintains a busy private practice acting for both claimants and defendants.

She regularly acts in cases involving:

- Civil assault
- Credit hire
- Employer's liability
- Health & Safety
- Highways Act cases
- Inquests
- Occupier's liability
- Personal injury
- RTAs (especially those with a technical element arising out of Advanced Driver Assistance Systems or involving HGVs/Buses)

Lucy is regularly involved in cases where a party is a child, lacks capacity or is otherwise vulnerable, and is experienced in the practical and procedural issues this raises. As well as acting in substantive trials, she is particularly sought after for her insight into 'tricky' procedural issues.

Lucy is a member of the Health and Safety Lawyers' Association (HSLA) and the Personal Injuries Bar Association (PIBA).

Representative Cases

- *James Hall & Company Holdings Limited v Highways England Limited*
Acting for the government (as sole counsel) in an action arising out of a fatal seven-vehicle motorway collision. The case revolved around various items of motorway technology, including the capabilities of VMS ("Variable Message Signs"), MIDAS ("Motorway Incident Detection and Automatic Signalling") and ANPR ("Automatic Number Plate Recognition") systems.
- *Re Gardner Inquest*
Represented a motorist who had inadvertently killed a pedestrian who had run onto a motorway to retrieve luggage which had dislodged from a roof rack.
- *Re Willenhall Town Gas Works*
Instructed (as sole junior to Charles Gibson QC) in this matter where residents of a housing estate built on the site of the former Works alleged personal injuries due to environmental contamination.

- *Jones v Country Pursuits UK*
Successfully defended an occupier's liability claim arising out of a quad biking accident, in which the alleged breaches of Health and Safety legislation were key.
- *M v Highways England*
Acting in a dispute concerning liability for catastrophic injuries sustained in an RTA at an alleged 'accident hotspot'.
- *J v R (parties confidential)*
Acting for a claimant with Down's Syndrome who suffered life-changing injuries when struck by a reversing vehicle as she walked to her local library.

What the directories say

"Her most exceptional skill lies in her ability to translate complex legal and sensitive factual problems for lay clients."
Legal 500 2021

"Her experience includes overage, grazing rights, rights of way, wayleaves, and ownership disputes."
Legal 500 2021

"An excellent junior who provides sensible, pragmatic and commercial advice."
Chambers UK 2021

"Great determination and an understanding of the nuances of complex areas...She has an acute sensitivity to strategising."
Legal 500 2018

"A strong and formidable advocate... gains early command of the facts and has a calm, reasoned manner."
Legal 500 2017

"Client-friendly, very astute and quick at turning around difficult material."
Legal 500 2016

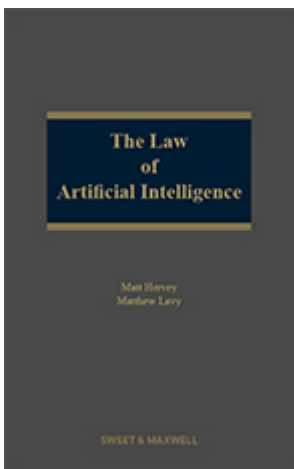
Appointments

- Junior Counsel to the Crown – C Panel (2016 to present)

- Advocacy Tutor, Middle Temple (2017 to present)
- Committee of the AI Group, Society for Computers and Law (2021 to present)
- Consulting Editorial Board, Lexis Technology Media and Telecoms (2017 to present)
- Judicial Assistant to Mummery LJ, Royal Courts of Justice (2008-9)

Publications

- Contributor to *Hodge on Multi Party Actions* (2nd ed) (OUP; forthcoming 2022)
- Contributor to *The Law of Artificial Intelligence* (1st ed) (Sweet & Maxwell; 2020)
- Co-author of *The Law and Autonomous Vehicles* (1st ed) (Routledge; 2019)
- Contributor to *An Introduction to Technology Law* (1st ed) (Lexis Nexis; 2018)
- Researcher for product liability for medicinal products aspects of *Powers & Harris Clinical Negligence* (5th ed) (Bloomsbury; 2015)



Memberships

- British Insurance Law Association
- Commercial Bar Association
- Health and Safety Lawyers' Association
- Personal Injury Bar Association
- Property Bar Association
- Society for Computers & Law

Education

- Bar Vocational Course, ICSL (2007-8) awarded *Queen Mother's Scholarship (BVC)*, Middle Temple
- Graduate Diploma in Law, Oxford Brookes (2006-7) awarded *Queen Mother's Scholarship (CPE)*, Middle Temple
- Modern History, Somerville College Oxford (First class) (2003-6) awarded *Cecil Roth Thesis Prize*, *Eugene Lee Hamilton Prize*, *Mary Somerville Prize*, *Coombs Exhibition*

Awards & Recognitions

