

KIRIL WAITE

Year of call
1997



Kiril Waite is a highly-regarded leading junior in the field of insurance litigation – he acts for both claimants and defendants.

He specialises in large loss and technical claims and is experienced in catastrophic injuries and Fatal Accident Act claims and civil and counter fraud. Kiril is regularly instructed on behalf of national and international insurance companies to handle complex and large loss claims in both personal injury and general insurance, including professional indemnity.

As part of his personal injury and insurance practice Kiril has developed a particular specialism in the field of stress at work, a niche area in which he continues to develop as a specialist. His practice is balanced between both claimant and defendant/ insurer work.

Kiril is frequently involved in stress at work claims from an early advisory stage through to the conclusion of the litigation process providing detailed specialist advice as well as representation at court at every stage of the litigation process. He has a noted and sought after specialism in cases where vicarious liability and causation are in issue.

Kiril is a formidable advocate, who adopts a collaborative approach when working as part of a litigation team in order to achieve the optimum outcome for the client. He is known for his attention to detail and strategic thinking and gives clear and pragmatic advice to his professional and lay clients. He is in demand from leading insurers and solicitors for his outstanding advocacy skills, in particular in cross-examination, and his robust approach to litigation. He has extensive experience of representing clients in ADR models.

Kiril played an integral role in the development of the current law on credit hire litigation and civil insurance fraud and appeared in a number of leading cases in the field which form the foundation of the law in this area.

Kiril also has extensive experience of representing international clients in large commercial disputes.

LEGAL EXPERTISE

Personal Injury

Kiril has a busy personal injury practice for large loss and technical claims. Kiril's personal injury practice covers a wide spectrum of actions including employers' liability, public liability, product liability, fatal accidents, road traffic accidents, accidents abroad, claims made against the MIB and CICA as well as historic abuse claims.

Within his personal injury practice Kiril has developed a particular specialism in the field of stress at work, a niche area in which he continues to develop as a sought after specialist.

He is comfortable working in an advisory role, or as part of a larger team and is very experienced in both multiday trials, mediation and joint settlement meetings.

Clinical Negligence

Kiril accepts instructions in work covering all clinical and surgical specialities, acting for both claimants and defendants. He is an extremely capable senior junior with extensive experience of high value claims and highly respected drafting and advocacy skills, particularly in the cross-examination of lay and expert witnesses. He has substantial experience of representing bereaved families at inquests and in court.

Commercial and Professional Negligence

Kiril has extensive experience in the fields of commercial litigation and professional negligence. His commercial work includes commercial fraud, sale and supply of goods, services and commodities, commercial agency and general contractual disputes. His clients have ranged from corporate entities and insurance companies to a foreign government.

Notable case: TARBS v Republic of Macedonia [2012] EWHC 1691

As part of his insurance practice, Kiril has represented claimants and defendants in professional negligence claims against architects, construction companies, solicitors (both lender claims and general litigation negligence) as well as other professionals. Kiril has particular experience with cases in which claimants with high value personal injury or clinical negligence claims have had their claims under-settled, struck out or dismissed by a court due to the alleged negligence of their solicitors.

Data Protection

Kiril has a broad practice in data protection and information law. His spectrum of work ranges from claims based under the DPA/GDPR, breach of confidence, confidentiality, and the misuse of private information through to data privacy issues such as data sharing, data theft, data transfers outside the European Economic Area, handling subject access requests, implementing the GDPR, and related issues under Article 8 ECHR (right to private life).

He advises and represents insurers, data subjects, data controllers (including large corporate entities and a wide range of public authorities). He is involved in the litigation process from pre-action through to trial. He is well noted and regarded for his vigorous attention to detail, commercial mindset and working as part of a team.

Kiril brings a specific set of skills to his defence work, namely that of addressing fundamentally dishonest claims where personal injury forms part of the claim for data breach. He is highly ranked in both Chambers and Partners and the Legal 500 in this area, being described as *“Strategically excellent on difficult cases. Provides alternative views on complex issues”*.

Memberships

- Association of Personal Injury Lawyers (APIL)
- Personal Injury Bar Association (PIBA)
- Professional Negligence Bar Association (PNBA)