



Peter Hurst LLB MPhil FCI Arb*

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Peter Hurst LLB MPhil FCI Arb was the Senior Costs Judge of England & Wales at the Royal Courts of Justice from 1992 to 2014.

During a judicial career which has spanned 30 years, he was also Judicial Taxing Officer of the House of Lords from 2002 to 2009 and of the United Kingdom Supreme Court from 2009 to 2014 and also of the Judicial Committee of the Privy Council from 2002 to 2014. He sat not only as a costs judge in the Supreme Courts Costs Office but also as a recorder in civil and criminal matters, including costs appeals from district judges. He sat as an assessor with High Court judges dealing with numerous costs appeals. He was invited to sit with the Court of Appeal as an assessor when that court was dealing with difficult or complex costs appeals.

He was appointed Greffier substitute of the Royal Court of Jersey in 2005. He was elected an Honorary Bencher of Gray's Inn in 2007.

He worked closely with Lord Woolf on the Access to Justice Reforms and was an assessor to Lord Justice Jackson's Review of Costs and visited several overseas jurisdictions in that capacity. He has been heavily involved in the implementation process with Lord Justice Jackson and Mr Justice Ramsay both in the Civil Procedure Rule Committee and with Ministry of Justice officials. He chaired the sub-committee charged with redrafting the costs rules and practice directions.

He was a member of the Advisory Committee on Civil Costs, which was disbanded in favour of the Civil Justice Council Costs Committee of which he was deputy chairman.

He is the author of '*Civil Costs*' (Sweet & Maxwell Litigation Library) now in its Sixth edition, and '*Criminal Costs*' (OUP). He was, until retirement, a member of the Senior Editorial Board of Civil Procedure (the '*White Book*', Sweet & Maxwell) as well as being an editor contributing the commentary on all the costs rules and practice directions. He is now an advisory editor of the '*White Book*' and the main editor of '*Costs & Funding*' following the Civil Justice Reforms, now in its ninth (shortly to be tenth) edition. He was a contributor to Butterworth's Costs Service (Lexis Nexis). He has contributed to a number of books on costs over the years and written numerous articles concerning costs for various legal periodicals both in this jurisdiction and in Europe.

Recently, he has dealt with costs approvals in the Foskett Re-Review of the HBOS IAR Fraud.

He has lectured frequently at costs conferences and seminars, including at the Westminster Legal Policy Forum, University College London and Clare College Cambridge.

Examples of some of the cases which he dealt with either as a costs judge or as an assessor with the Court of Appeal or High Court judge are given below.

Areas of expertise

Costs and Litigation Funding

Arbitration & Mediation

Arbitration & Mediation

Litigation, including group litigation, in all sectors gives rise to claims for costs, which are frequently very large and difficult to resolve. The use of arbitration, mediation, early neutral evaluation and expert assessment can all result in matters being brought to a satisfactory conclusion. Peter Hurst has been instructed in a number of such cases and has been asked to act as an independent costs expert (ICE). The confidential nature of mediation means that it is not possible to list specific cases.

CFAs, success fees and after the event (ATE) insurance premiums

- *Callery v Gray (1) (2)* [2002] 1 WLR 2000; [2002] 3 All ER 417; [2002] 2 Costs LR 205 CA
- *Claims Direct* test cases [2002] EWCA Civ 428; [2003] EWCA Civ 136; [2003] 4 All ER 508; [2003] 2 Costs LR 254
- *Garrett v Halton BC and Myatt v NCB* [2006] EWCA Civ 1017; [2007] 1 WLR 554; [2007] 1 All ER 147; [2006] 5 Costs LR 798
- *Hollins v Russell* [2003] EWCA Civ 718; [2003] 1 WLR 2487; [2003] 4 All ER 590; [2003] 3 Costs LR 423
- *Jones v Caradon Catnic* [2005] EWCA Civ 1821
- *Nizami v Butt* [2006] EWHC 159 (QB); [2006] 1 WLR 3307; [2006] 2 All ER 140; [2006] 2 Costs LR 483
- *RSA Pursuit litigation* [2005] EWHC 9003
- *The Accident Group* test cases [2004] EWCA Civ 575; [2004] 3 All ER 325; [2004] 3 Costs LR 422
- *U v Liverpool CC* [2005] EWCA Civ 475; [2005] 1 WLR 2657; [2005] 4 Costs LR 60

Principles of detailed assessment

- *Brush v Bower Cotton and Bower* [1993] 1 WLR 1328; [1993] 4 All ER 741, Brooke J
- *Drew v Whitbread Plc* [2010] EWCA Civ 53; [2010] 1 WLR 1725
- *Giambrone v JMC Holidays* [2002] EWHC 2932; [2003] 1 All ER 982; [2003] 2 Costs LR 189, Moreland J
- *Lahey v Pirelli* [2007] EWCA Civ 91; [2007] 1 WLR 998
- *Lownds v Home Office* [2002] EWCA Civ 365; [2002] 1 WLR 2450; [2002] 4 All ER 775; [2002] 2 Costs LR 279
- *O'Bierne v Hudson* [2010] EWCA Civ 52; [2010] 1 WLR 1717
- *Papera Traders v Hyundai Merchant Marine Co. Limited (the Eurasian Dream) (No. 2)* [2002] EWHC 2130; [2002] 2 All ER (Comm) 1083
- *Solomon v Cromwell Group Plc* [2011] EWCA Civ 1584; [2012] 1 WLR 1048; [2012] 2 All ER 825; [2012] 2 Costs LR 314
- *Three Rivers DC v Bank of England* [2006] EWHC 816 (Comm); [2006] 5 Costs LR 714, Tomlinson J.

Costs capping and budgeting

- *AB v Leeds Teaching Hospitals NHS Trust (Organ Retention Group Litigation)* [2003] EWHC 1034 (QB); [2003] 3 Costs LR 405, Gage J
- *Henry v News Group Newspapers* [2013] EWCA Civ 1; [2013] 2 All ER 257; [2013] 2 Costs LR 334

- *King v Telegraph Newspapers* [2004] EWCA Civ 613; [2005] 1 WLR 2282; [2004] 3 Costs LR 449
- *Ledward Group Litigation v East Kent HA and Ors* [2003] EWHC 2551 (QB); [2004] 1 Costs LR 101, Hallett J
- *Leigh v Michelin* [2003] EWCA Civ 1766; [2004] 1 WLR 846; [2004] 2 All ER 175; [2004] 1 Costs LR 148

Group litigation:

- *Motto v Trafigura* [2011] EWCA Civ 1150; [2012] 1 WLR 657; [2012] 2 All ER 181; [2011] 6 Costs LR 1022
- *Benzodiazepine litigation*
- *British Coal Phurnacite litigation*
- *British Coal Respiratory Disease litigation*
- *MTVIL Phone Hacking Tranche 1*
- *Nottingham Textile Workers Deafness litigation*
- *Sellafield Litigation*
- *The Marchioness / The Bowbelle*

Solicitor and client

- *Mastercigars v Withers LLP* [2007] EWHC 2733 (Ch); [2009] 1 WLR 881; [2008] 1 Costs LR 72, Morgan J.
- *Tim Martin Interiors Limited v Akin Gump LLP* [2011] EWCA Civ 1574; [2012] 1 WLR 2946; [2012] 2 All ER 1058; [2012] 2 Costs LR 325.

Litigants in person

- *Agassi v Robinson* [2005] EWCA Civ 1507; [2006] 1 WLR 2126; [2006] 1 All ER 900; [2006] 2 Costs LR 283

Inquiries

- *Abu Musa Inquiry*
- *North Wales Child Abuse Inquiry*
- *Northwest Child Abuse Inquiry*
- *Nottingham Child Abuse Inquiry*
- *The Bloody Sunday Inquiry*

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