hailshamchambers

Clerks: **020 7643 5000**

Alexander Hutton KC

Call: 1992 | Silk: 2012



Overview

Alexander is head of the Hailsham Commercial Group. His practice focusses on commercial litigation, all aspects of costs law and litigation funding, and clinical negligence for claimants and defendants.

In commercial litigation, Alexander was nominated for the Legal 500 Commercial Litigation Silk of the Year in 2024. He has been involved in some of the most significant and substantial commercial litigation in recent years.

In costs/litigation funding Alexander is recommended in the highest band of leading silks in the directories and has appeared in many of the leading costs cases over the last 25 years. He was chair of the committee that introduced the now mandatory electronic bill of costs and currently sits on the Civil Justice Council sub-committee on recommending a “super-rate” guideline hourly rate for solicitors in top-scale commercial litigation and the first guideline hourly rates for counsel.

In clinical negligence, Alexander is again recommended in the highest band of leading silks and has appeared in numerous of the highest value, serious and most complex clinical negligence cases, acting for both claimants and defendants.

“He is an excellent all-rounder and team player, with a fine analytical mind.” Legal 500 2025.

"One of the very best KCs in his field. His tactical and technical analysis is without equal. He enjoys thinking outside of the box, which brings fresh insight to the most complex of cases. He is a delight to work with." Legal 500, 2025

"He is extremely bright. He loves a challenge, is a really effective advocate and is fearless in court." Chambers UK, 2025

"Alexander has a towering intellect and he can really cut through problems and has crystal clear thinking. A go-to silk." Chambers UK, 2024

"He's very thorough and methodical, doesn't shy away from a challenge and is great with clients" Chambers UK, 2024

"He is a brilliant advocate and clever tactician when dealing with his opposing number." Chambers UK, 2024

“A great communicator and an excellent key player. He has a complete mastery of the most complex and high-value cases.” Legal 500, 2024

"His advocacy is just beautiful. He's the kind of advocate that can completely turn a case on its head." Chambers UK, 2024

"Alexander Hutton is a very modern counsel, very much a team player, and projects a sense of confidence." Chambers UK, 2023

"His advice is always clear and concise; he explains things in a way I understand and is always approachable and non-judgemental." Chambers UK, 2023

"He has supreme client-handling skills and is a joy to work with." Chambers UK, 2023

"Alexander is beautifully polished advocate with sharp intellect and an easy-going, calm demeanour that makes him very easy to work with.” Legal 500, 2023

As the quotes above suggest, Alexander is an all-rounder with a modern approach and an excellent team player, superb with clients, a pleasure to work with and recognised for his strengths on paper, on mastering difficult commercial, medical and legal issues and in person with clients and in court, whether as a trial or appellate advocate.

Commercial

Alexander is head of the Hailsham Commercial Group. His practice has increasingly spread from commercial litigation costs into other aspects of commercial litigation in recent years, and he regularly appears in the Commercial Court, the Chancery Division and collective proceedings in the Competition Appeal Tribunal.

Alexander was shortlisted for the Legal 500 Commercial Litigation Silk of the Year in 2024.

He has been involved in some of the most significant and substantial commercial litigation in recent years, including the Mariana Dam collapse in Brazil where approximately £36 billion was sought in one of the largest group actions in England, the Russian Aircraft litigation Operator Policy claims which has a combined quantum of approximately £14 billion, Kent v Apple in the Competition Appeal Tribunal where damages have been awarded on behalf of 46 million UK citizens, Merricks v Mastercard and CICC v Mastercard and Visa in the CAT and the bribery and corruption allegations against Glencore in the Commercial Court. He has also been involved in a recent substantial unfair prejudice shareholders’ petition, freezing

injunctions, attempts to bring a payment protection insurance group action, and motor financing claims.

Medical law

In clinical negligence, Alexander is again recommended in the highest band of leading silks and has appeared in numerous of the highest value, serious and most complex clinical negligence cases, acting for both claimants and defendants.

"He is an excellent all-rounder and team player, with a fine analytical mind." Legal 500, 2026

"Alexander has the experience and expertise to handle the most complicated clinical negligence cases. His reputation and professional standing is universally admired." Chambers UK, 2025

“Alexander is highly regarded for his costs and clinical negligence practice, and a regular in the Court of Appeal.” (Chambers UK 2025)

Alexander “is a highly sought-after silk with over 20 years' experience of practising within the field of medical law. He is entrusted by both claimants and defendants to handle cases of high value and complexity.” (Chambers UK 2025)

“He identifies issues in cases early on and provides astute tactical advice. One of the best clinical negligence silks around.” (Chambers UK 2022)

Legal 500 2021 state he “has an ability to cut through detail to the crux of a case with unerring accuracy and confidence.”

Regulatory and Disciplinary

In his early years at the Bar, Alexander had a substantial practice in criminal law (both prosecuting and defending) and he now sits as a Recorder in the Crown Court. He is very familiar with evidential issues and with criminal and quasi-criminal proceedings.

In combination with his long-established practice in medical law, this has placed him in excellent stead to represent doctors, dentists and other clinical practitioners facing professional disciplinary proceedings.

His strengths as a trial advocate and cross-examiner are well suited to these types of cases and he was recommended as a leading junior in this field and now as a leading silk: “Has a respected practice in healthcare disciplinary matters”. “His advocacy is unflowery and very clear”. *Chambers UK 2015.*

Costs

In costs/litigation funding Alexander is recommended in the highest band of leading silks in the directories and has appeared in many of the leading costs cases over the last 25 years. He was chair of the committee that introduced the now mandatory electronic bill of costs and currently sits on the Civil Justice Council sub-committee on recommending a “super-rate” guideline hourly rate for solicitors in top-scale commercial litigation and the first guideline hourly rates for counsel.

“Alexander has immense experience in costs law. He instils confidence with a strong presence in court”. (Legal 500 2025).

"One of the best costs silks around." Chambers UK, 2025

"Alexander is utterly charming and a top-dog of the costs Bar." Legal 500, 2024

"Alexander is beautifully polished advocate with sharp intellect and an easy-going, calm demeanour that makes him very easy to work with. He is a particular authority on costs." Legal 500, 2023

"He has encyclopaedic knowledge of costs law, excellent tactical judgment and works hand in hand with solicitors and costs lawyers to deliver great results." Legal 500, 2023

"Alexander is a charming advocate, who has an excellent rapport with clients. He is the first choice in any complex costs litigation." Chambers UK, 2023

“One of the best costs barrister out there,” “he’s very technical and thorough.” “Excellent. He has great insight, offers good communication skills and takes a genuine interest in the case.” “Well prepared and razor sharp.” (Chambers UK 2022)

“He contributes immense authority with costs cases and his quality of service is golden.” Legal 500, 2022

“A go-to leader for big costs actions and cases concerning complex issues relating to the recoverability of success fees” Chambers UK 2021

What others say

"Alexander is always on top of very complex legal issues and is approachable; he makes the complex seem simple." *Chambers UK, 2027*

"Alex is always calm, reassuring and well prepared. His ability to process information into an argument in seconds is quite incredible." *Chambers UK, 2027*

"Alexander is distinguished by exceptional technical expertise, strategic insight, and the ability to distil complex cost issues into clear, practical advice." *Chambers UK, 2027*

"Alexander has exceptional experience in all aspects of costs. He is great to have on your side." *Chambers UK, 2027*

"Alex fills clients with confidence. He is always on top of the papers and is extraordinarily quick on his feet." *Legal 500, 2027*

"Alex is a master of costs, is fantastic to work with, and delivers advocacy like beautiful art." *Legal 500, 2027*

"Alexander has immense experience in costs law. He instils confidence with a strong presence in court." *Legal 500, 2026*

"He is an excellent all-rounder and team player, with a fine analytical mind." *Legal 500, 2026*

"Alexander has the experience and expertise to handle the most complicated clinical negligence cases. His reputation and professional standing is universally admired." *Chambers UK, 2025*

"He is extremely bright. He loves a challenge, is a really effective advocate and is fearless in court." *Chambers UK, 2025*

"Alexander is a pleasure to work with. He is very approachable and clients really appreciate his advice. His advice is always presented in a concise and comprehensive way." *Chambers UK, 2025*

"Alex is always quick to grasp issues and to articulate them in a way that the client and a court can understand." *Chambers UK, 2025*

"One of the best costs silks around." *Chambers UK, 2025*

"Highly regarded, very experienced, and eminently approachable." *Chambers UK, 2025*

"Alexander was superb -the client was so impressed. He's unassuming and a total gentleman, and someone who really knows his stuff. Just a brilliant advocate and also a really nice guy." *Chambers UK, 2025*

"Alexander is the go to person for costs matters. He is knowledgeable, practical and very user friendly." *Legal 500,2025*

"One of the very best KCs in his field. His tactical and technical analysis is without equal. He enjoys thinking outside of the box, which brings fresh insight to the most complex of cases. He is a delight to work with." *Legal 500, 2025*

"Alexander has a towering intellect and he can really cut through problems and has crystal clear thinking. A go-to silk." *Chambers UK, 2024*

"He's very thorough and methodical, doesn't shy away from a challenge and is great with clients" *Chambers UK, 2024*

"He is a brilliant advocate and clever tactician when dealing with his opposing number." *Chambers UK, 2024*

"Alexander is one of the best costs silks out there" *Chambers UK, 2024*

"His advocacy is just beautiful. He's the kind of advocate that can completely turn a case on its head." *Chambers UK, 2024*

"Alexander Hutton is a smooth operator who is deeply versed in the law." *Chambers UK, 2024*

"Alexander is utterly charming and a top-dog of the costs Bar." *Legal 500, 2024*

"Alexander is first-class – he is a strong advocate, has excellent attention to detail and is able to grapple with the most complex issues in clinical negligence liability and quantum cases." *Legal 500, 2024*

"He is very detailed, methodical, calm and assured." *Chambers UK, 2023*

"Alexander's advice is always prompt, well considered and on point. He works with solicitors as a team." *Chambers UK, 2023*

"Alexander Hutton is a very modern counsel, very much a team player, and projects a sense of confidence." *Chambers UK, 2023*

"His advice is always clear and concise; he explains things in a way I understand and is always approachable and non-judgemental." *Chambers UK, 2023*

"Alexander is a charming advocate, who has an excellent rapport with clients. He is the first choice in any complex costs litigation." *Chambers UK, 2023*

"He has supreme client-handling skills and is a joy to work with." *Chambers UK, 2023*

"Alexander is beautifully polished advocate with sharp intellect and an easy-going, calm demeanour that makes him very easy to work with. He is a particular authority on costs." *Legal 500, 2023*

"He has encyclopaedic knowledge of costs law, excellent tactical judgment and works hand in hand with solicitors and costs lawyers to deliver great results." *Legal 500, 2023*

“A great communicator and an excellent key player. He has a complete mastery of the most complex and high-value cases.” *Chambers UK, 2022*

“An outstanding litigator who elicits trust and confidence from his clients. A superb all-rounder both on paper and in court.” *Chambers UK, 2022*

“He identifies issues in cases early on and provides astute tactical advice. One of the best clinical negligence silks around.” *Chambers UK, 2022*

“He contributes immense authority with costs cases and his quality of service is golden.” *Legal 500, 2022*

“Alex is a brilliant “all rounder” who is technically excellent, a highly skilled and effective advocate who is exceptional at delivering a first class service.” *Legal 500, 2022*

“One of the best costs barrister out there,” “he’s very technical and thorough.” “Excellent. He has great insight, offers good communication skills and takes a genuine interest in the case.” “Well prepared and razor sharp.” *Chambers UK, 2022*

“Has an ability to cut through detail to the crux of a case with unerring accuracy and confidence.” *Legal 500, 2021*

“Commended for his knowledge of the law, process, and procedure, his attention to detail, and strategic advice.” *Legal 500, 2021*

“Excellent with experts and cuts to the heart of the issues effectively but with a nice manner.” *Chambers UK, 2021*

“A go-to leader for big costs actions and cases concerning complex issues relating to the recoverability of success fees.” “Superb, both in conference and in court, and 100% committed to the case, he is a realistic and highly commercial brief.” *Chambers UK, 2021*

“Alexander commands the respect of both sides” and is “one of the biggest names in costs in the country. He’s an extremely intellectual and powerful advocate.” *Chambers UK, 2021*

“An absolute joy to work with, he’s assiduous, helpful and incredibly pleasant. Judges really like him.” *Chambers UK, 2020*

“He’s very charming, knows what he’s doing and is extremely well prepared.” *Chambers UK, 2020*

“He offers excellent client service.” *Chambers UK, 2020*

“He’s always very calm in a crisis and is approachable and friendly. He provides pragmatic advice and is a real pleasure to work with.” *Chambers UK, 2020*

“An extremely persuasive advocate with a friendly and down-to earth personality. The depth and analysis of his written opinions always impress” *Chambers UK ,2019*

“A gifted advocate. He is personable, skilled and resolute in cross-examination” *Chambers UK, 2019*

“Has an extremely agile and quite brilliant legal brain” *Legal 500, 2019*

“He is extremely bright and has a strong grasp on the technical issues” *Legal 500, 2019*

“He always brings exceptional clarity to the thorniest of costs issues. His round-table negotiations and performance in court are remarkable and he always achieves what often seems to be an impossible result” *Chambers UK, 2018*

“Incredibly bright and a brilliant advocate. A superb cross-examiner” *Chambers UK, 2018*

“A likeable and knowledgeable silk, and an excellent advocate” *Legal 500, 2017*

“He is brilliant on his feet” *Legal 500, 2017*

“Quite simply excellent on every level.” “The best advocate in the country for clinical negligence costs and funding.” “He’s a true specialist in this rather complex field and he’s been a leader in it for many years so his knowledge is absolutely first class.” *Chambers UK, 2017*

“He is a first-class advocate, who is very impressive in court”. “The best around on costs, particularly in complex and novel areas.” *Legal, 500 2016*

“He’s extremely affable and easy to work with, and his analytical skills and paperwork are second to none.” “He has an extremely pleasant and attractive presenting style.” *Chambers UK, 2016*

“You feel in court he is really fighting your client’s corner and he does it in a very elegant way. He gets results.” *Chambers UK, 2016*

“He is articulate and compelling in both his written and oral submissions.” *Legal 500, 2015*

“An extremely approachable person and a ferocious trial advocate; he morphs from a cat to a tiger with ease.” *Legal 500, 2015*

“His star has been in the ascendancy for years and is continuing to ascend. He’s very sensible, very fair and very, very bright.” “He’s always very well prepared, and is very impressive on the papers” *Chambers UK, 2015*

“Has a respected practice in healthcare disciplinary matters”. “His advocacy is unflowery and very clear.” *Chambers UK, 2015*

“Has a phenomenal command of costs law, and is adept at assimilating huge amounts of information.” *Chambers UK, 2015*

“The sharpest intellect, technical prowess and among the best advocacy skills around.” *Legal 500, 2014*

“A recent silk whose reputation continues to rise, thanks particularly to the strength of his intellect and the power of his courtroom advocacy. He’s an excellent all-rounder, who is very bright and good with clients.” *Chambers UK, 2014*

“A highly intellectual leader in the [costs litigation] field. ‘He’s eloquent, robust, firm and doesn’t mess about – he tells you how it is. Fiendishly clever’, he is regarded as one of the best of his generation.” *Chambers UK, 2014*

Notable cases

Attersley v UK Insurance Ltd [2025] 1 WLR 4805 and pending in the Court of Appeal – where a Part 36 offer was made before an ex-RTA Protocol claim was allocated to the multi-track but accepted more than 21 days after it was served and after multi-track allocation, is the Claimant entitled to fixed costs or costs on the standard basis?

Bartolomucci v Circle Health Group Ltd [2025] EWHC 529 (KB) an important case on private healthcare liability: where a private hospital (represented by Alexander) provided a fixed price package for the claimant's surgery, it was not responsible for the consultants' negligence during surgery as they had had provided their services direct to the patient.

Houssein v London Credit Ltd [2024] EWCA Civ 721; [2024] Costs LR 1243 (Court of Appeal) Alexander acted for the successful appellant against the trial judge's costs order was allowed due to the judge's failure to determine who was the successful party and to avoid an issue-based costs order.

Harrison v University Hospitals of Derby NHS Foundation Trust [2023] 4 WLR 8 (Court of Appeal) - a defendant could not enforce its costs under QOCS where a claimant in personal injury proceedings had accepted a Part 36 offer a long way out of time and the court had had to make a final order about the Compensation Recovery Unit. Position subsequently reversed by a rule change.

Hewes v West Hertfordshire Hospitals NHS Trust [2021] Med LR 49 (Court of Appeal) – the correct approach to be taken to appeals on the facts in a cauda equina clinical negligence claim.

XDE v Middlesex University Hospital NHS Trust [2020] 1 WLR 2680 (Court of Appeal) – a CFA and ATE which required no payment from the claimant was not always to be preferred to legal aid and the recovery of additional liabilities still had to be justified in principle.

Williams v Secretary of State for Business [2018] 4 WLR 147 (Court of Appeal) – successful appeal where claimant restricted to fixed recoverable costs where claim was wrongly not pursued under the pre-action protocol.

Surrey v Barnet & Chase Farm Hospitals NHS Trust [2018] 1 WLR 5831 (Court of Appeal) – additional liabilities disallowed where claimants had switched to pre-Jackson CFAs and ATE shortly before April 2013 based on unsound advice from their solicitors.

Springer v University Hospitals of Leicester NHS Trust [2018] 4 WLR 61 (Court of Appeal) – a claimant who entered into pre-commencement funding arrangements had to inform other parties or potential parties as soon as possible or face automatic sanction.

Radford v Frade [2018] 1 Costs LR 59 (Court of Appeal) – changes to retainer agreements after the final costs order were ineffective to remedy any defects.

BNM v MGN Ltd [2018] 1 WLR 1450 (Court of Appeal) – post-Jackson proportionality test did not apply to pre-Jackson CFAs and ATE.

Shaw v Kovac [2017] 1 WLR 4773 (Court of Appeal) – there was no freestanding cause of action nor right to damages for wrongful invasion of a patient's personal autonomy.

Harrison v University Hospitals Coventry [2017] 1 WLR 445 (Court of Appeal) – "good reason" to depart from a costs budget applied both upwards or downwards.

Sharp v Leeds City Council [2017] 4 WLR 98 (Court of Appeal) – fixed recoverable costs regime applies to applications for pre-action disclosure

Wilsons Solicitors v Bentine [2016] Ch 489 (Court of Appeal)– whether costs disallowed for want of retainer are counted for the purposes of the one-fifth costs rule on a solicitor-client assessment.

Totham v King's College Hospital NHS Foundation Trust [2015] Med LR 55, per Elizabeth Laing J: various quantum issues decided on an assessment of damages hearing in a maximum severity brain damaged baby case where damages of more than £10 million were ordered.

Blankley v Central Manchester NHS Trust [2015] EWCA Civ 18; [2015] WLR, Court of Appeal: whether supervening loss of mental capacity by a claimant terminates the retainer between solicitor and client, necessitating the need to enter into a new retainer in order to be able to recover costs thereafter.

Meikeljohn v St George's Healthcare NHS Trust [2014] Med LR 122 Court of Appeal, successful defence at first instance and in the Court of Appeal including the correct standard of duty for a pre-eminent clinician.

Henry v Newsgroup Newspapers Ltd [2013] 2 All ER 840 Court of Appeal, what is a "good reason" for exceeding a costs budget.

Solomon v Cromwell; Oliver v Doughty [2012] 1 WLR 1048 Court of Appeal, what the costs consequences are of accepting a Part 36 offer pre-action in a case which is covered by fixed fees

Medway PCT v Marcus [2011] Med LR 560 Court of Appeal, the costs consequences of judgment for the claimant of a tiny fraction of the claim in a clinical negligence action where there was no Part 36 offer.

Jones v Attrill (Law Society intervening) [2009] 1 WLR 1731 Court of Appeal (Accident Line Direct challenges to recoverability).

Gloucestershire County Council v Evans [2008] 1 WLR 1883 Court of Appeal the lawfulness of a discounted CFA with a success fee.

Jenkins v Young Bros Transport [2006] 1 WLR 3189: Rafferty J – the lawfulness of assigning a CFA between solicitors.

Burchell v Bullard [2005] EWCA Civ 358; [2005] BLR 330: Court of Appeal – the appropriate principles for making the costs order where a claim was successful and the counterclaim only partly successful, and where one of the parties failed to mediate.

R (Factortame) v Secretary of State for Transport [2003] QB 381 (Court of Appeal): the legality of contingency fees for litigation-support organisations and/or experts.

Malkinson v Trim [2003] 1 WLR 463; [2003] 2 All ER 356 (Court of Appeal) – the leading modern case on what costs are recoverable when a solicitor litigant acts in person.

Re Claims Direct Test Cases [2003] 4 All ER 508 (Court of Appeal): whether the cost of a basket of claims management services can be included in an after the event insurance premium recoverable from the paying party.

Lownds v The Home Office [2002] 1 WLR 2450 (Court of Appeal) – the leading case on proportionality under the CPR.

Further information

- First Class degree in Politics from Bristol University (1990)
- Junior Counsel to the Crown (B Panel) 1999-2005
- Recorder of the Crown Court since 2009
- Sits as an assessor to High Court Judges on costs appeals
- Regular lecturer on medical law and costs law issues
- Chairman of the Jackson LJ committee on the new electronic bill of costs which is now mandatory (2013 to 2018)
- Volunteer advisor at the Bethnal Green Legal Advice Centre (2001 to 2018) and now trustee there

Personal: Father of three children; qualified international ski instructor (BASI level 2); sometime Chelsea FC Season Ticket holder, and full member of the Marylebone Cricket Club (MCC).

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