

# 12

King's Bench Walk

## James Candlin

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### AREAS OF EXPERTISE

Personal Injury, Industrial Disease, International & Travel, Clinical Negligence, Product Liability, Health & Safety, Inquests, Fraud, Public Authority Liability, Property, Mediation, Aviation

Specialist personal injury practitioner. Recognised as a leading junior in Chambers & Partners notably for travel related work. However, his experience is broad including product liability, occupational disease, fatal and catastrophic head and bodily injury often in consequence of cycling, motorcycling and motor racing accidents.

He has a science degree and is known for cases which have technical features, product liability, food poisoning, unusual pathogens, and scientific causation arguments as well as clinical negligence claims.

James specialises in health & safety, and is regularly instructed to act in relation to prosecution arising from serious accidents and near misses in industry, freight transport, medical and care institutions. On several occasions James has conducted inquest, criminal and civil proceedings in the same matter.

Away from work James attention is directed at his 4 children, watching and playing sport, keeping bees, making and mending furniture.

### Personal Injury

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James has a mixed Claimant and Defendant practice with expertise in:

- Fatal accidents including complex demonstrations of financial consequences, need for comparator evidence and career modeling etc;
- Major head injury including gross and subtle brain injuries;
- Traumatic amputation with sophisticated prosthetics requirements;
- Chronic pain conditions including the manifestation of somatoform pain disorders;

Typical recent work has included:

- *Houghton –v- Thomas Cook (2016)* Claimant manager of a stately home garden suffered spinal fracture and related chronic pain condition c£1m claim. Liability compromised at 50%. Expert dispute as to existence of a pre-existing somatoform disorder. Action settled at JSM at substantial discount on value of claim reflecting risks on causation and appropriateness of care regime in event of a psychiatric disorder being the operative cause of

ongoing pain.

- *Corstorphine v Liverpool CC, Holztechnik GMBH & Blakedown Landscapes (2016)* action arising from head injury to child playing on proprietary cantilever swing installed by client when head struck support beam of swing. Extensive issues as to entitlement of Defendants intentionally to permit exposure of children to risk of injury in play environment. Claim by Claimant against client dismissed. Part 20 claim defended against local authority. Extensive party/party cost arguments.
- *Ford v Silverstone (2015)* 5-day High Ct action arising from partial hand amputation where Claimant asserted that he had been encouraged and permitted to use a log chipper by a friend whom he was visiting. Consequent loss of earnings and prosthetics claim dismissed.
- *Love v Halfords & Gekko [2014] EWHC 1057* Product liability claim for major facial/skull injury & loss of eye arising from collapse of bicycle steerer tube whilst in use. Action against supplier and designer/importer. Extensive metallurgy evidence and finding that bicycle had not sustained relevant damage spontaneously but as a result of an earlier incident of damage which had been repaired after purchase but before accident. (led by Gerard Martin QC)
- *Carter v Teeside Karting [2014]* successfully defended track at trial in relation serious leg injuries to a professional delivery driver injured on a track day. Allegation of negligence and breach of Occupiers' duties through inadequately designed barrier and gravel trap combination. Reliance on Prof Troutbeck world-renowned specialist racing barrier expert.
- *Cavusoglu v Stoute & Provident Insurance (2012)* Catastrophic head and lower limb injury to Turkish Speaker necessitated complex 24hr care regime with bi-lingual carers. Damages of £2.5M plus ASHE linked periodical payments of £295,000pa (led by Gerard Martin QC)
- *Hill v Barnes (2010)* Disabling chronic pain condition arising from tibia fracture when trapped by a car which rolled when parked. Extensive care, home adaptation, and appliance claim settled for £2M plus £30,000pa shortly before trial (led by Stephen Worthington QC)
- *Pattinson & Pattinson v Cornwall Council and North Cornwall Council (2009)* Action by parents of child of 5 drowned when she fell into fast moving river in spate. Riverbank was occupied by local authorities and was near playground and public car park. Allegation that riverbank should have been fenced because of risks. Judgment at trial for Defendants.

## Industrial Disease

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James has had extensive experience of work related illness through a broad array of employers' liability cases which have included repetitive strain injury, PAD4, Carpal tunnel syndrome, golfers and tennis elbow. Workers have included secretaries, bank tellers, paper/paper cup factory workers and warehousemen. Also he has conducted a number of cases of Vibration White Finger particularly concerning replacement of refractory furnace linings, industrial sanding and the motor trades.

James has pleaded and conducted numerous actions including contested trials arising from occupational exposure to noise in a wide variety of industries and has experience in consideration of typical Coles Lutman Buffin guidelines, as well as relatively modest loss, more atypical audiograms and bulge rather than notching presentation, unusual profiles and patterns of exposure, and cases with confounding questions relating to conflicting lay or engineering evidence affecting daily immision level or overlapping non-negligent exposure.

James has pleaded numerous Fatal mesothelioma cases arising in particular from dockyard exposure, plastering and cable fitting trades.

James has experience of Reactive airway disorders and occupational asthma arising from exposure to substances such as toluene glue, ammonia liberated from waterproof concrete, and sensitivity to substances such as latex.

James has argued several claims on behalf of care home managers, social workers, and public sector administrative workers suffering from occupational stress causing physical and psychological injury as a result of working conditions and failure of employers to respond to signs of distress and sick leave.

## International & Travel

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James was called to the Bar of Bermuda in 1994 to 1998 and intensively exposed to the Caribbean legal systems about which he continues to advise regularly in relation to travel and tour cases arising there as well as advising on local standards issues and a wide array of other death, serious injury and illness related torts or contract claims throughout the world.

He has significant experience in relation to questions of application of the Package Travel etc Regulations arising from agency and internet booking systems, 'dynamic package' arrangements as well as sequential transaction arrangements. James is very familiar with arguments concerning excursions and litigation concerning leisure activities undertaken abroad such as diving, climbing, skiing, quad biking, sailing, canoeing & ballooning and has conducted actions concerning local standards of instruction and safety especially concerning different forms of ski instruction.

James has also regularly advised on jurisdiction and liability in relation to a number of cases concerning attacks on employees seconded abroad. Also he has conducted arguments concerning the principles of vicarious liability concerning illness contracted abroad by employees, assaults on and sexual misconduct towards Gap year students, employees abroad and holidaymakers.

James has experience of a significant number of group food poisoning actions arising in hotels and on cruise ships which have generated disputes as to causation such as causation of arthropathy and post infectious ulcerative colitis.

James scientific experience has informed a number of actions concerning unusual pathogens such as Cryptosporidium, Legionella, Ciguatoxin, Scombrototoxin and the causation of serious illnesses such as Haemolytic Uraemic Syndrome by E-Coli 157 necessitating kidney transplant. James acted for the Defendant in ***Antcliffe v Thomas Cook*** which clarified the law relating to strict liability of tour operators for pathogen exposure under sale of goods principles where food poisoning arises from food consumed in all-inclusive resort.

James' practice includes matters arising from the 6<sup>th</sup> Motor Directive and the European Judgement Regulations and incidents of overseas RTA when brought against the MIB.

He is experienced in recovery proceedings under Civil Liability (Contribution) Act 1978 as well as construction of indemnity clauses. He has successfully argued for contribution from a European parent company in relation to its management connections with an Egyptian subsidiary applying the principles of *Chandler v Cape Plc* when seeking to recover damages paid out to food poisoning sufferers.

Examples of his recent work include:

- *Peach v BAA & Easyjet (2016)* Commercial solicitor and former dancer slipped on Jetway approach whilst boarding flight sustaining coccyx injury manifesting as chronic disabling pain. Claim in excess of £3m. Hotly contested expert evidence as to causation by accident or prior constitution. Judgment in favour of Defendant position.
- *Houghton v Thomas Cook Tour Operations (2016)* Claimant manager of a stately home garden suffered spinal fracture and related chronic pain condition c£1m claim. Liability compromised at 50%. Expert dispute as to existence of a pre-existing somatoform disorder. Action settled at JSM at substantial discount on value of claim reflecting risks on causation and appropriateness of care regime in event of a psychiatric disorder being the operative cause of ongoing pain.
- *Hussain v Esprit Holidays (2016)* ski chalet visitors chemically burned on lower half of body by inappropriate chemical concentration of Jacuzzi water. Claim to substantial damages for loss of a well remunerated career in a tax free jurisdiction. Substantial expert issues as to causation of psychological injury. Settled before trial.
- *Huckin & Genese v Flightline (2015)* Claimant's saw aftermath of fatal accident involving other guests in resort and claimed to be secondary victims of psychiatric shock. Court dismissed claims on grounds that the Defendant was a mere agent and not a tour operator.
- *Jones v Virgin Holiday cruises (2015)* Claimant holidaymaker fell over a stub wall forming part of staircase in a Jamaican Hotel sustaining knee/hip injury. Reliance on Jamaican Occupiers Liability Act 1958 [near mirror image of UK statute] held to be insufficient evidence of local standards and claim dismissed at end of Claimant

evidence.

- *Robinson v Audley Travel (2014)* spinal injury suffered by Claimant who was passenger on zodiac being ferried to diving course when driven at high speed over large waves. Settled before trial.
- *Charlesworth Smith v Global Travel Group (2013)* Claimant sustained short-lived gastrointestinal infection on holiday in Dominican Republic. Disputed contention that subsequent ulcerative colitis, which was severe, disabling and permanent, was caused by material infection. Judgment at trial in favour of non-causation.
- *Newsome v Thomas Cook Tour Operations (2013)* Claimant suffered gastrointestinal infection on Cuban holiday and contended that Post Infective IBS was caused by it. Judgment that Claimant's account of a continuum of symptoms from holiday to later onset of IBS was self serving and false and limited damages to initial illness

## Clinical Negligence

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James has generally acted for Claimants in this field though occasionally acting for Defendants at the pleading stage. He has advised in cerebral palsy and birth injury cases but not been required to plead and fight such matters to trial.

Examples of James' recent work include:

- *Timur v St Bartholomews & Royal London Hospital NHS Foundation Trust (2016)* acting for claimant. Negligent damage to ureter during hysterectomy, failed repair on account of omission of protective fat pad behind repaired ureter and proximity to chemotherapy for unrelated tumour. Exceptional delay during which Claimant suffered vesicovaginal fistula and incontinence for c1 year before successful repair. Settled before trial.
- *Chowdhury v University of Birmingham NHS Foundation Trust (2016)* acting for Claimant negligent resection of hepatic artery and common bile duct. Intermittent painful procedures to dilate biliary tree and significant long term complications. Substantial care and assistance claim. Settled shortly before trial.
- *Turner v North Lincolnshire & Goole Hospital NHS Trust (2015)* missed acromioclavicular dislocation at A&E. Delay in detection was such that an unrelated medical condition prevented surgery by the time it had been detected. Settled before trial.
- *Wadsworth v Worcestershire Acute Hospitals NHS Trust (2014)* Claimant was very large man who underwent hip replacement surgery. Insertion of cement was inexplicably protracted such that large prosthesis was impossible to insert and reduced stem length was applied instead. Claimant was not informed and not warned to restrict weight bearing during recuperation such that he suffered a periprosthetic fracture within weeks. He underwent a bone graft and repair. Settled before trial.

## Product Liability

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James has pleaded and conducted a number of product liability cases concerning defective designs, manufacture or pre-sale handling of products and in addition cases concerning liability for food and food products have also involved the same areas of law.

Examples of James work in the field include:

- *Brotherwood v Wiltshire CC, Medequip & Chiltern Invadex [2016]* action arising from alleged defect in shower chair used by a long standing sufferer of partial paralysis from an RTA in her youth. Claimant whose spinal condition was progressive with age alleged that she had suffered significant progression of her condition as a consequence of several falls arising from the defect and needed a substantial increase in care to cope with it. Case ongoing.
- *Corstorphine v Liverpool CC, Holztechnik GMBH & Blakedown Landscapes (2016)* action arising from head injury to child playing on proprietary cantilever swing installed by client when head struck support beam of swing. Extensive issues as to entitlement of Defendants intentionally to permit exposure of children to risk of injury in play environment. Expert evidence from specialist concerned with benefits to children of risks in the play environment. Claim by Claimant against client dismissed. Part 20 claim defended against local authority. Extensive party/party QUOCS and *Wagenaar* cost arguments.
- *Love v Halfords & Gekko [2014] EWHC 1057* Product liability claim for major facial/skull injury & loss of eye arising from collapse of bicycle steerer tube whilst in use. Action against supplier and designer/importer.

Extensive metallurgy evidence and finding that bicycle had not sustained relevant damage spontaneously but as a result of an earlier incident of damage which had been repaired after purchase but before accident. (led by Gerard Martin QC)

- *Leverington & Leverington v Dometic UK Ltd, Dometic Sweden AB & Freedom Motor Homes Ltd* action against suppliers of a high end Chevrolet chassis recreational vehicle and motorhome destroyed by fire on account of a defect in a gas powered refrigerator. Successful defence of claim against the UK importer.
- *Wakefield v John Bridger Marine & Mark Dowland Marine Ltd (2009)* Claimant suffered fractured femur whilst riding a wakeboard which lost control. When brought ashore it was apparent that the board was missing its skeg. Allegation that defective attachment was the cause of loss of control and fracture and was a defect for purposes of CPA '87. Disputed causation of damage to skeg and loss of control. Expert evidence as to potential for injury through loss of control in absence of loss of skeg and damage to skeg arising whilst bringing injured rider aboard boat. Settled before trial.

## Health & Safety

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James' practice included crime for his first 7 years and he has regularly appeared before the Magistrates & Crown Courts in relation to prosecutions for both s2 ,3 & 7 of Health and Safety at Work Act and breach of Food Hygiene statutes.

He has added value to many cases by questioning the existing prosecution statement of case and the assertion or implication of direct causation of injury/death by the offence charged, before assisting with preparation of rebuttal evidence or before negotiating more acceptable statement and drafting Friskies statements.

On many occasions James has attended a relevant inquest to protect the interests of a potential Defendant and been able to direct questions appropriately either to encourage a narrow inquest narrative verdict or to elucidate relevant material for the purposes of defending a pending prosecution.

James cases include the following :

- *Southwark LBC v The Swan at the Globe Theatre (2016)*. Prosecution of directors of restaurant company under Food Safety & Hygiene England Regulations 2013 arising out of food poisoning affecting c30 diners demonstrated to have been caused by *sous vide* method cooking for insufficient time in breach of internal HACCP statement. Jurisdiction retained by magistrates, charges against some directors discontinued, and charges modified in the light of voir dire as to date of issue of proceedings. Sentenced under new guidelines to token fine.
- *HSE v Gaspack Ltd (2014)* Prosecution of specialist gas cylinder inspection co. for breach of s3(1) HSWA after explosion of recently inspected and pressure tested cylinder which severed leg of man refilling it from high pressure supply. After introduction of specialist cylinder metallurgy expert evidence and questioning of the filling arrangements prosecutor abandoned contentions that the cylinder had not been pressure tested and accepted a plea based on inadequate visual inspection of a single cylinder which had created risk but not one causative of accident.
- *HSE v Waters Group & Windsmere Stone & Granite Ltd(2014)* prosecution of specialist stone cutting company and their supplier in relation to an imported machine which caused a hand crushing injury as a result of a design defect and use of the machine whilst awaiting a replacement part.
- *Re Kenneth Terrey (2013)* inquest arising from fall of dementia sufferer from insecure window of special care unit in prelude to prosecution under s3(1) HSWA
- *HSE v Casterbridge (Eton Manor) Ltd (2012)* Procedural hearings arising from death of Rhiya Malin an infant who died whilst playing under inadequate supervision at a nursery
- *LBBarnet v Sale, Gilbert & Mohammed(2011)* Prosecution of directors under s2HSWA for permitting unqualified employee to drive a forklift which struck and amputated the leg of another employee.
- *Babergh DC v Bunting (2011)* Prosecution of proprietors of restaurant relating to gas flashover causing burns to chef lighting the burner of a smoke house.
- *HSE v Pearn Wyatt (2009)* Prosecution of farm partnership arising from death of tractor driver when heavily laden trailer hook failed during unloading and tow bar penetrated cab fatally impaling driver. Prosecution on

basis of welded repair having caused a weakness resulting in death. Contested Newton hearing on basis that HSE engineering calculations were flawed and repaired strength exceeded permissible wear and tear levels. Sentence on basis of vertical jackknife being rare event and

- *HSE v Schenker (2009) S 3(1) HSWA* charge arising from catastrophic head crushing injury of freight terminal supervisor working for UK subsidiary of German National Railway.
- *HSE v John Stacey & Sons (2009) s3(1) and 2(1)* charges in relation to fatal accident suffered by pedestrian supervisor of waste transfer station struck by bulldozer. Successful submissions on overlapping gravamen of charges

## Inquests

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James has significant experience of inquest work representing family and other interested parties both in context of impending civil or criminal prosecution, in cases of significant public interest and in pure fact finding missions for the bereaved to establish the circumstances of the death.

James has been able to make effective submissions both for and against the application of Article 2 to facilitate elucidation of the wider circumstances of death. He has also succeeded in submissions in relation to the terms of direction to juries as to the breadth and ambit of narrative verdicts and the appropriateness of robust warnings against self-incrimination.

Examples of his work include:-

- *Re Tracey Tagg (2014)* instructed by Motor Sports Association and Autocycle Union in relation to politically sensitive impending prosecution arising out of death of pillion rider during Brighton Speed Trials. Local Authority was withholding consent to re-stage 100+ year old motor sport event [1 of only 3 UK events for which national speed limits are disapplied on highway]. Successful demonstration during inquest that Local authority did not have jurisdiction to prosecute in absence of any employees involved in the speed trial.
- *Re Kenneth Terrey (2013)* instructed by care home provider in relation to inquest in shadow of prosecution arising from fatal fall by resident of secure unit who suffered Alzheimers and managed to overcome a window security feature. Advice on self incrimination and removal of a juror who posed questions demonstrating partiality.
- *Re Roy Parbury (2011)* instructed by British Motorcycle Racing Club. Inquest into motor racing accident . Intimation of intention to prosecute in circumstances of continuation of racing after stewards investigation. Demonstration of lack of employees involved in the racing event stewarding and organization during inquest such as to deprive local authority of jurisdiction.
- *Re Rayatt (2010)* death by crushing of worker on factory premises. Acting for fellow employees and advising as to self-incrimination issues.

## Fraud

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James has significant experience of questionable RTA claims in which one or more party is engaged in a fraudulent insurance claim, post-accident inception of policy, or staged accident in context of a Credit Hire action. James has experience of applying insurance industry, DVLA, motor engineering and other extraneous evidence and data for the purpose of pleading and proving such cases at trial. In several instances late discontinuance or findings of fact against Claimants or claims management companies has ensued.

Examples of his work include:-

- *Reza Mohammadi v Zurich Plc [2011]* minor accident involving bumper damage to car finding by HHJ Powles QC that Claimant had handed over the damaged car to a claims management company whose personnel or whose agents had further damaged it either inadvertently or for profit.
- *Opoku v Tintas [2012]* low velocity tail end shunt. Minicab driver Claimant had recently had extensive damage after a carjacking just before the material accident. Engineering evidence as to when damage allegedly from material accident had in fact occurred. Engineering evidence eventually insufficient to rebut Claimant's claim of

damage during material accident but credit hire radically reduced to reflect reasonable mitigation.

## Public Authority Liability

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James has significant experience of Occupiers liability and Highway Authority duties acting for both Claimants and Defendants and for c 12 years conducted a significant proportion of the Suffolk and Essex County Council Highways Act Defences. Interesting cases include:

- *Presswell & Presswell v Devon County Council (2014)* action concerning regular flooding from highway of a home arising from decision making as to commissioning of a highway drainage improvement scheme. Settled before trial.
- *Pattinson & Pattinson v Cornwall Council and North Cornwall Council (2009)* Action by parents of child of 5 drowned when she fell into fast moving river in spate. Riverbank was occupied by local authorities and was near playground and public car park. Allegation that riverbank should have been fenced because of risks. Judgment at trial for Defendants.
- *Kinsella & Quigley v Nottingham County Council (2009)* flooding claim arising from failure to maintain a pump and gulley system intended to provide back up drainage in the event of run off overwhelming land adjacent to a highway. Settled before pleadings issued.

## Property

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As set out under Public Authority liability James has experience of a wide array of property damage claims relating to flood, water supply and highway authority responsibility for water drainage, questions concerning the responsibility for private/public sewers and claims arising from fire, tort of Rylands v Fletcher etc. In addition he has conducted a number of cases concerning damage to houses caused by vehicles leaving the road at high speed.

Examples of James work include:

- *Various Claimants v Tas Pide Restaurant & Others(2007)* a claim by numerous residents of flats above a restaurant in a property on Farringdon Rd London arising from fire which escaped from a wood burning oven flue on account of inadequate design of a flue and its concealment conduit. Action settled after issue but before trial.

## Mediation

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James is an accredited mediator [London School of Mediation] and a neutral evaluator for the Independent Evaluation and Facilitation Service [IEFS]

## Aviation

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Examples of Aviation Related work:

(2003) *Byrne v Really Great Holiday Company plc (Travel City Direct) and American Trans Air*

Advising a Claimant on the merits of an action, quantum and prospects upon joining under the Group Litigation Order in relation to the question of whether 'bodily injury' had occurred in relation to the consequences of a DVT suffered by a long haul economy class package tour passenger. Action under Warsaw convention discontinued against airline and settled before issue of proceedings as against package holiday tour operator in relation to a contractual claim.

(2006) *Allessia Spallone v Robert Page High Court Action*

Acting on behalf of Claimant initially alone and after issue of proceedings led by Frank Burton QC. Acting for a high net worth Italian LSE undergraduate who was expected to commence working for a family medical business upon graduation. Air crash in 2002 whilst passenger in Cessna C310 involving landing at excess speed and with improper flap orientation for a tailwind at La Mole airport near St Tropez and overrunning end of runway into dry river bed. 3 passengers of whom Claimant was one suffered spinal injuries. Claimant rendered paraplegic. Very substantial

disability, affecting a person who spent time in London, Italy and Cuba rendering quantification complex. Very high value claim. Conviction before law courts of Draguignan France for various negligence offences shortly before issue of claim was subject to appeal. Complexities arising from the Ortac insurance policy concerned, the fact that airport did not have its own air traffic control, and the fact that Defendant a trust fund manager had divested himself of his American citizenship, insured the plane in France, licensed it in England, and owned it by means of a Caribbean purpose trust. Claim settled before trial.

## 2013 Wong v British Airways

Acting for Defendant. Claimant a Chinese stewardess employed by the Defendant who slipped on a piece of detritus on stairs as she descended from crew bunk area. Claimant suffered chronic lower back injury and brought claim under non-fault Hong Kong Employees' Compensation scheme for injury at work arising from long-term incapacity including a board assessment of disability, medical expenses and appropriate reimbursement heads. She then launched a claim in the UK County Court for shortfall between her actual loss and her compensation award. Applicable law issues arose under Rome II in light of the fact that the precise time of accident was uncertain such that the whereabouts of the plane jurisdictionally were therefore also uncertain. Action settled before preliminary issue as to applicable law was heard.

## 2014 Lesley Fleet –v- Thomas Cook Tour Operations Ltd

Acting for Defendant. Claimant had restricted mobility but booked a package tour holiday at a time when she did not require a wheelchair but then experienced deterioration such that she did need one. She had not disclosed her limitations or changed condition until arrival at the departure airport but arrangements were made to assist her onto her flight. Upon arrival in Lanzarote the Defendant did not have a local mobility office and was reliant upon the ground handling arrangements there once she was no longer airside. The local disability assistance operative whilst wheeling the Claimant let go of her wheelchair to use a telephone and it rolled away down a ramp uncontrolled such that she was tipped out and suffered a head injury. Action brought under Equality Act 2010, EU Regulation 1107/2006 and on grounds of vicarious liability. Application for summary judgment was dismissed by reference to the existence and need for a preliminary issue hearing as to the interpretation of a generously worded standard contractual term in relation to assistance to holidaymakers but the action was discontinued in the aftermath of the summary judgment application.

## 2015 Peach v Easy Jet & BAA

Acting for Defendants. Accident involving slip by a commercial specialist solicitor making her way over the air bridge to her flight at Edinburgh Airport. Condensation had rendered the surface slippery and was a known concern arising from indoor and exterior temperature disparity. Action against Easy Jet dismissed after summary judgment application. Primary liability against Airport Authority conceded in light of witness difficulties subject to contributory negligence allegations. Claim on the basis of a chronic pain syndrome arising from coccygeal injury preventing work as a solicitor and necessitating an array of treatments, loss of earnings, disability aids/appliances and domestic modifications. Judgement for Claimant after 5 day trial below initial pre-action part 36 offer. Permission to Appeal to Court of Appeal resisted.

During the last 10 years James has periodically advised both Claimants and Tour operators in relation to merits and quantum of various Denial of Boarding claims in the prelude to the clarification of technical fault issues after Wallentin Herman v Alitalia & Jet2.com Ltd v Huzar and in light of uncertainties as to the correct definition of delay equating to cancelation prior to Sturgeon v Condor.

## **Qualifications & Awards**

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University of Aberdeen BSc(Hons) Pharmacology

Polytechnic of Central London [now University of Westminster] Diploma in law

London School of Mediation accredited mediator



## Appointments & Memberships

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Lincoln's Inn

Member Personal Injuries Bar Association [Executive Committee member 2000 to 2016]

Member AVMA

## Directories

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*"In court he is extremely polite and is excellent in cross-examinations. He's very good with clients."* Chambers and Partners, 2021

*"He is a careful and meticulous cross-examiner. Very helpful. Client friendly."* Legal 500, 2021

*"His attention to detail is great and he's a tough negotiator. He is very experienced and provides thorough and comprehensive advice."* Chambers and Partners, 2020

*"He is a careful and meticulous cross-examiner"* Legal 500, 2019

*"He is excellent in cases concerning forensic evidence; he understands all the terms and is an extremely effective cross-examiner."* Chambers & Partners, 2019

*"He has excellent knowledge of sickness claims in particular, and is down-to-earth and very helpful. He's very thorough, digs down into the details and is a fantastic advocate."* – Chambers & Partners, 2019

*"He is praised for his attention to detail."* – Legal 500, 2018

*"Very forensic, yet approachable and affable."* Legal 500, 2017

*"He has excellent technical knowledge and is balanced and practical in his approach."* Legal 500, 2017

*"Because of his in-depth knowledge of medical issues, he's a safe person to turn to for issues of causation, such as illness outbreaks in foreign hotels."* Chambers & Partners, 2017

*"He has very good attention to detail and can absorb significant facts from large volumes of papers."* Chambers & Partners, 2017

*"James is very protective of his client whilst simultaneously remaining realistic."* Chambers & Partners, 2017

*"He has huge in-depth medical knowledge as well as legal knowledge. His knowledge of chemistry and illness allow him to take a very strong view of claims abroad."* – Chambers & Partners, 2016