

# 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.

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

*"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 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