

# 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.

### 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 partially 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.

## 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