

# 12

King's Bench Walk

## James Candlin

Call: 1991

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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.

### 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.

## 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