

Simon P. John

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AREAS OF EXPERTISE

Personal Injury, Employment & Discrimination, Industrial Disease, Insurance, Costs, Fraud, Inquests, Public Authority Liability, Property, Property Damage

Personal Injury

Simon undertakes work for Claimants and Defendants in a wide range of PI law, including high value chronic pain cases, disease, including HAVS, WRULDS, asbestosis and deafness; clinical negligence, accidents at work, and with considerable experience in Highways and Occupiers liability. Simon also deals with high value road traffic cases including complex multi-party fraud allegations with MIB involvement, as well as credit hire arguments. He also appears regularly at Inquests.

Recent cases include: successfully settling a claimed high six figure Chronic Pain case for an insurer at 15% of pleaded value; successfully defending a claimed £700k HAVS case at trial and providing expert opinion on the applicable highways law principles of England and Wales in a cross border seven figure Scottish Traumatic Brain Injury Case

He also has a growing instruction in costs and inquest work.

Simon provides relevant CPD seminars.

Cases

K v N – representing a banker in a 3-week £1½m claim for discrimination and whistleblowing.

P v D – representing a local authority in a high value HAVS claim involving the full range of issues including: the legal test of 'regular' exposure, the significance of sub 2.5m/s² exposure, medical causation including the significance of hand photographs, latent symptom worsening, CTS as a differential diagnosis, Rheumatologist and epilepsy issue as well as very detailed engineering issues.

G v W – achieving £1½m award in a disability discrimination claim against a local authority, Including at the EAT.

M v A – successfully representing Claimant up to EAT in high six figure PHI claim.

D v W – representing sisters in high value claims of neighbour nuisance and discrimination, including against local authority.

C v MOD – recently part of achieving a high value settlement for an ex-soldier in an ‘institutional’ race discrimination claim.

Re: D – advising a public authority in respect of a mass proposed service provision change with multi-£million implications.

S v L – achieving six figure settlement in a teacher stress at work claim.

S v S – advising on multiple claims for flooding arising from flooded abandoned mine shafts.

B v X – successfully defending £700k chronic pain case with findings of malingering.

A v S – Successfully defending a claimed £½ m Race discrimination police case involving interesting comparator arguments and novel judgment delay issues.

X v S – representing a local authority in two linked multi-party inquests raising some unique issues as to city centre road design as alleged contributory cause in highway deaths;

V v C – case exploring the effect of *Smith v Northampton* and employer and occupier issues of control of workplace and knowledge of equipment for the purposes of PUWERegs 1998;

I v W – successfully defending an interesting case following and distinguishing the landmark case of *Beavis v Parking Eye* in which contractual authority and status of charges as Penalties raised;

A v S – successfully defending a high value HAVS claim, distinguishing the *O’Keefe v Isle of Man* negative inference principle and exploring Thoracic Outlet Syndrome aetiology;

L v C – case alleging breach of IRB and WRU rules on Senior v Junior play and duty of care;

Shaw v Merthyr CA – Costs appeal on the enforceability of a purported part 36 offer wrongly adopting pre-2007 CPR wording, considering *Thewlis (HC)* and whether offer can be saved by CA purposive approach in *CvD* and *PHI* line of authority

Rowan v the Environment Agency [2008] – EAT IRLR 20 – Representing Claimant on appeal in a leading case on constructive dismissal, DDA reasonable adjustments and providing guidance on requisite findings for the tribunal.

Cornwall Gardens v RO Garrard & others (CA) LTL 19/9/01: Times June 19 2001 – Million pound dispute as to rights of way and the economic tort of interference with business rights