



Alexander Antelme KC



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"Alexander is probably the most incisive barrister I have ever worked with. He brings a clarity that is helpful from the outset."
(Chambers UK, 2023)



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Alexander Antelme KC is joint Head of Chambers.

He specialises in the fields of product liability, clinical negligence, property damage, insurance and personal injury. His cases are of the highest value and complexity often covering more than one of his specialist areas. He combines a meticulous eye for detail with a common sense, reasonable and practical approach. He is an excellent negotiator and a very experienced trial advocate.

UK and international directories recognise Alex as a leader in his areas of expertise.

Product Liability

Alex is ranked as a first-tier silk in both Chambers and Partners and the Legal 500 for Product Liability and for Group Litigation. He is listed in the International Who's Who of Product Liability Defence lawyers.

Alex acts for claimant and defendants. His corporate clients include major pharmaceutical and medical product manufacturers as well as insurers and medical bodies such as the NHS. The nature of his cases inevitably involves international issues and Alex enjoys working in close partnership with attorneys in Europe and in the US.

Examples of products in current and recent cases include breast implants, diesel engines, metal-on-metal prosthetic hips, supercars, PEEK prosthetic shoulders, blood products, surgical mesh, radiological dyes, domestic appliances, tyres and various industrial machines. Cases involve product recalls, property damage, catastrophic personal injuries and death and significant loss of profit / business interruption. Alex advises on insurance issues arising out of product liability claims being brought nationally and internationally.

In 2022, Alex appeared in *Hastings v Finsbury Orthopaedics* which was the Supreme Court's first review of the Consumer Protection Act 1987. The Court endorsed the Defendant's approach in the DePuy Pinnacle Group Litigation (*Gee v DePuy International Limited*) in which Alex led a team of five counsel from Crown Office Chambers. *Gee* was the most comprehensive and detailed analysis of the Consumer Protection Act 1987 in the last decade and was reported to be the largest contested product liability action in the UK.

Selected Cases

- *Hastings v Finsbury Orthopaedics and another* (2022) – Alex assisted the Scottish legal team in the initial stages of this case involving metal-on-metal hip prostheses before appearing in the Supreme Court. The case was the first review of the Consumer Protection Act 1987 by the Supreme Court.
- *Diesel Emissions* (2022) – Alex is retained by a French car manufacturer in the diesel emissions litigation.
- *Allergan Breast Implants* (2022) – Alex is retained by the manufacturer of textured breast It is alleged that some patients developed a rare cancer as a result of these products.
- *Italian Supercar* (2022) – Alex advised regarding the alleged failure of brakes on a supercar causing a fatal accident in Hong Kong. As well as the substantive issues of defect, Alex dealt with jurisdictional, applicable law and duties of care.
- *Metal-on-Metal Hips* (2022) – Alex continues to act for several manufacturers in respect of claims in relation to metal-on-metal hips both in the UK and
- *Standard medicine* (2022) – Alex represented a pharmaceutical company sued by a child alleging a life-changing reaction to one of its standard medicines.
- *Infected bloods* (2022) – Alex advised on issues arising from the infected blood scandal.
- *Primodos* (2021) – Alex was retained by the Claimants bringing a group action in respect of historic injuries sustained after taking this hormone pregnancy test.
- *Talcum Powder* (2021) – Alex advised on tactics and evidential matters in a US claim against the manufacturer of a talcum powder.
- *AA v Groupama* (2019) – The Claimant advanced a claim for 200 million euros in this fatal road traffic accident The accident occurred in France when a tyre on a lorry failed. The matter was compromised.
- *Lewin v Glaxo* (2019) – Alex acted for Glaxo in relation to a radiological contrast medium, Myodil, which the Claimant alleged caused significant injuries decades after its use. Alex led a team from Crown Office The Claimant discontinued shortly before trial.
- *The Pinnacle Metal-on-Metal hip litigation: Gee v DePuy International Limited* (2018) – Alex led the counsel team for DePuy International Limited in the Pinnacle litigation. DePuy succeeded at first instance on a trial of a preliminary issue relating to ‘defect’ under the Consumer Protection Act 1987. The Claimants did not seek permission to appeal. The issues were revisited in *Hastings* (see above).
- *The Thalidomide Litigation* (2017) – Alex acted, in a team of counsel, for victims of the drug thalidomide in recent claims against the manufacturers and distributors. The claims were compromised.
- *Howmet Limited v Economy Devices Limited & Others* (2016) – A catastrophic fire destroyed factory premises. Alex acted for the manufacturer of a liquid level-sensing device in successfully defeating the claim at trial and then in the Court of Appeal.
- *Argos Limited v Leather Trade House Limited* (2012) – Alex acted for the Defendant in this action in which the Claimant sought an indemnity in respect of payments made in the toxic sofa litigation. The Defendant had provided advice in respect of the toxicity of the chemicals involved in treating the leather sofas. The Claimant was successful at trial.
- *The Haemophiliac/Blood Litigation* – Alex acted for a US Pharmaceutical company in respect of the second-generation haemophiliac / infected blood litigation.
- *The Northwick Park Hospital / Paraxel Clinical Trials* – Alex acted for five of the Claimants in respect of severe injuries arising from a drug trial. The catastrophic outcome of the clinical trial was widely publicised.



Clinical Negligence

Alex acts for Claimants, the NHSR and the defence unions. His cases are the most complex or of the highest value. Most are worth more than £15m and several more than £40m. As well as catastrophic injuries or death, he is experienced in dealing with multiple causes of injury, several parties and large numbers of experts. He regularly brings to clinical negligence cases his expertise in group litigation and in product liability. He is a highly successful trial advocate but has a reputation of achieving a satisfactory resolution of cases where the issues between the parties have appeared incapable of compromise. He is retained to advise and act in complex appeals.

He has dealt with most areas of clinical practice, including obstetrics, gynaecology, cardiology, accident and emergency medicine, neurosurgery, neurology, oncology, orthopaedics, colo-rectal surgery, ophthalmology, ENT surgery, the contraction of MRSA, the conduct of out-of-hours GPs and the treatment of epilepsy.

Alex is ranked as a first-tier silk in clinical negligence in both Chambers and Partners and the Legal 500. He was nominated in 2021 as Clinical Negligence 'Silk of the Year' by Chambers and Partners and as Personal Injury and Clinical Negligence 'Silk of the Year' by the Legal 500 in 2017 and 2022.

Selected Cases

- Rectal mesh (2022) – Alex acts for a surgeon who faces multiple claims about colo-rectal surgery and the use of rectal mesh.
- Papworth Hospital (2022) – Alex acts for the Defendant trust in claims in respect of multiple claims arising from waterborne infections contracted at a newly built hospital.
- Cardiac implants (2022) – Alex advised the Defendant hospital in relation to a claim made in respect of a failed cardiac implant.
- Hewes v West Hertfordshire Hospitals and others (2020) – Alex successfully appeared in the Court of Appeal for the GP defendant where the Claimant suffered permanent injuries because of cauda equina syndrome.
- MMM v Royal Berkshire Hospital NHS Trust (2020) – Alex acted for the Claimant in this catastrophic birth injury case. Alex succeeded in obtaining an interim payment of just under £1m to allow a suitable property to be purchased. The case was ultimately resolved with a negotiated
- Marshall v Schembri (2020) – Alex represented the GP Defendant in the Court of Appeal. It was alleged that failure to recognise a pulmonary embolism led to the death of the Claimant's wife. The case reviewed the use of statistics and inferences in clinical negligence cases.
- Daniels v Dr Williamson (2019) – Alex acted for the Defendant in which the Claimant developed an infection and required quadruple limb amputations to save her. It was alleged that her GP did not recognise the infection timeously. Causation was particularly complex. The matter was settled.
- Yates v Worcestershire Acute Hospitals NHS Trust (2016) – Alex acted for the Defendant. The Claimant suffered from a congenital heart problem and developed infective endocarditis. He suffered a stroke. He blamed the Trust's clinicians for failing to recommend surgery earlier and for providing antibiotic treatment for too long. At trial, at the conclusion of the cross examination of the Claimant's experts, the case was abandoned.
- X (a child) v Maidstone and Tunbridge Wells NHS Trust (2016) – Alex successfully defended a claim for an alleged failure to identify and treat meningitis. The case was based on flawed expert analysis

and this was demonstrated at trial.

- *Rallison v North West London Hospitals NHS Trust* (2015) – Alex acted in this key authority on proportionality and interim payments on account of costs.
- *Baker v Epsom and St Helier University Hospitals NHS Trust* (2015) – Alex acted for the Defendant in a case involving allegations regarding the approach to a lower limb amputation. The claim was dismissed at trial.
- *Crofton v NHSLA* – Alex was led by John Grace QC in this leading Court of Appeal authority on the public funding of care and its relevance to personal injury actions.

Personal Injury

Alex handles all aspects of personal injury work for both claimants and defendants. He is instructed where there are difficult causation or quantification issues including competing medical causes (negligent and non-negligent). He often acts where his expertise in clinical negligence, product liability, group litigation and property damage are relevant.

He has particular experience of fatal accident claims including cases where the deceased are very high earners and where the cases have an international element. He has reputation for taking a fair but rigorous approach to the assessment of cases.

Alex advises on related insurances issues arising from personal injury cases especially where there are related product liability or international elements.

Alex is ranked as a leading silk in both Chambers and Partners and the Legal 500. He was nominated as Personal Injury and Clinical Negligence ‘Silk of the Year’ by the Legal 500 in 2017.

Selected Cases

- *The Grenfell Tower Litigation* (2022) – Alex is retained in relation to civil claims arising out of the Grenfell Tower. It is anticipated that in the region of 1,000 claims will be advanced for personal injuries.
- *AA v Groupama* (2019) – The Claimant advanced a claim for 200 million euros in this fatal road traffic accident claim. The accident occurred in France when a tyre on a lorry failed. The matter was the case gave rise to issues of relevant French law, product liability and quantification.
- *CDE v FGH* (2018) – The Claimant was very severely injured in a road traffic accident (road rage). He had significant behavioural difficulties as well as severe physical difficulties. The parties took an unusual but constructive approach in setting up a trial independent living. The failure of that trial gave a firm basis on which a proper assessment of the case could be made. The case was
- *AXW v Boultons of Shropshire* (2018) – The Claimant was injured in a road traffic accident as an infant but the consequences of his brain injury only became apparent in his late teens. The case was complicated by the Claimant’s residence in Hong Kong which gave rise to issues of the appropriate local quantification using Hong Kong experts and included argument over the relevant discount rate. The case was compromised.
- *The Hope Litigation* – Three generations of the same family were injured / killed when a bus struck them as they were walking on a pavement in South London. Alex acted for the Defendant and steered the matter to settlement with five claimants, including secondary victims, in a series of

round table meetings.

Property Damage

Alex acts for Claimants and Defendants in cases involving damage to property and consequential losses both in relation to issues of primary liability and insurance coverage. Cases have involved fires, explosions, floods, landslips and contamination by oil leakage.

Alex is regularly instructed where there is an overlap with his other areas of expertise, for example, where the cause of the fire is related to a product or the property damage was sustained alongside personal injury or death. Alex is often asked to oversee the various strands of the litigation arising out of a single incident, especially where separate legal teams are concerned with specific aspects of a case.

Selected Cases

- The Grenfell Tower Litigation – Alex is retained in relation to civil claims arising out of the Grenfell Tower fire.
- Edgington v Guymer – Alex acted for the gas installer in relation to a domestic explosion which destroyed a property and seriously injured the occupants. The case demanded careful and rigorous analysis, and presentation, of technical expert evidence. Shortly before trial, the claim against Alex's client was abandoned.
- Lloyd-Jones v Whirlpool – Alex acted for the property insurer when a fire commenced in a residential flat. The cause of the fire was alleged to be a domestic drying machine. As well as the property damage, two men were killed in the fire. Alex's role included coordinating with the deceased's representatives to ensure that a coordinated approach was advanced by all interested parties. The matter was compromised.
- Howmet Limited v Economy Devices Limited & Others – A catastrophic fire destroyed factory premises. Alex acted for the manufacturer of a liquid level-sensing device in successfully defeating the claim at trial. The case was successfully defended at trial and the appeal dismissed by the Court of Appeal. Key legal issues involved duties of care, reliance, causation and the controlling minds of companies.
- The Hatfield Colliery landslide – Alex acted for a sub-contractor at the Hatfield Colliery when a significant landslide led to the disruption of the local rail network.
- Malmaison, Oxford – Alex acted for electrical sub-contractors in litigation arising out of a fire at a luxury hotel in Oxford, which had been converted, from a prison.
- Harooni v Rustins – Alex acted for the Defendant company which the Claimants alleged was responsible for the spread of a devastating fire at warehouse premises in north London. The Claimant alleged that paint products stored in the Defendant's premises caused the spread of a fire to its premises. The claim relied on the rule in Rylands v Fletcher and was dismissed at trial.
- The Buncefield Litigation – For a significant part of three years, Alex was involved in the Buncefield Litigation arising out of the massive gas explosion in Hertfordshire in December 2005. He was part of Total's team in the three-month trial of preliminary issues in the Commercial Court in 2008 and in the Court of Appeal in January 2010. He was instructed to appear in the Supreme Court but the matter settled shortly before the hearing. The value of the litigation was in the region of £1bn and involved disputes between oil companies, commercial property owners and private individuals. Issues included contractual disputes, construction of indemnity clauses, insurance, product liability,



the recovery of pure economic loss in tort, vicarious liability, public nuisance, private nuisance and the rule in *Rylands v Fletcher*. Alex was the only member of Total's legal team (solicitors or counsel) to be instructed at first instance and at both appellate levels.

Insurance

Alex is retained in disputes or to advise generally on insurance issues particularly where the underlying subject matter involves one or more of his other specialties (product liability, property damage, group actions, personal injury or clinical negligence). Recent issues include coverage, aggregation, multiple insurance cover, fraud/criminality and the impact of statutory provisions.

Selected Cases

- US Class Action – Alex advised UK insurers on issues of coverage including aggregation in relation to a US class action for personal injuries arising out of a medical product.
- Equestrian accident – Alex advised on the operation of competing policies arising out catastrophic injuries sustained by a child when kicked by a horse.
- *Alexander Forbes Europe Limited v SBJ Limited* – Alex acted for the Claimants in their successful action against professional indemnity insurance brokers. Issues included the need to notify multiple claims arising out of pension misselling in the 1990s rather than circumstances of a potential block claim.
- *Banque Bruxelles Lambert v Zurich Insurance Company Limited* – Alex was a member of a team of counsel acting for Defendant insurers against BBL who sought an indemnity following the John D Wood litigation. Insurers avoided on the basis of fraud.
- The Wickens Litigation – Alex acted for a defendant in the extensive litigation arising out of the collapse of a building in the South of England in which 5 people were killed. He was initially retained to deal with insurance issues but ultimately appeared at trial of the substantive professional negligence issues.

Qualifications

- MA (Oxon)

Memberships

- COMBAR
- LCLCBA
- PIBA
- PNBA



Recommendations

"Alexander is a master of detail. He is very charming and easy to work with on high-value claims." "He is very strong on technical issues whilst at the same time being able to explain the legal issues in a clear and concise fashion, which makes him very strong on his feet and in conference." "Alexander is an excellent barrister. He is very commercial and takes a very client-friendly approach."

Chambers & Partners, 2023

'Super responsive, utterly charming to work with, a sentiment shared by the clients ' 'An extremely skillful, powerful and impressive advocate. Goes above and beyond to get to grips with complexities of a case.' 'Alex has impressive advocacy skills and is extremely talented. He is very clever and makes a complex issue sound very simple.' 'Real attention-to-detail, excellent pleadings and written advice. A polished advocate with an ample charm which hides a tough negotiator.'

Legal 500, 2023

"A fantastic advocate - he is really amazing, very slick, sharp and has the ear of the court." "He has an absolute eye for detail, is extremely no-nonsense and gets very good results. His opinion is very much respected."

Chambers & Partners, 2022

"A living legend of product liability practice; extremely sharp, sees bigger picture, speaks with authority and technical brilliance."

Legal 500, 2022

"A very affable silk with a rapier-like intelligence and the willingness to fight points other QCs might not want to take on."

Legal 500, 2021

"Detailed and thorough analysis of complex legal and factual issues. Tremendous knowledge of personal injury and product liability issues."

Legal 500, 2021

"A remarkably astute, highly-experienced and technically brilliant QC whose dedication, focus and legal precision is exemplary."

Legal 500, 2021

"A very measured, sensible and effective advocate who inspires confidence."; "A very persuasive advocate with great tactical acumen."; "His cross-examination of experts is very good indeed."

Chambers & Partners, 2021

"Really at the top of his game - his advocacy is extremely good and he has a really good commercial head on him." "A first-class advocate who pays great attention to detail."

Chambers & Partners, 2020

"Superbly intelligent, with an incredible insight and lightning fast responses. "

Legal 500, 2020

"He's really a superb advocate; he's calm, unflappable and terribly charismatic great intellect charming, civilised and fair first-rate operator"

Chambers & Partners, 2019



“A great advocate who knows his stuff first-class advocate, one of the leading silks in the product liability field”

Legal 500, 2019