



Alexander Antelme QC



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"A superb advocate...calm,unflappable, terribly charismatic"
(Chambers UK 2019)



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Alexander Antelme QC specialises in the fields of product liability, clinical negligence, property damage 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 each of his areas of expertise.

Product Liability

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

Alex led the successful defence in the DePuy Pinnacle Group Litigation (*Gee v DePuy International Limited*) with a team of five counsel from Crown Office Chambers. This was 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.

Alex's current clients include major pharmaceutical and medical product companies. He acts for insurers or medical bodies, including the NHS, in cases where issues of product liability arise. The nature of his cases inevitably includes international issues and Alex enjoys working in close partnership with attorneys in Europe and in the USA.

Example of products in current and recent cases include breast implants, motor engines, metal-on-metal prosthetic hips, PEEK prosthetic shoulders, surgical mesh, radiological dyes, domestic appliances, motor products and various industrial machines. Cases involve product recalls, property damage, catastrophic personal injuries and death, and significant loss of profit / business interruption.

Selected Cases

- Re Diesel Emissions (2020) – Alex is retained by a French car manufacturer in relation to allegations

about diesel emissions.

- Re Allergan Breast Implants (2020) – Alex is retained by the manufacturers of textured breast implants. It is alleged that some patients developed a rare cancer as a result of these products.
- Talcum Powder (2020) – Alex is retained to advise on evidential matters in a US claim against the manufacturer of a talcum powder.
- Metal-on-Metal Hips (2020) – Alex continues to act for several manufacturers in respect of claims in relation to metal-on-metal hips both in the UK and advising on international claims.
- 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 compromised.
- Lewin v Glaxo (2019) – Alex acted for Glaxo in relation to a radiological contrast medium, Myodil, which the Claimant alleges caused significant injuries decades after its use. Alex led a team from Crown Office Chambers. 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 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 NHS and the defence unions. His cases are the most complex or of the highest value. Most are worth more than £10m and several more than £25m. 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 has been nominated as 2021 Clinical Negligence 'Silk of the Year' by Chambers and Partners. He was previously nominated for Personal Injury and Clinical Negligence 'Silk of the Year' for the Legal 500 Awards in 2017.

Selected Cases

- *Hewes v West Hertfordshire Hospitals and others* (2020) – Alex is retained to appear in the Court of Appeal for the GP defendant in this matter where the Claimant suffers permanent injuries because of cauda equina syndrome. The defence was successful at first instance and the Claimant appeals.
- *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 settlement.
- *Marshall v Schembri* (2020) – Alex was instructed in the Court of Appeal for the GP against whom 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 life. It was alleged that her GP did not recognise the infection timeously. Causation was particularly complex. The matter was settled.
- *Rectal mesh* (2018) – Alex acts for a surgeon who faces a series of complaints about colo-rectal surgery and the use of rectal mesh.
- *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 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 was nominated for Personal Injury and Clinical Negligence 'Silk of the Year' for the Legal 500 Awards 2017.

Selected Cases

- The Grenfell Tower Litigation (2020) – Alex is retained in relation to civil claims arising out of the Grenfell Tower fire. 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 compromised. 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 compromised.
- 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 primary questions of liability and issues of 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 the 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.

Qualifications

- MA (Oxon)

Memberships

- COMBAR
- LCLCBA
- PIBA
- PNBA



Recommendations

"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

"A barrister of great intellect who has a large caseload of complex high-value matters very experienced, approachable and good with clients provides clear, realistic advice meticulous preparation a formidable advocate very robust excellent technical skills dominant force at the negotiating table"

Chambers & Partners, 2018

"A passionate advocate who communicates persuasively"

Legal 500, 2018

Alex was nominated for Personal Injury and Clinical Negligence 'Silk of the Year'

Legal 500, 2017