



Jack Murphy



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"Very experienced, much beyond his years. Very legally and tactically astute, good eye for detail, understands strategy, and is very well prepared. Highly recommend."
(Legal 500, 2022)



Jack has developed a specialist criminal regulatory law, personal injury, and inquest law practice.

He has extensive court experience. As part of his civil practice, he regularly appears in the County Court for trials and interlocutory hearings; as well as in front of Queen's Bench Masters. He has been led in the Upper Tribunal and Court of Appeal. As part of his criminal regulatory practice, he regularly appears in both the Magistrates' and Crown Courts. He is developing a particular expertise in inquest work, and has acted as sole counsel in several complex, multi-day inquests.

Before coming to the Bar, Jack read History at Christ Church, Oxford. Aside from the law, he is a keen sailor, skier and walker.

Criminal Regulatory & Environmental

Jack has a specialist criminal regulatory law, inquests, and personal injury practice. He has extensive court experience:

- He is recognised in the legal directories for his inquests expertise, and regularly acts as sole counsel in complex, multi-day inquests.
- As part of his criminal regulatory practice, he regularly appears in both the Magistrates' and Crown Courts for trials and sentencing hearings. He has been led by some of the leading practitioners in the field; and, rare for his level of call, has successfully acted as sole counsel in a Crown Court health and safety trial.
- Jack's personal injury practice encompasses both casualty and disease work, and he is routinely instructed on cases valuing up to £500,000. He regularly appears in the County Court for trials and interlocutory hearings; in front of Queen's Bench Masters; and has been led in the Upper Tribunal and Court of Appeal.

Before coming to the Bar, Jack read History at Christ Church, Oxford. Aside from the law, he is a keen sailor.

CRIMINAL REGULATORY LAW



Jack is an established member of Crown Office Chambers' market-leading criminal regulatory law team. His practice encompasses health & safety, environmental law, and motor offences. He welcomes instructions on behalf of defendants and potential defendants, and he regularly appears in the Magistrates' and Crown Courts for both trials and sentencing hearings.

Health and Safety

His health & safety work covers a broad range of industries and issues. He has represented a range of corporate clients, from micro companies up to very large organisations with turnovers in excess of £1 billion; regularly advises companies and individuals regarding prosecutions under the 1974 Act; has been instructed in manslaughter cases; and is familiar with niche areas of the field, including wilful neglect and fire safety offences.

Selected health and safety offences cases include the following:

- Inquest into the death of IM (Birmingham Coroner's Court, September 2022) – A two-week jury inquest into a work at height fatality, involving a collision between an overhead crane and an elevated work platform during the construction of a testing facility at the University of Birmingham. Jack acted for the Principal Contractor, a national construction and engineering company.
- R v Alutrade Limited & Others. (Wolverhampton Crown Court, March 2022) – One of the major manslaughter cases of 2022, Jack was led by Mark Balysz in representing a large metal recycling company charged with corporate manslaughter relating to a death due to unguarded machinery. The Crown eventually accepted the company's guilty plea to corporate manslaughter, alongside pleas to non-causative HSWA offences from three co-defendant managers originally charged with gross negligence manslaughter. This plea deal, coupled with the Company's sentence (£2m, with four years to pay) was a favourable outcome.
- R (HSE) v Douglas (Reading Crown Court, December 2021) – Jack was instructed as sole counsel to represent a high-performance boat builder charged with a breach of regulation 11 of PUWER regarding the use of an unguarded table saw. Jack secured an acquittal following a week-long trial. The case was challenging, and the outcome exceptional given the strict nature of the duty under regulation 11 and the absence of a reasonableness defence.
- R (Thanet DC) v S (Folkestone Magistrates' Court, April 2022) – Jack represented a multi-national building materials company (with a turnover in excess of £1 billion). The case concerned alleged inadequate training in regards to the movement of heavy steel mesh products using fork-lift trucks, and a consequent serious accident involving 3 employees. A significant aspect of the case was the comprehensive fork-lift truck training provided to all employees involved, and the enforcement of exclusion zones. The prosecution contended for a fine of between £1.5 to £3 million. The Judge accepted Jack's arguments and imposed a fine of £400,000 only.
- R (HSE) v R&J Ltd and Others (Swansea Magistrates' Court, September 2021) – Jack represented one of two directors of a specialist roofing firm charged with s.37 HSWA offences regarding a serious work at height accident. On sentence, the prosecution's argument that a custodial sentence and a directors' disqualification order should be imposed were rejected, and a community order only imposed.
- R (HSE) v S Ltd and Others (Grimsby Magistrates' Court, September 2020) – Acting as sole counsel at sentence for a company with turnover in excess of £300 million, in relation to a workplace accident caused by inadequate isolation and lock-off procedures. A favourable fine of £200,000 was obtained.
- R v E (Leicester Crown Court, July 2017) – Led in a s.47 wilful neglect Crown Court trial involving the near-fatal drowning of a vulnerable pupil at a specialist school, in which a conditional discharge was obtained on the basis of unused material Jack identified.



- Being led in a prosecution of an Approved Inspector under the Regulatory Reform (Fire Safety) Order 2005, in which the prosecution offered no evidence following legal submissions on the applicability of the Order.

Environmental Law

Jack is developing an environmental law practice, and he has particular experience of prosecutions under the Environmental Protection Act 1990. Recent work in this area includes successfully defending Waitrose (instructed by Eversheds Sutherland) and a large national housebuilder (instructed by Gowling) in respective statutory nuisance prosecutions.

Motoring Offences

Jack's motor offences work includes regular trials and sentencing hearings for careless driving; and he has experience of fatal offences, as well as s.170 Road Traffic Act failure to report / failure to stop offences. Recent highlights include securing non-custodial sentences in both a death by careless driving case and a serious injury by dangerous driving case.

Inquests & Public Inquiries

Jack has an established specialist inquest practice, and has been ranked in both Legal 500 and Chambers and Partners. The Legal 500 describes him as *"Very experienced, much beyond his years. Very legally and tactically astute very well prepared. Highly Recommended"*; and Chambers and Partners describes him as *"a strong choice of barrister for healthcare providers, construction companies, public bodies and families in complex inquests"*.

He regularly acts as having undertaken a 3 month full time secondment to Capsticks Solicitors LLP regularly re sole counsel in complex multi-day jury inquests each year. His expertise encompasses deaths in custody; healthcare; reportable diseases such as legionella; HSE and Police involvement, and cases where prosecution is anticipated; and public law points involving Article 2 ECHR.

He was instructed in one of the first cases involving unlawful killing after the landmark Supreme Court case of *Maughan*, attracting national media attention; and in relation to the Grenfell Tower Inquiry.

He was appointed to the Attorney General's C Panel in 2021.

He regularly appears at both Pre-inquest Review and Inquest hearings, both with and without juries. He has been instructed by a range of national and international healthcare providers, as well as by families of the deceased and non-professional interested persons. He has particular expertise in respect of deaths in the health and social care sphere. Much of his work has involved public bodies

Selected highlights include:

- JB Inquest (Manchester City Coroner's Court, February 2021) – Acting for the former operators of the Manchester Metrolink tram system in a sensitive, well-publicised inquest involving the death of a young man following a cardiac arrest, suffered during a contentious physical restraint performed on him by four Metrolink contractors in central Manchester. This was one of the first cases concerned with unlawful killing and the lowered standard of proof following *Maughan*. Jack's submissions on

the application of Article 2 ECHR and his client's work policies were accepted by the Senior Coroner, and no adverse findings were made in regards to his client at the conclusion of the inquest. The case attracted national media coverage: <https://www.bbc.co.uk/news/uk-england-manchester-56203332>

- CF Inquest (Worcestershire Coroner's Court, September 2020) – A complex one-week inquest concerning the drowning of a severely disabled young woman whilst using an allegedly-defective domestic bath hoist unattended. Jack acted for the contractor responsible for servicing the hoist one month prior to the death. The family alleged that the hoist service had been inadequate. Much of the evidence was concerned with expert opinion. Previous consideration of homicide offences by the police created particular sensitivity. Accepting Jack's submissions, no criticism of the client was made by the Coroner made at the inquest's conclusion.
- Acting for Surrey County Council in a number of complex jury inquests, including: a case concerned with the suicide of an individual known to their adult social care service, and a case involving the murder of a vulnerable man on probation.
- Being led by Keith Morton QC and Adrian Darbishire QC in connection with the Grenfell Tower Inquiry.

Personal Injury

Jack has a busy defendant personal injury practice, encompassing both casualty and industrial disease claims. He regularly drafts pleadings, provides advice on liability and quantum, and undertakes settlement negotiations in cases ranging in value from £50,000 to c.£500,000.

Recent selected work includes:

- Advising on both liability and expert evidence in an occupational asthma claim pleaded in the region of £400,000, involving a novel mode of alleged exposure (a domestic battery), and raising fundamental questions of foreseeability and remoteness. At the CCMC Jack successfully persuaded the court to order a split trial and grant permission for expert engineering and occupational hygiene evidence. This evidence subsequently led to Claimant discontinuing the claim.
- A chronic pain syndrome case valued in excess of £400,000, which Jack was able to compromise for a global figure less than £150,000.
- Successfully defending a Noise Induced Hearing Loss claim on limitation grounds, despite the defendant not having advanced any positive evidence of forensic prejudice. HHJ Vosper QC found that information elicited from the claimant in cross examination was sufficient evidence of the prejudice faced by the Defendant,

His cases regularly involve three or more disciplines of expert medical evidence, or claimants with complex pre-existing medical conditions. Several of his more recent cases have involved occupational stress and psychiatric injury.

Jack also accepts instructions on behalf of Claimants.



Civil Fraud

Jack is frequently instructed in cases involving concerns of fraud: to conduct trials, proof witnesses, advise on prospects, and settle pleadings. Much of his fraud work arises out of road traffic accidents or public liability personal injury claims, and he has successfully defended several low velocity impact, induced accident and exaggerated injury claims at trial. He also more general insurance fraud work.

Jack has extensive experience of fundamental dishonesty, QOCS, and s.57 CJCA 2015 applications. He has obtained several dishonesty findings following cross-examination at trial. He has also obtained four dishonesty findings without trial following discontinuance, one of which being the first instance dishonesty finding in *Rayner v Raymond Brown Group* (2016) CC (Oxford) (Judge Harris QC) 03/08/2016, referred to in the leading case of *LOCOG v Sinfield* [2018] EWHC 51 (QB).

Clinical Negligence

A significant proportion of Jack's inquest work involves clinical aspects and deaths in health and social care settings, and he is frequently instructed to represent healthcare providers at inquest hearings.

In addition to his inquest work, Jack accepts instructions from defendant NHS Trust, private healthcare providers, and professional bodies, as well as claimants in clinical negligence claims.

Much of his clinical negligence work involves complex medical conditions, with recent cases involving: complex regional pain and psychological injury following the alleged-negligent insertion of an intrathecal opiate delivery device; sudden heart failure as a result of previously-controlled hypokalaemia; the development of complex incisional hernias by a bariatric patient following routine surgery; and a significant case of body dysmorphic disorder with uncertain causes.

Qualifications

- Lincoln's Inn Denning, Bowen & Hardwicke Scholarships
- BPTC, City Law School
- GDL, City University
- BA Hons (Oxon)

Recommendations

"He's meticulous in his approach and has a lovely manner about him with clients and the courts."
Chambers & Partners, 2022

"Very experienced, much beyond his years. Very legally and tactically astute, good eye for detail, understands strategy, and is very well prepared. Highly recommend."
Legal 500, 2022



"He is on top of the detail, he gets the issues and he works extremely hard."
Chambers & Partners, 2022