



A. John Williams



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"He is extremely approachable, highly intelligent and a ferocious cross-examiner."
(Chambers & Partners 2016)



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John specialises in Personal Injury and Industrial Disease claims together with Health & Safety at Work cases.

John is an experienced Junior who works closely with others in the litigation team to secure the right outcome.

Clear and pragmatic advice outside the Court room and focussed, persuasive advocacy in Court ensure that cases are handled both efficiently and effectively. John undertakes work for both Claimants and Defendants.

John undertakes **public access** work.

Industrial Disease

John is recognised as one of the leading practitioners in occupational disease litigation. He has appeared in the Supreme Court in both Baker v Quantum Clothing Group plc [2011] 1 WLR 1003 and the EL Trigger Litigation [2012] 1 WLR 867. John undertakes the full range of disease work with particular emphasis on asbestos; occupational cancers; noise induced hearing loss and occupational stress and bullying claims. Other disease work undertaken includes claims for occupational asthma; upper limb disorder; HAVS; lead poisoning and Weil's disease.

Asbestos

John is regularly instructed by leading insurance companies and private individuals to act in claims for asbestos-related lung disease. He has appeared in multiple show cause and evidence on commission hearings & regularly advises on indemnity issues. Recent cases include:

- Eagles v Renew Holdings plc (Birmingham CC, 23/12/15): Successful appeal against a "show cause" judgment in a brake linings case
- Bolstridge v S Robinson & Sons Limited (in Liquidation) (High Court, June 2015) : High value

- mesothelioma claim involving lost future care services & indemnity issues
- [Knight & Taylor v University of Birmingham](#) (High Court, ongoing): Mesothelioma claim against an occupier of premises where the Deceased studied as a medical student
- [Macarthy v Marks & Spencer plc](#) [2014] All ER (D) 105 (Oct): successful defence in a low dose mesothelioma claim against an occupier
- [Garner v Salford City Council](#) [2013] EWHC 1573: successful defence in a high value mesothelioma claim
- [J v R](#) [2013] : Complex mesothelioma claim for secondary exposure by an Occupational Hygienist who was exposed to asbestos brought home on her husband's clothes – the husband being an Occupational Hygienist who worked for the Defendant

John also has extensive experience of claims for asbestosis; asbestos related lung cancer and pleural thickening. He regularly advises in cases where Employers Liability cover is in issue and on questions of policy response to asbestos claims.

Occupational Cancers/Fibrosis and Other Conditions

John has extensive experience of non-asbestos cancer claims including claims for bladder cancer; nasal cancer and oesophageal cancer. He has undertaken a wide range of disease claims including claims for fibrosis allegedly caused by wood dust and metal dust and claims for Extrinsic Allergic Alveolitis.

Recent and ongoing cases include:

- [B & Others v A Limited](#) [High Court Cardiff, 2015] : Claims for oesophageal cancer by persons employed in a hot roll mill in South Wales. Claims settled without admission of liability
- [Cabanas v Oakfield Farm Products Limited](#) [2014, Worcester CC] : Successful defence following a trial of a claim for Mushroom Worker's Lung and asthma allegedly caused by exposure to mushroom spores and compost bacteria

Occupational Stress and Bullying

John acts for both blue chip companies and public sector employers in defending claims for psychiatric injury due to alleged occupational stress and bullying. John's knowledge of employment law and awareness of the sensitivities often surrounding these claims ensures that pragmatic solutions are sought to what are often complex claims. Recent claims include:

- [York v Merz Pharma \(UK\) Limited](#) (Central London County Court, June 2015) : Successful defence following a 5 day trial of a claim for psychiatric injuries caused by alleged work overload
- [Bailey v IAC Group Limited](#) [2014, Hull CC] : Successful defence following a 6 day trial of a claim for alleged bullying and harassment (swearing and alleged assault) by a senior manager
- [King v Medical Services International Limited](#) [2012] EWHC 970 (QB) : High value claim for bullying and harassment brought by a Senior Executive dismissed following an 8 day trial

Noise Induced Hearing Loss

John regularly acts in NIHL claims which raise issues of limitation; diagnosis and causation. In addition,



John undertakes claims for alleged acoustic shock and chronic tinnitus. Recent/ongoing claims include:

- Baird v Latham Farms Limited [2015, Nottingham CC] : trial to determine the “date of knowledge” in respect of exposure to noise from driving tractors fitted with cabs
- Wilkinson v Consolidated Shoe Corporation & Another [2013, Carlisle CC] : Successful causation defence in a claim for NIHL
- Tighe v MP Bioscience Limited [October 2012, Manchester County Court]: Successful defence of NIHL on both breach of duty and diagnosis/causation
- Mulligan v BN Limited (Bedford CC, January 2017): Claim for aggravation of pre-existing tinnitus allegedly caused by burglar alarm. Claim dismissed

Work Related Upper Limb Disorder (WRULD)

John undertakes wide range of cases involving upper limb injuries. Recent claims include:

- Miller v Warburtons Limited [2014, Preston CC] : Successful defence of a claim by employee for upper limb disorder allegedly caused by lifting standard bread baskets in a bakery depot
- Vermeulen v Burberry Limited [2014, Central London CC]: Successful defence of a claim by switchboard operator for upper limb disorder allegedly caused by poor workstation design. Permission to appeal has been refused

Personal Injury

John undertakes a wide range of personal injury work including claims for catastrophic injuries; serious head injuries; psychiatric injuries and chronic pain/somatoform conditions. John also specialises in defending claims for injuries sustained by employees subjected to violent assault in the course of employment.

These cases commonly include questions relating to provisional damages; periodic payments; recoverability of losses in fatal accident claims and evaluation of complex medical and forensic accounting expert evidence. Claims for chronic pain and psychiatric injuries commonly involve issues as to causation and John works closely with the chosen experts to ensure that all matters relevant to causation are fully explored.

Recent claims include the following:

Liability Disputes

- Cassley v GMP Securities (Europe) Limited & Another [2015] EWHC 722 (QB, Coulson J): Successful defence of a £7m fatal accident claim arising from the death of an investment banker in a plane crash in the Republic of Congo. The High Court dismissed the widow’s claim of alleged negligence on the part of the Australian mining company that chartered the plane
 - B v K [2014, Manchester County Court]: John acted for the Defendant in a claim for psychiatric injuries brought by a former employee who worked as a logistical support electrician alongside the British Army in Basra in 2006. The claim was compromised at trial
 - Goldventure Lodges v Land Rover [2012, High Court]: Led by William Norris QC, John acted for the
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Defendant in a high value product liability claim arising from a road accident in Namibia. Following service of expert evidence and joint statements, the claim was discontinued

- Riddy v NHL Solicitors [2012, Brighton County Court]: The Claimant claimed substantial damages for aggravation of Ehlers-Danlos Syndrome (hypermobility) and psychiatric injuries (somatoform disorder) following a simple tripping accident at work. The claim was discontinued after service of medical evidence
- Doyle v Mitie Group plc [2012, Central London County Court]: The Claimant claimed damages for total blindness caused by Conversion Disorder which he developed following a slipping accident in toilets at Heathrow Terminal 5. Following a trial on the issue of liability only, HHJ Saggerson dismissed the claim

Violence at Work

- Callaghan v Lloyds TSB [2010, Cardiff CC]: Successful defence of a claim for psychiatric injuries following an alleged workplace assault
- G v L (ongoing): claim for psychiatric injuries following a serious incident at work when a senior manager was kidnapped & assaulted by a mentally disturbed employee

LIMITATION

John has extensive experience of acting for Defendants in limitation hearings & is fully familiar with the relevant legislation & case law.

OTHER INFORMATION

John is a member of PIBA and the Health & Safety Lawyers Association. He is a regular contributor to seminar programmes run by Crown Office Chambers.

John is an accredited lead advocacy tutor for Lincoln's Inn and is a Trustee and Vice Chair of SOS!SEN – a charity that provides helpline advice and workshops for parents of children with special educational needs.

Selected Cases

- Cassley v (1) GMP Securities Europe LLP & (2) Sundance Resources Limited [2015] EWHC 722 (QB) – A claim dismissed under the Fatal Accidents Act 1976 arising out of a plane crash in the People's Republic of Congo in June 2010
- The Employers' Liability "Trigger" Litigation [2012] UKSC 14 (Supreme Court) – Construction of EL policies – response to mesothelioma liabilities – the rule in Fairchild and Barker "Asbestos: Supreme Court Rejects Insurers' Arguments in the EL Trigger Litigation"
- Goldventure Lodges v Land Rover (2012) (High Court) – Led by William Norris QC, John acted for the Defendant in a high value product liability claim arising from a road accident in Namibia. Following service of expert evidence and joint statements, the claim was discontinued
- Riddy v NHL Solicitors (2012) (Brighton County Court) – The Claimant claimed substantial damages for aggravation of Ehlers-Danlos Syndrome (hypermobility) and psychiatric injuries (somatoform disorder) following a simple tripping accident at work. The claim was discontinued after service of medical evidence
- Doyle v Mitie Group PLC (2012) (Central London County Court) – The Claimant claimed damages for

total blindness caused by Conversion Disorder which he developed following a slipping accident in toilets at Heathrow Terminal 5. Following a trial on the issue of liability only, HHJ Saggerson dismissed the claim

- Riddle v Carillion Construction (2012) – Claim by plasterer for fibrosis and lung cancer allegedly due to the asbestos content of dry wall jointing compound. Claim discontinued shortly before trial
- Tighe v MP Bioscience Limited (2012) (Manchester County Court) – Successful defence of NIHL on both breach of duty and diagnosis / causation
- B v OU (2012) – High value mesothelioma claim concluded by negotiated settlement at a round table meeting (confidential settlement in April)
- S v D (2012) – policy response in a high value PL mesothelioma claim
- Baker v Quantum Clothing Group Ltd [2011] UKSC 17; [2011] 1 WLR 1003 – In this important civil case the Supreme Court held that foreseeability has a part to play in determining whether a place of work is “safe” within the meaning of section 29(1) of the Factories Act 1961. “Safety” is a relative rather than an unchanging concept and should be judged by reference to the general knowledge and standards of the time. In R v Tangerine Confectionery Ltd; R v Veolia ES (UK) Ltd [2011] EWCA Crim 2015 the Court of Appeal confirmed that Baker applies to the duties under the HSWA. A John Williams appeared on behalf of the Intervener, Guy Warwick Limited
- Howson v Swann (2011) Mackay J – John acted for the Defendant in a high value quantum only claim for very serious orthopaedic injuries and head injury following a motorcycle accident
- Stevens v Poeton Industries Limited (2011) – Lung cancer claim by widow of process worker employed in the electroplating industry. Claim discontinued following service of expert evidence
- **The Employers’ Liability “Trigger” Litigation [2010] EWCA Civ 1096; [2009] 2 All ER 26** – Major multi-party asbestos/insurance litigation
- Fifield v Denton Hall Legal Services [2006] EWCA Civ 169 – Health & Safety (Display Screen Equipment) Regulations 1992, medical causation of upper limb disorder and the evidential status of a claimant’s medical records
- Hotchkiss v Channel Islands Knitwear Limited [2003] JLR 163 – (Privy Council on appeal from the Court of Appeal of Jersey) successful appeal for Defendants on factual causation issues
- Spencer v Boots the Chemist Ltd [2002] EWCA Civ 1691 – Risk assessment under the Management of Health and Safety at Work Regulations 1992 in relation to work related upper limb disorder
- Bourlet v Stagecoach East Kent Company Ltd [1999] PIQR P43 – Renewing process after expiry of the time for service
- M v BN Limited – Claim for aggravation of pre-existing tinnitus allegedly caused by burglar alarm
- O & Others v PB – Multiple claims by employees allegedly exposed to asbestos whilst clearing out work premises. Issues as to recoverability (claims for anxiety based upon breach of contract) and policy response (no “bodily injury”)
- M v RO – Claim for peritoneal mesothelioma which raises an issue as to the application of Fairchild due to an alternative possible cause i.e. radiation therapy
- B v K – John acts for the Defendant in a claim for psychiatric injuries brought by a former employee who worked as a logistical support electrician alongside the British Army in Basra in 2006. The Claimant alleges he suffered PTSD when he was exposed to rocket attacks on the base launched by insurgents
- B v J – The Claimant (through his litigation friend) claims substantial damages for burns and psychiatric injuries when his petrol soaked trousers ignited whilst he was siphoning petrol from old cars at work
- L v O – Claims for bladder cancer by persons employed in the printing industry
- M v BJ – Claim for nasal cancer allegedly caused by exposure to wood dust
- C v A – Claims for oesophageal cancer allegedly caused by exposure to mineral oil mist



Criminal Regulatory & Environmental

John has substantial experience of work for local authorities in licensing matters (public entertainments, sex shops, street trading etc). Recent work includes advising on the Licensing Act 2003.

Statutory Nuisance work (appeals and prosecutions) under the Environmental Protection Act 1990 with particular emphasis on noise nuisance in domestic and commercial premises and at concert venues.

Health & Safety

John has extensive experience of cases involving the following: the primary duties under the 1974 Act; prosecutions for contravening statutory regulations; the “reasonable practicability” defence; risk assessment; the provision of training and information to employees and HSE ACOPs and Guidance Notes. Work undertaken includes pre-charge advice (s20 powers / interviews etc); advice on plea and the basis for any guilty plea and mitigation.

Defence cases handled in recent months include: gross negligence manslaughter case for director of a plastics factory involved in a legionnaire’s outbreak; electrocution of an employee working in a sub station; and serious spinal injuries suffered by an employee who fell from a ladder.

Prosecution cases handled in recent 12 months for local authorities include: methane poisoning of an employee at work; and serious head injuries sustained by a customer visiting a restaurant.

Statutory Nuisance

John has extensive experience in statutory nuisance cases acting predominantly for local authorities but also private clients. Work undertaken includes: (1) advising on & drafting Abatement Notices in complex cases; (2) acting in appeals against Notices & (3) prosecuting & defending alleged breaches of the terms of Notices.

Local Authority Instructions

Instructed by London Borough of Camden; Royal Borough of Kensington & Chelsea; London Borough of Lewisham; London Borough of Ealing & other London Boroughs in statutory nuisance cases. Cases undertaken include:

LB Camden (1990-2004)

John acted as standing Counsel for the London Borough of Camden in statutory nuisance cases for over 10 years.

Instructions included the following:

- noise nuisance allegations in a wide range of premises including: theatres; music venues (e.g. Camden Palace; Jazz Café; Forum; Dublin Castle); pubs; lap dancing clubs e.g. Spearmint Rhino & Secrets) & commercial premises.
- noise nuisance from public events (Kenwood Music Festival)



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- noise nuisance from lifts at Russell Square Underground Station
 - noise & dust nuisances on construction sites operated by major construction companies
 - noise nuisance in domestic premises
 - smell nuisances from restaurant & other commercial premises

Private Clients

John has acted for a wide range of private clients in statutory nuisance cases.

John has undertaken advisory & litigation work for Poppleston Allen, one of the country's leading specialist licensing solicitors. These cases commonly involve complaints of noise nuisance from pub gardens; music played inside licensed premises & noise from deliveries & collections.

John has also recently acted for railway operators defending statutory nuisance claims for alleged noise nuisance from PA systems at major railway stations such as Waterloo East.

Licensing Work

John has undertaken a wide range of licensing work & much of this work includes the enforcement of licence conditions relating to noise & fire safety.

John also drafted Camden's first Licensing Policy under the Licensing Act 2003.

Selected Cases

- Camden London Borough Council v Gunby [2000] 1 WLR 465 – Service of notices under the EPA 1990.
- AMEC Building Limited v Camden London Borough Council [1997] Env LR 330 (first instance)
- Camden London Borough Council v London Underground Limited [2000] Env LR369
- Royal Borough of Kensington & Chelsea (2000 – 2010)
- Royal Borough of Kensington & Chelsea v London Underground Limited (2008/2009, West London Magistrates' Court): John acted for the Council in a number of high profile noise nuisance cases. By way of example: 6 day appeal by LUL against the terms of a noise abatement notice relating to the PA system on the District & Circle lines at Earls Court station. LUL withdrew the appeal just before the Court was due to give judgment and paid the Council's costs.

Recommendations

"A very knowledgeable counsel who can be relied upon to deliver and achieve good results in tough situations."

Legal 500, 2021

"He's a very thorough advocate and is always on top of things. He's also very personable and judges like him."

Chambers & Partners, 2020

"Always calm and level-headed under pressure, and inspires complete confidence in his ability to master



fact-heavy and complex scenarios. Very good with clients and witnesses." "A brilliant trial advocate who is superb at cross-examination." "Incredibly persuasive and makes clients quickly feel comfortable."
Chambers & Partners, 2018

"He has a wonderful ability to reduce complex law into easy-to-understand bite-sized pieces." "A formidable trial advocate and ruthless in cross-examination."
Legal 500, 2017

"He's excellent, a formidable opponent" "He is extremely robust; as a trial advocate he can really go for the jugular when called for"
Chambers & Partners, 2017

"He is extremely approachable, highly intelligent and a ferocious cross-examiner."
Chambers & Partners, 2016

"An outstanding advocate, who is also client-focussed and a joy to work with."
Legal 500, 2016

"He's very bright, misses nothing, and is very easy to work with and approachable."
Chambers & Partners, 2015

"An experienced health and safety barrister....An extremely robust cross-examiner."
Legal 500, 2015

"He is very analytical in his approach and also communicates effectively to juries."
Chambers & Partners, 2014

"He considers everything in detail."
Legal 500, 2014

"A preferred counsel on all asbestos-related matters."
Legal 500, 2014