



Peter Morton



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Peter Morton's practice is 75% industrial disease litigation, almost all of which is for Defendants. The balance of his practice involves higher-value RTA cases, workplace accidents, and occupiers' liability claims.

After completing pupillage in London and on the North Eastern Circuit, Peter practised in general common law, including crime, for several years before concentrating on personal injury litigation. He lives in Northumberland but is happy to travel and his practice takes him all over England and Wales.

## Clinical Negligence

Peter acts for claimants and defendants both in claims relating to negligent surgery and in claims involving general practitioners, dentists and opticians.

## Personal Injury

Noise-induced hearing loss and tinnitus

Peter regularly undertakes trials (including limitation hearings) for a variety of solicitor and insurer clients. He is fully proficient in interpreting of audiometry and in the application of both the CLB 2000 Guidelines and the LCB 2016 quantification guidelines.

Has extensive experience of arguments over matters such as the "low fence threshold", the averaging of audiograms, de minimis, the alleged worsening of symptoms after exposure, the use of 1, 2 and 4kHz and the significance of the 6kHz threshold. Peter has cross-examined many of the leading experts in the area, and as well as relishing the forensic aspect of the work he maintains a lively interest in civil procedure and in arguments over issues such as supplemental witness statements, disclosure "expert shopping" and Part 35 questions.



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## Asbestos litigation

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Peter undertakes many “show cause” hearings before Queen’s Bench Masters as well as full trials both on breach of duty and quantum. He has attended numerous “evidence on commission” hearings, and is fully conversant with the interpretation of the many statutory duties relevant to asbestos disease litigation and with fast-changing landscape of the standard to be expected of employers and others at different times.

Peter has a particular interest in cases which involve only a small asbestos -related component and considerable co-morbidity and in cases where there is only a low percentage of respiratory disability yet a claim for substantial damages, including damages for care and assistance.

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## Hand-arm vibration syndrome

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Peter has undertaken numerous HAVS trials and is familiar with issues of limitation often raised in these cases, as well as the criteria for the diagnosis of the condition and arguments against a work-related cause (including delayed onset, symptoms otherwise in the hands, obesity, peripheral neuropathy, diabetes, medication side-effects and other alternative medical diagnoses).

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## Asthma/dermatitis/COSHH

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Peter is familiar with the issues of medical causation which (given the rigour of the framework of statutory protection for employees and ERA 2013 notwithstanding), are often the most important features of these sort of cases. He has both called and cross-examined chest physicians, rheumatologists, dermatologists and of course engineers and occupational hygienists.

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## Selected Cases

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- (As junior counsel) A claim that noise-damage worsens after exposure (it does not). The case had considerable potential implications for the landscape of limitation.
- (As counsel) A claim that NIHL which did not exist over 1, 2 and 3kHz could be diagnosed using 1, 2 and 4kHz because of the importance of the latter frequency for social hearing.
- (As counsel) A claim that a 2% asbestos-related respiratory disability out of a total of 60% to 70% did not sound in damages.
- (As counsel and later junior counsel) A claim for damages arising out of massive burns sustained after climbing into a well-protected electricity substation.

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## Professional Liability

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In professional negligence, he acts for claimants and defendants in claims involving solicitors’ conduct of litigation (personal injury and commercial) their drafting of wills, their service of notices under leases, and also in claims involving accountants, surveyors, and agricultural consultants.

The negotiation for the defendant of settlement in a substantial case involving “nervous shock” sustained when the claimant witnessed the death of his son who was joyriding on a machine at the invitation of a fellow employee arguably acting outside the scope of his employment.



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## Inquests & Public Inquiries

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Peter has extensive experience in attending inquests on behalf of all properly interested parties including families, NHS Trusts, insurers and employers.

He has specific experience in relation to deaths involving factory accidents, RTAs and Care Homes.

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## Qualifications

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- LLB, LLM (Cantab)

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## Memberships

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- PIBA