

OLD SQUARE CHAMBERS



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CONTENTS

About Us	3
Employment & Discrimination	4
Personal Injury	5
Professional Regulatory & Discipline	6
Clinical Negligence	6
Health, Safety & Environmental Law	7
Education	7
Member Profiles	
Mark Sutton QC	8
Oliver Segal QC	9
Michael Ford QC	10
Ben Collins QC	11
Toby Kempster	12
Jonathan Clarke	13
Christopher Walker	14
Jack Mitchell	15
Charlie Woodhouse	16
Hilary Winstone	17
Andrew Midgley	18
David Cunnington	19
Naomi Rees	20
Kara Loraine	21
James Chegwidden	22
Simon O'Dwyer	23
Rosalie Snocken	24
Laith Dilaimi	25
Sophie Beesley	26
Andrew Bell	27
Our Clerking Team	28

ABOUT US

The defining quality of Old Square Chambers is excellence. This is the standard we set for ourselves in the delivery of services to our clients. Many of our members hold part-time judicial positions, sit on specialist panels, act as mediators, and edit or contribute to leading practitioner texts.

Old Square Chambers is a specialist set with 78 members, including 14 Queen's Counsel which provides advocacy, advice and drafting of the highest quality at trial and appellate level.

We practice in a number of specialist areas, including:

- Employment and Discrimination (including dispute resolution, internal investigations and GDPR)
- Personal Injury
- Professional Regulatory and Discipline
- Clinical Negligence
- Health, Safety and Environmental
- Education

Our team of specialists includes our Bristol based members, residing at our newly acquired premises in Queen Square. Recently refurbished to an exceptional standard, the building itself offers a wide range of facilities including conferencing and is in a prime position to offer seminars and training sessions.

In addition to our Bristol presence, to which we have recently added two new members, a large number of members from London practise across the South West and nationwide, offering specialist advice and an exceptional service level. The profiles that follow are an example of the expertise held by both our Bristol and London members.

The barristers are “*extremely approachable and down to earth*”, as well as being “*trend-setters and law-changers of the highest order, who provide a highly effective service*”.

THE LEGAL 500

EMPLOYMENT & DISCRIMINATION

Old Square Chambers continues to be one of the preeminent employment sets and our members are instructed to address the most complex matters in employment law. Our Bristol based employment team attracts a significant proportion of instructions from solicitors in the region, Wales and nationwide. We regularly appear in the majority of the major employment and discrimination cases, frequently with counsel instructed on both sides. We have strength in depth and provide quality at every level covering every aspect of employment law, with a strong reputation in both discrimination and individual and collective employment rights. We have specific sector expertise with a particular focus in healthcare, local and central government, education, commercial and retail, finance, transport, sport and in cases involving VIPs.

While Old Square is very proud of its success in litigation, this is alongside an enviable practice providing expert and strategic advice to major public and private sector organisations as well as conducting investigations, grievance processes and acting in, as well as chairing, internal hearings.

“Old Square Chambers is a go-to set for trade union clients, offering unparalleled strength in collective labour law issues”

CHAMBERS & PARTNERS

PERSONAL INJURY

Our team of specialists, including seven QCs, act for a multitude of clients in all forms of personal injury – from high value, complex catastrophic injury claims to disputes in the small claims court – enabling us to service a wide range of advocacy and advisory work, nationwide. Our team’s experience in other associated areas, such as clinical negligence, costs work, product liability and professional regulatory disputes, allow us to provide a fully comprehensive service giving our clients the option of maintaining continuity throughout the entire course of personal injury cases.

Chambers has historically been recognised for having one of the strongest claimant practices at the Bar, but has now built a significant defendant presence by gaining appointment to the panels of several insurers, including specifically for the South West region. As a result, we often find ourselves acting for both sides within the region.

We are considered one of the leading sets in the country in disease litigation. Our team was influential in the largest ever multiple party claim, the Vibration White Finger Group Litigation, involving around 130,000 claimants and total compensation payments in excess of £1.5 billion.

Old Square Chambers is *“an excellent set that delivers high-quality advice”* and *“enjoys a good reputation for personal injury work”*. The *“expert”* barristers are *“adept in dealing with the full range of catastrophic and serious injury cases”*.

THE LEGAL 500

PROFESSIONAL REGULATORY AND DISCIPLINE

Old Square Chambers are at the forefront of professional disciplinary work for clients within the following sectors: healthcare, legal services, education, financial services, police and sport.

Barristers at all levels of call have experience of appearing before, chairing and sitting as Members and Legal Assessors on Disciplinary Tribunals. They appear at all stages of the process including safeguarding any rights by resource to the High Court and the Privy Council. Several of our silks and juniors regularly appear in cases in the Supreme Court, Court of Appeal and High Court.

Old Square Chambers has *“an excellent reputation and many skilled members”*, who have a *“good breadth of solid experience.”*

THE LEGAL 500

CLINICAL NEGLIGENCE

Old Square Chambers has a long-standing tradition of excellence in clinical negligence work, as demonstrated by the involvement of a number of former members in founding the largest UK charity for patient safety and justice, Action against Medical Accidents (AvMA).

Our team of specialists – with depth, experience and excellence at all levels – offers advice and advocacy in all aspects of clinical negligence claims, as well as in inquests and the broadest range of other healthcare issues. Our knowledge and experience is enhanced by our experience in personal injury, product liability, disability and equality law, professional discipline and human rights. This enables Old Square Chambers to provide high quality advice and representation across the entire spectrum of clinical litigation and associated areas.

HEALTH, SAFETY & ENVIRONMENTAL LAW

Old Square Chambers' health, safety and environmental team have consistently been recognised as one of the leading group of specialists at the Bar.

Our environment team undertakes all aspects of work in this field, including prosecution and defence work in the criminal courts, statutory appeals, scientifically complex nuisance and personal injury claims, major group litigation and judicial reviews. Members have extensive experience of dealing with experts in technically complicated cases and of managing group litigation.

Our health and safety team have been involved in the full range of health and safety law, from appeals against improvement and prohibition notices through to prosecutions of individuals for gross negligence manslaughter and prosecutions under the HSWA arising out of fatal and non-fatal accidents. Our cases range from public inquiries to Crown and Magistrates Court prosecutions by the Health & Safety Executive and local authorities. Our traditional areas of strength include cases in the rail transport sector as well as industrial disease and leisure accidents.

EDUCATION

Old Square's Education team comprises experienced specialist practitioners who regularly act in cases spanning all areas of education law. In addition, Chambers is able to draw on its in-depth knowledge of the education sector from complementary areas of law, including employment and professional discipline, to provide a comprehensive service to its clients across a wide variety of disputes.

Our team represents parents and students seeking to appeal Education, Health and Care Plans before the First-Tier Tribunal, and in discrimination claims before the Tribunal or County Court. The team also acts in appeals and judicial review proceedings arising out of such claims.

In addition, Old Square is instructed by universities, colleges, independent schools, academy trusts, maintained schools, local authorities and teaching unions in disputes at all levels, ranging from discrimination cases in the tribunals to matters argued before the Supreme Court (as in the recent case of *Hartley and others v King Edward VI College* [2017] UKSC 39, where members of Old Square represented both the Appellants and Respondent).



MARK SUTTON QC

Call 1982 | Silk 2011

“He's an exceptional cross-examiner, a fantastic barrister, and one of the best in the country in this field.” “He's among the first-class advocates”

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Professional Regulatory & Discipline
- Administrative & Public Law

CLERK

William Meade

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E wmeade@oldsquare.co.uk

As a leading barrister, Mark Sutton QC combines expertise in professional disciplinary proceedings and employment law, regularly appearing before civil courts, employment tribunals, disciplinary panels and at internal hearings. He acted as leading counsel in two successful Supreme Court appeals determining the scope of financial and pre-emptive remedies in connection with professional disciplinary proceedings. In 2015, Mark was nominated for Chambers & Partners ‘Silk of the Year: Professional Discipline’.

Mark Sutton QC undertakes internal investigations and the chairing of inquiry panels in the context of disciplinary proceedings, grievances and other employment related processes. He has substantial experience of working with healthcare bodies, universities, police forces and a wide spectrum of commercial undertakings. He is strongly praised by clients for his efficiency and user-friendly approach, as well as the clarity, balance and thoroughness of his reporting and decision making. He has for several years appeared as a leading silk in Legal 500 and Chambers and Partners. Mark Sutton QC has 18 years’ experience as a part-time judge of the Employment Tribunals in Bristol and is a Master of the Bench of the Middle Temple.



OLIVER SEGAL QC

Call 1992 | Silk 2011

“He has a brain the size of a planet. He is bright, committed and will go an extra million miles for you.”

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Commercial Law

CLERK

William Meade

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Oliver specialises in all fields of employment and discrimination law; and is often involved in high-profile collective disputes. He is also the leading expert in commercial agency law.

Within employment law he has particular specialist experience in: collective disputes (including industrial action, union recognition, TUPE and collective agreement cases); breach of contract claims (including restrictive covenants, PHI and negligent reference cases); and equal pay claims.

Oliver is probably the leading barrister within the field of commercial agency law; he acts for both agents and principals and has appeared in several of the most important cases, including the House of Lords case of *Lonsdale v. Howard & Hallam*.

Oliver is very experienced at representing parties at mediations and arbitrations. He also sits as a fee paid Employment Judge and is a CEDR accredited mediator.

Notable cases include:

- *Taylor v Birmingham City Council* [2017] EWHC 2576 (QB), instructed by Richard Arthur, Thompsons Bristol – the Birmingham “bin men” s dispute” ; Oliver Segal QC and Stuart Brittenden acted in *Taylor v Birmingham City Council*, the so-called “bin men” s dispute” . Louise Chudleigh acted for Birmingham City Council.
- *Govia Thameslink Railway v ASLEF* [2017] I.C.R. 497, CA - the case about Southern Rail requiring drivers to drive trains without guards (OLS) GTR, who own the franchise to run Southern Rail, applied for an interlocutory injunction to prevent ASLEF from calling strike action in December 2016 and January 2017 over the introduction of Driver Only Operated Trains. It was found that there were no legal grounds on which GTR were entitled to an injunction to block the strike action. Oliver Segal QC, Stuart Brittenden and Nadia Motraghi successfully acted for ASLEF.



MICHAEL FORD QC

Call 1992 | Silk 2013

“Absolute class act. He knows his area of employment law inside out. He is a superb advocate.”

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Administrative & Public Law
- Civil Liberties & Human Rights
- Professional Regulatory & Discipline
- Health, Safety & Environmental Law

CLERK

William Meade

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Michael Ford QC specialises in labour law, EU law and human rights, especially at appellate level. He has appeared in many leading employment cases, including in the House of Lords, the Supreme Court, the Court of Justice and the European Court of Human Rights, and has over 60 reported cases. His recent cases include *R (UNISON) v Lord Chancellor* where he was instructed by the Equality and Human Rights Commission in the Supreme Court case which led to the abolition of tribunal fees; and *Lock v British Gas*, where he was argued successfully for Mr Lock in the Court of Justice and the domestic courts that paid annual leave must include commission payments. He is a Professor of Law at the University of Bristol and a fee-paid Employment Judge; he is on the EHRC panel A list of specialist counsel; and he was Chambers & Partners Employment Junior of the Year in 2013 and Employment Silk of the Year in 2015. He is currently adviser to the BEIS Parliamentary Committee on employment law. He has First Class degrees in Law and Biology and was once a solicitor with Slaughter and May. His real interest in life is cycling: he was once in the GB road squad. He has two sons and is trying to learn Spanish.

Notable cases include:

- *Unison v Lord Chancellor* (EHRC intervening) - In perhaps the most important judgment in employment law of the last fifty years, a seven-person Supreme Court found that the Employment Tribunal and Employment Appeal Tribunal Fees Order 2013 (Fees Order) prevents access to justice and is unlawful. Old Square Chambers' Michael Ford QC, Mark Whitcombe and Spencer Keen were instructed by the Intervener, the Equality and Human Rights Commission



BEN COLLINS QC

Call 1996 | Silk 2016

"A feisty and incisive advocate who impresses clients with his grasp of detail." "He's exceptionally good, personable with witnesses and able to have a joke and a laugh."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Administrative & Public Law
- Professional Regulatory & Discipline
- Clinical Negligence
- Personal Injury
- Sport
- Inquests & Public Inquiries
- Civil Liberties & Human Rights

CLERK

William Meade

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Ben Collins QC has directory recognition as a leading silk in four fields of practice – employment, professional discipline, clinical negligence and personal injury, as well as maintaining a busy practice in public law and human rights. He appears in cases of the highest complexity, value and public profile across these fields and in a range of courts and tribunals from the first tier to the Supreme Court.

Notable cases include:

- *AL v Gloucestershire Hospitals NHS Foundation Trust* (High Court, 2016-17): High value claim for serious neonatal injury arising from bacterial infection.
- *R (DSD and others) v Parole Board* (Administrative Court, 2017): Challenge by victims of John Worboys to parole Board's decision on release from prison. Ben Collins QC and Robert Moretto acted for the Parole Board in a series of very high profile judicial reviews challenging the decision to release John Worboys from prison, and seeking publication of the reasons for the Board's decision.



TOBY KEMPSTER

Call 1980

"He is reliable and accessible and a safe pair of hands in multi track personal injury work. He is excellent at putting clients at ease and offers clear, user friendly advice."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Personal Injury
- Commercial Law
- Professional Regulatory & Discipline

CLERK

William Meade

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Toby practices in both personal injury and employment law, the common denominator being the workplace.

Toby's PI work is predominately Claimant based and he has developed particular expertise in claims involving occupational disease (including Fatal Accident Act claims) and also those involving complex stress/psychological injury. In relation to the latter, there is often a crossover into employment law and claims, for example, of disability discrimination.

His employment work includes contractual claims and he has recently been involved in a number of restrictive covenant disputes and PHI claims.

Toby is a recommended barrister in Chambers & Partners and The Legal 500 for both personal injury and employment law. Highlights for 2017 include negotiating a settlement of £1.1 million for a Claimant who lost his arm in a workplace accident [*Marshall v Hi-Tech*], and involvement in the "Bath Tipper Truck" claim for the family of one of the deceased.

Notable cases include:

- *A v Grittenham Haulage* - A amongst four people killed when struck by Defendant's tipper truck on hill in Bath as result of failed brakes due to inadequate maintenance [mechanic received 7 year sentence for manslaughter]. Deceased a Company Director enjoying a significant salary resulting in a ongoing FAA claim for substantial damages, and successfully compromised at JSM stage by Christopher Walker



JONATHAN CLARKE

Call 1990

"A specialist in noise-induced deafness claims."

THE LEGAL 500

PRACTICE AREAS

- Personal Injury
- Inquests & Public Inquiries
- Health, Safety & Environmental Law

CLERK

Graham Smith

T 020 7269 0357

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Jonathan practices almost exclusively in personal injury work, largely but not solely, claimant based, and of high value. It includes employer's liability claims arising out of accidents or assaults at work and occupational diseases such as asbestos related conditions, work related stress, upper limb disorders, hand-arm vibration syndrome and noise induced hearing loss. He also undertakes road traffic accident cases (from minor LVI claims to fatal accidents), public liability claims against highway authorities, utility companies and statutory undertakers, injuries inflicted by animals, criminal injuries compensation, holiday claims, injury claims by bankrupt claimants and cases involving disputed diagnosis or causation of injuries of obscure aetiology. Jonathan's practice includes CICA claims, coroners' inquests, public inquiries and group litigation. Jonathan is editor of Redgrave's Health and Safety.

Notable cases include:

- Jonathan, led by Theo Huckle QC, successfully represented a house orchestra member in a claim against the Royal Opera House for acoustic shock injury due to dangerously high noise levels in the orchestra pit.



CHRISTOPHER WALKER

Call 1990

"Very well prepared, confident and insightful with experts and a skilful negotiator."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Personal Injury
- Inquests & Public Inquiries
- Health, Safety & Environmental Law

CLERK

William Meade

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Christopher is a personal injury specialist. His predominant focus is with catastrophic injury (spinal cord, brain & amputation) claims, for which he has consistently been recommended in the Chambers & Partners and Legal 500 directories. While having a nationwide practice, Christopher has developed particularly strong links with firms in Bristol, where he has been based for nearly 20 years. Concluded litigation in 2017 for such firms has included £16.1 million & £1.94 settlements for infants brain injured in road traffic accidents (both Irwin Mitchell, Bristol), and a negotiated apportionment of liability between Defendants for a £1.6 million pound accident at work claim (DAC Beachcroft, Bristol).

Notable cases include:

- *MNO v MOD* - Represented a young soldier who suffered a severe brain injury and multiple orthopaedic injuries in an army parachute training jump when his parachute failed to deploy fully. Claim settled for £4.95 million.
- Case of *ABC* - Christopher represented a 43 year old motorcyclist who suffered a severe head injury following a road traffic accident. Settled for £2.35 million pounds, to be held in a bespoke trust created for the Claimant.
- *A v Grittenham Haulage*—Christopher successfully compromised at JSM stage.



JACK MITCHELL

Call 1994

"An excellent barrister who has superb attention to detail. He is great with clients and immediately instils confidence. He is also a very impressive advocate."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Sport

CLERK

Paul Adams

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Jack Mitchell specialises only in employment law and advises on the entire spectrum of claims, but is best known for work on whistleblowing and discrimination claims. He advises on the commercial aspects of employment, providing advice to both corporate and individual clients on a broad range of commercial matters including breach of contract claims, shareholder disputes and partnership issues.

In TUPE, in 2017 Jack acted for twelve former staff, instructed by three unions, presenting claims against a former partnership running a school in Bristol ET. Jack successfully argued to have each partner personally liable for the protected award and that the Respondent school had failed to establish a fair dismissal and that each former member of staff was entitled to damages for unfair dismissal.

Notable cases include:

- Led by Simon Gorton QC, Jack joined the legal team in the important case of *Royal Mail Group Ltd v. Jhuti* where the Court of Appeal overturned the EAT in their decision relating to the whistleblowing case. Permission to Appeal to the Supreme Court is being sought by the Claimant.



CHARLIE WOODHOUSE

Call 1997

"Confident, able and always meticulously prepared. He has a remarkably effective ability to get on well with clients. A very impressive barrister."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Clinical Negligence
- Costs
- Health, Safety & Environmental Law
- Inquests & Public Inquiries
- Personal Injury
- Personal Liability

CLERK

William Meade

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Charlie specialises in personal injury and clinical negligence and is recognised as one of the leading personal injury juniors at the Bar. He is ranked by Chambers & Partners in Band 1 and is ranked in both London Bar and on the Western Circuit. He is also ranked as a leading junior in clinical negligence in The Legal 500.

Charlie has enormous experience acting for claimants and defendants predominantly in high value and serious or fatal injury cases arising from road traffic, industrial and other accidents. His caseload includes accidents resulting in brain injury, spinal cord injury, amputation and cases involving contested mental capacity. Charlie has a particularly strong reputation acting in claims by members of the armed forces and for acting for insurers in cases involving Complex Regional Pain Syndrome, Chronic Pain and associated disorders, including Fibromyalgia, Chronic Fatigue Syndrome and Functional Neurological Disorder.

He has considerable experience of claims that arise out of accidents, often fatal, involving industrial machinery including cranes, trains and other engineering equipment in which Charlie is regularly instructed to act at inquest and in civil proceedings.

Charlie has considerable experience in a wide range of clinical negligence claims ranging from fatalities to delayed diagnosis and acts at both Inquest and in Civil Proceedings.

His recent workload includes fatal accident claims, obstetric injury claims and claims arising from the delayed diagnosis of cancer. His experience of claims involving members of the armed forces includes representation of military personnel injured as a result of clinical negligence. He also has experience of representing elite and professional sportsmen and athletes.

Notable cases include:

- *O v T* – acted for D in a £4.7M claim for fibromyalgia arising from a RTA. Case settled after 5 days of trial when C accepted an offer made by D 3 months before trial.
- *S v M* – acted for D in a £1.7M claim for severe traumatic brain injury and orthopaedic injuries arising from a RTA. Claim settled for £1.1M.
- *R v K* – acted for C at inquest and in civil claim arising from C's husband's death following vascular injury suffered during the course of an angiogram. Claim settled for £1.5M.



HILARY WINSTONE

Call 1998

"A superb advocate who is calm under pressure, persuasive and incredibly knowledgeable. Committed to cases and has an excellent manner with clients."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Personal Injury
- Product Liability
- Inquests & Public Inquiries
- Commercial Law

CLERK

Paul Adams

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Hilary is highly experienced in the fields of employment and personal injury, particularly where those areas overlap, such as employer liability claims and psychiatric injuries arising from the workplace. She is recommended by both Chambers & Partners and The Legal 500.

Hilary's expertise in employment law extends from complex discrimination cases, to whistleblowing and TUPE. She also specialises in restrictive covenant injunctions in the workplace, where executives may have breached their contractual obligations. She works at all levels, from tribunal to the Court of Appeal.

Hilary is well known for her willingness to discuss potential problems before they occur on an informal basis, in particular because she believes that early involvement is vital in giving the best service to both clients and her partner solicitors. To that end, Hilary also attends 'wash up' meetings after tribunal, where lessons learned can be discussed with the clients.

In the field of personal injury, Hilary acted as Lead Counsel last year for over 100 Defendants in a series of noise induced hearing loss claims which she successfully argued were defectively brought and should be struck out. Hilary has a special interest in fraudulent claims and heads of claim, taking a tenacious partnership role with her solicitors in tracking down and exposing claims affected by exaggeration or fabrication. Hilary also deals with industrial disease claims including asbestosis, mesothelioma and HAVS.



ANDREW MIDGLEY

Call 2000

"Andrew is first class; very thorough, good with the client, and he's very personable." "A very polished advocate, respected by tribunals and by his opponents."

CHAMBERS & PARTNERS

PRACTICE AREAS

- Employment & Discrimination
- Commercial Law
- Personal Injury

CLERK

Paul Adams

T 020 7269 0305

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Andrew is recommended as a leading junior in employment law in both The Legal 500 and Chambers and Partners, and is consistently ranked in the top tier of employment barristers in the Southwest Region in the Legal 500.

Andrew specialises in discrimination and whistleblowing claims and the commercial/contractual aspect of the employment relationship, including restrictive covenants and negligent references. He was appointed to the Attorney General's Regional Panel (South West) in 2010 and reappointed in 2015, and is often instructed in complex matters and/or claims where there are important points of principle or construction in issue by Government Legal Department, NHS Trusts, local authorities and private companies.

He was called to the Bar in 2000, having studied English at RHBNC, University of London, the CPE at the University of Exeter and the first year of a part-time LLM at Bristol University.

Notable cases include:

- *Awojobi v Lewisham BC* UKEAT/0243/16/LA - The EAT considered whether an employer must always consider alternative roles for an employee before dismissing for capability in order to demonstrate that the dismissal was fair. The EAT accepted Andrew's arguments that there was no such obligation, particularly where on the facts the capability process established that the Claimant lacked competencies which were required across all roles.
- *Dr Brito-Babapulle v Ealing Hospitals NHS Trust* (CA) [2014] EWCA Civ 1626 - The claimant was dismissed for gross misconduct after she continued with private work whilst off sick.



DAVID CUNNINGTON

Call 2005

CLERK

William Meade

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E wmeade@oldsquare.co.uk

PRACTICE AREAS

- Product Liability
- Health, Safety & Environmental Law
- Employment & Discrimination
- Administrative & Public Law
- Commercial Law
- Inquests & Public Inquiries
- Personal Injury
- Sport
- Travel
- Costs

David's practice falls largely within four main areas of specialisation: employment; insurable negligence; disputes about products and environmental law.

His employment practice includes all forms of dismissal and discrimination litigation and has a particular focus on :

- Injunction proceedings – enforcing compliance with contracts of employment; restrictive covenants, breach of confidence and employee competition;
- TUPE – disputed transfers and the effects of transfers on pay and pension rights;
- Whistleblowing and confidentiality.

He has particular experience acting for clients in sports industries; brokerages; financial services; universities and law firms.

David litigates and advises on a wide range of insurance related matters. His practice extends across areas of insurable loss from property damage and subrogated claims to professional indemnity disputes.

David is also an environmental law specialist, experience ranging from planning disputes through toxic torts and environmental damage to nuisance and property damage claims. He has appeared in public inquiries, JR proceedings and High Court trials in each of these areas.

Notable cases include:

- David successfully acted in *Johnson v University of Bristol* [2017] EWCA Civ 2115, in which a carpenter brought claims against the University for injuries sustained whilst repairing a faulty kitchen cupboard. The Claimant was unable to rely on the Provision and Use of Work Equipment Regulations 1998 and the Workplace (Health, Safety and Welfare) Regulations 1992 in his personal injury claim against his employer.



NAOMI REES

Call 2006

"Very congenial and meticulous."

THE LEGAL 500

PRACTICE AREAS

- Personal Injury
- Clinical Negligence
- Motor Defence
- Inquests & Public Inquiries

CLERK

Paul Adams

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Naomi Rees is a clinical/dental negligence and personal injury specialist within chambers. On the Western Circuit Naomi is ranked as a Leading Junior by The Legal 500.

Naomi's clinical negligence work encompasses the full range of medical disciplines where she frequently deals with failure to diagnose, delayed treatment, negligent treatment and cases involving difficult questions of consent. Naomi is particularly sought out for her knowledge of and approach to birth and gynaecological injuries, where she has developed vast experience. Naomi has significant experience in dental claims, where she often deals with complex schedules of loss in relation to future, restorative and endodontic treatment.

Naomi's practice areas naturally lead her to inquest work where she has represented all types of interested persons in the Coroners' Court for medical and psychiatric inquests. She has dealt with issues of scope of inquiry, Article 2 and has made submissions on suicide, causative failings in care and narrative conclusions. Naomi further has experience in seeking and/or preventing Future Death reports.

In her personal injury practice, Naomi is engaged in high value cases, involving complex factual or causative arguments and often requiring expert evidence. Her personal injury work encompasses employers' liability, accidents at work, school or on the highway, and serious and fatal road traffic accidents.

Naomi is recommended and highly praised for the way in which she assists clients in cases with sensitive or difficult subject matters.

Notable cases include:

- *H* – Represented a claimant who was suffering with age-related wet macular degeneration (Wet AMD) which was defended on the basis of allocation of resource within Ophthalmic dependent. Naomi was successful in obtaining a 6-figure settlement to represent the fact that no useful vision remained in one eye, and that there was a risk of sympathetic ophthalmia in the future.
- *M* – Following a fall from height at work the Claimant's T12 spinal fracture went undetected. On account of the delay in detecting the fracture and further movement, the degree of angulation could not be corrected leading to significant weakness in both legs, restriction of movement and difficulties with urination. Risk of future vertebrectomy and cage reconstruction. The Claimant was limited in his future work and suffered a disadvantage on the open labour market.
- *T* – Claimant suffered injury at work leading to chronic regional pain syndrome upon his foot. Heavily disputed factual matrix as to accident circumstances. The case concerned capacity issues since during the course of litigation the Claimant was detained under the Mental Health Act.



KARA LORRAINE

Call 2006

"An enthusiastic and conscientious barrister."

THE LEGAL 500

PRACTICE AREAS

- Clinical Negligence
- Commercial Law
- Costs
- Employment & Discrimination
- Inquests & Public Inquiries
- Motor Defence
- Personal Injury
- Professional Regulatory & Discipline

CLERK

Paul Adams

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Kara has a busy practice principally focused in the areas of personal injury, clinical negligence and employment law. She regularly acts in complex, high profile and high-value multi-track claims in the high court and county court and represents interested parties at inquests. She has extensive experience across a broad spectrum of personal injury and clinical negligence claims and has particular expertise in cases that involve linked proceedings such as professional disciplinary issues and/or employment tribunal claims arising in the context of a clinical negligence allegation. She has experience of claims relating to obstetric care and delivery, failure of and delay in diagnosis, negligent surgical procedures (including choice of procedure and failure to obtain informed consent), suicide and mismanagement of chronic disease. Kara has experience of all aspects of employment and discrimination claims with particular experience of complex discrimination claims (often involving elements of personal injury compensation or concurrent county/high court proceedings), large multi-claimant cases including equal pay and holiday pay claims in both the public and private sector, contractual claims and costs.

Notable cases include:

- *Afonso & Ors v Wincanton & Ors*, Bristol ET, EAT - Representing & advising over 230 workers in the ET and EAT in TUPE & Agency Workers Regulations claims arising from agency work for a leading supermarket.
- *King v RUH Bath*, Avon Coroner's Court - Advising and representing the parents of a baby that died due to negligent obstetric care in a high profile inquest, fatal accident claim and claims for psychiatric injuries.
- Through toxic torts and environmental damage to nuisance and property damage claims. He has appeared in public inquiries, JR proceedings and High Court trials in each of these areas.



JAMES CHEGWIDDEN

Call 2008

"He is approachable and knowledgeable, and demonstrates excellent attention to detail."

THE LEGAL 500

PRACTICE AREAS

- Employment & Discrimination
- Professional Regulatory & Discipline
- Commercial Law
- Administrative & Public Law
- Civil Liberties & Human Rights

CLERK

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James practices in employment and equality law, and public law. Appointed as Attorney General's Counsel (Civil Panel) in 2013, James regularly advises and acts for private clients and also governmental entities both in London and in the south-west. James recently appeared for the Home Secretary in two Court of Appeal cases (*Akbar* [2017] and *Yadley* [2016]) on disputed elements of the government's regime for controlling employment of illegal workers. James has special expertise in employment in the military sector, acting recently in four judicial reviews by armed services personnel on employment-related questions concerning their service - particularly *Matthews v Sec'y State Defence* [2016] (heard in Bristol), *Wildbur v Sec'y State Defence* [2016] (case originating in Salisbury). James acted in Cardiff for the long-running Armed Forces Appeal Tribunal case of *Collinson* [2017]. James is currently in the EAT acting for a disabled employee wrongfully dismissed (*Harling v Eastbourne BC* [2016]) and for an employer in Bodmin a five-day contentious dismissal proceedings.



SIMON O'DWYER

Call 2010

CLERK

Jack Wheeler

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E wheeler@oldsquare.co.uk

PRACTICE AREAS

- Personal Injury
- Employment & Discrimination
- Inquests & Public Inquiries
- Motor Defence

Simon is a specialist personal injury practitioner representing both claimants and defendants in multi-track personal injury litigation. He has vast experience in all types of personal injury claims including Occupiers' Liability Act, Consumer Protection Act, Defective Premises Act, accidents occurring on aircraft or ships and construction site claims. His particular specialism is in high value Employers' Liability and Road Traffic Accident claims, frequently acting in cases involving catastrophic or fatal injury. He also enjoys a significant costs practice with extensive knowledge of all aspects of the Qualified One Way Costs Shifting regime, Part 36 and disputes arising out of the implementation of the portal and fixed costs regime.

Notable cases include:

- Obtaining a six-figure settlement for a 53 year old claimant in a workplace claim arising out of allegations of Regulation 12(1) and 12(3) of the Workplace (Health, Safety and Welfare) Regulations 1992. This was despite the fact that the defendant's medical expert opined a short period of acceleration of pre-existing pathology.
- Currently acting for a Consultant Anaesthetist in a Manual Handling claim valued at £300,000.



ROSALIE SNOCKEN

Call 2010

CLERK

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PRACTICE AREAS

- Personal Injury
- Clinical Negligence
- Employment & Discrimination
- Professional Regulatory & Discipline
- Inquests & public Inquiries
- Costs

Roz undertakes a wide range of hearings and advisory work across Chambers' core areas, with a particular focus on Clinical Negligence, Discrimination, Employment, Personal Injury, and Professional Discipline. Acting for both Claimants and Defendants/ Respondents, she is experienced in undertaking a wide variety of hearings ranging from CCMCs and preliminary hearings to multi-day trials and final hearings, in many different courts or tribunals, appearing regularly in Employment Tribunals, County and High Courts, and in front of Regulatory Fitness to Practice Panels, as well as increasingly undertaking appellate work. She also frequently advises on both liability and quantum and drafts pleadings and applications across different types of proceedings. Her practice involves often undertaking work in the South West and/or upon instruction from Solicitors based in the area. Some of her more unusual cases in the region have included matters arising from a spark from a steam train hitting a user of a cycle way next to a heritage railway in South Wales and the death of occupants of a hot air balloon whilst undertaking a high-altitude flight which crashed in Somerset.

Notable cases include:

- *EWC v Lloyd* - Representing a lecturer during fitness to practice proceedings at the Education Workforce Council in Cardiff resulting in a finding that the charge of dishonesty and other serious charges were not proven and obtaining the lowest disciplinary sanction available (given the admitted conduct that had taken place)



LAITH DILAIMI

Call 2011

CLERK

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PRACTICE AREAS

- Employment & Discrimination
- Professional Regulatory & Discipline
- Personal Injury
- Commercial Law

Laith's principal areas of practice are employment law, education law, and professional discipline and regulatory law. In his employment practice, Laith regularly represents claimants and respondents in the employment tribunals, particularly in cases involving schools, universities and NHS trusts; he also does employment work in the county courts, High Court and Employment Appeal Tribunal. In his education practice, Laith does the full gamut of education law, including (but not limited to) Special Educational Needs appeals in the First-tier Tribunal, disability discrimination claims, and judicial reviews in the High Court. In his professional discipline practice, Laith represents healthcare professionals in disciplinary proceedings in front of their regulators and represents teachers and school leaders in disciplinary proceedings in front of the National College for Teaching and Leadership.

Notable cases include:

- Successfully defended a chain of independent schools in a four-day disability discrimination claim brought against them in the First-tier Tribunal (Special Educational Needs and Disability) by a former pupil. The claimant brought claims of indirect discrimination and failure to make reasonable adjustments in relation to teaching methods, among other things.
- Represented a teacher in proceedings in Bristol Employment Tribunal, securing a settlement on the first day of the final hearing, and in proceedings in front of the National College for Teaching and Leadership.



SOPHIE BEESLEY

Call 2012

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CHAMBERS & PARTNERS

PRACTICE AREAS

- Personal Injury
- Clinical Negligence
- Employment & Discrimination
- Professional Regulatory & Discipline
- Inquests & public Inquiries
- Costs

CLERK

Jack Wheeler

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Sophie practises exclusively in clinical negligence, personal injury and coronial law. Her special interests are mental health, particularly in acute clinical settings, inquests expanding Article 2 following *Rabone* and the law of consent following *Montgomery*. Her cases have developed these areas and she lectures extensively on them.

Her recent inquests have included suicides alleging inadequate risk assessment and inappropriate discharge. Her civil claims include delayed cancer diagnoses, substandard surgery, childbirth and stillbirths, gynaecological injuries and inadequate nursing. Sophie is being led in high value claims concerning complex birth injuries, cerebral palsy and cauda equina syndrome.

Sophie came to the Bar after a successful career with Deloitte and The Prince's Trust. She was Deputy Director of a domestic violence legal pro-bono service, she is a magistrate and Bench Chair, and she established and runs a charity supporting a children's home in South Africa. This year, supported by the Pegasus Trust, Sophie will undertake a three-month placement in Australia undertaking human rights law work for the Aboriginal Legal Service.

ANDREW BELL

Call 2016

PRACTICE AREAS

- Personal Injury

CLERK

Paul Adams

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E adams@oldsquare.co.uk

Andrew has recently joined Old Square as a tenant. He specialises in personal injury and represents both claimants and defendants in trials, inquests, stage 3 hearings, application hearings, case management conferences and costs case management conferences. His instructions range from small claims to multi-track cases. As a former teacher of over ten years of experience, he is also keen to develop an education practice.

OUR CLERKING TEAM

The Clerking Team is led by Senior Clerk, William Meade, ably assisted by Deputy Senior Clerk Graham Smith and Team Leaders, Paul Adams and Jack Wheeler. Each are responsible for the practice management of their respective team of barristers.

William has been at Old Square since December 1993 and our Senior Clerk since March 2008. Having spent 25 years with Chambers he has built up an excellent working knowledge of the relevant fields of law and the proceedings which arise in those fields.

Our Team Leaders are supported by the Senior and Junior Team Leaders' Assistants and two Junior Clerks, as well as our Annexe Manager, Liane Wheeler, in Bristol. The Clerking Team are pleased to discuss all aspects of our members' practices, suitability and availability of counsel, their fees and any other aspect of Old Square Chambers life.

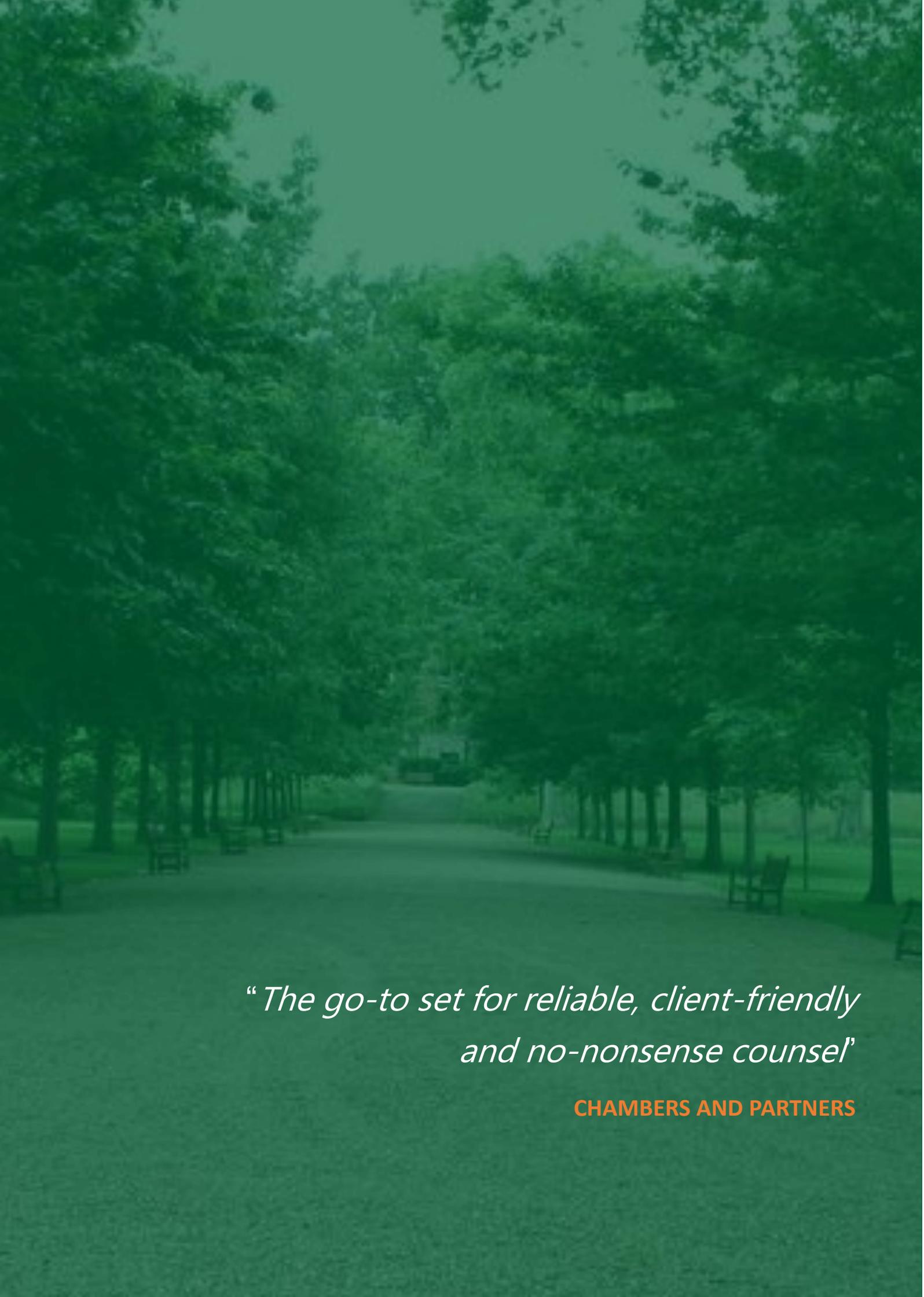
We strive to form strong working relationships with our clients, with open lines of communication playing a fundamental part in understanding of our client's requirements and tailoring our services accordingly. Furthermore we recognise that the approach of our clerking service has played a significant part in Chambers' continued growth and presence as a successful set in the market place.

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