

Christopher Johnson



Call: 2014

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Profile

Christopher is routinely instructed in hearings lasting multiple weeks. He has appeared in the Court of Appeal (led) and appears regularly in the High Court (led and unled). Christopher is recognised for his confident and persuasive advocacy.

Christopher is go-to counsel for complex and high-profile tort claims. He is currently instructed as principal junior counsel for the police officer claimants in the Grenfell Tower litigation. He is currently instructed as sole junior counsel for the claimant in the case of Lewis-Ranwell v G4S Health Services (UK) Ltd and Ors, which was before the Court of Appeal in June 2023, and which raises various important, novel issues of law concerning tort and Human Rights Act claims against police/public authorities.

Christopher is ranked in both the Legal 500 and Chambers and Partners.

Outside of work, Christopher is a supporter of Manchester United football club and an avid cyclist, racing predominantly on the velodrome, with results including 7th place at the 2023 National Elimination Championships.

Education

MA (Hons), Law, Trinity College, University of Cambridge

Related practice areas

Clinical Negligence, Personal Injury & Product Liability

Court of Protection & Mental Health

Inquests and Public Inquiries

Actions Against the Police and Public Authorities

Personal Injury

Christopher accepts all types of personal injury work. He has particular expertise in the following areas:

Catastrophic injury

Christopher has experience in cases involving, inter alia, brain injury, spinal injury, and multiple-limb amputation, including where those injuries arise from clinical negligence (see below).

Currently, Christopher is instructed as junior counsel to Robin Oppenheim KC on behalf of a victim of assault, who sustained a traumatic brain injury, leaving him in a minimally conscious state. The case involves the collation of evidence from experts in multiple fields and the implementation of a comprehensive package of care.

Christopher accepts instruction as junior or sole counsel. Christopher regularly deals with interlocutory hearings alone in cases where he is led.

Industrial disease

Christopher is instructed in a broad range of industrial disease claims including:

- Occupational lung disease.
- Occupational cancer.
- Work-related upper limb disorders.
- Occupational dermatitis.
- Noise-induced hearing loss / tinnitus.

Christopher is instructed as junior and sole counsel in asbestos litigation (including as junior counsel in the reported interlocutory decision in Myall v Ministry of Defence & Anor [2017] EWHC 1752 (QB)).

Christopher is particularly renowned for his expertise in noise-induced hearing loss litigation. He represented the claimant (led) in the Court of Appeal in the case of Mackenzie v Alcoa Manufacturing (GB) Ltd [2019] EWCA Civ 2110. His County Court NIHL cases include:

- Evans v Secretary of State for the Department of Energy and Climate Change and Anor, Cardiff County Court, 12/12/2017, on, inter alia, the de minimis defence.
- Dudhill v Secretary of State for Business, Energy and Industrial Strategy, Sheffield County Court, 21/12/2018, on, inter alia, the de minimis defence.
- Middleton v W Lister Ltd, Kingston-Upon-Hull County Court, 25/07/2019, on, inter alia, quantum of damages.
- Clarke v Pegasus Heating Service Limited and Ors, Sheffield County Court, 14/07/2023, on, inter alia, the MLC Guidelines.

Claims against the police and public authorities

Christopher is a leading authority on personal injury claims against the police and public authorities. He authors the “Liability of Public Authorities” chapter in Butterworths Personal Injury Litigation Service (available on Lexis). He regularly advises / litigates issues including:

- Duty of care (including the act / omission distinction and duty to prevent damage caused by third parties).
- Claims for breach of the European Convention on Human Rights (most often for breach of Articles 2, 3 and 8).
- The illegality defence (on which he is a leading authority, due to his instruction in the case of Lewis-Ranwell, see below).

Exemplar cases include:

- Lewis-Ranwell v G4S Health Services (UK) Ltd and Ors: the claimant killed three men whilst acutely mentally ill. The claimant claims damages against multiple defendants for failures in care during his acute illness. The defendants have sought to strike out the

claim as barred by the illegality defence. The strike out application was rejected by *Garnham J* ([2022] EWHC 1213 (QB)). The defendants' appeal was heard by the Court of Appeal in June 2023.

- Miles v Caerphilly County Borough Council Cardiff County Court, 05/12/2019. Christopher was instructed by the claimant, who sustained psychiatric injury after witnessing the horrific murder of Cerys Yemm (<https://www.bbc.co.uk/news/uk-wales-south-east-wales-30003796>). The claimant sought damages from the local authority who had placed the killer in her hotel on his release from prison. This raised novel and difficult issues of law, including the scope of the Dorset Yacht principle.

Many of Christopher's claims against the police / public authorities arise out of coronial proceedings (see below).

Cross-border claims

Many of Christopher's cases involve a cross-border element. Examples include:

- Levine v Canellas and anor: Christopher was instructed on behalf of the claimant, Nigel Levine, a former elite athlete who represented team GB at the 2012 and 2016 Olympic Games. In 2017, whilst on a training camp in Tenerife, the claimant was riding a motorbike, another athlete, James Ellington, was riding pillion. The motorbike was involved in an RTA, seriously injuring the claimant and Mr Ellington. The claim settled the week prior to the trial of liability as a preliminary issue (five-day High Court trial). <https://www.thetimes.co.uk/article/sprinter-james-ellington-sues-fellow-athlete-nigel-levine-over-motorbike-crash-k786dlqm6>
- Tattersall v (1) Seguros Catalana Occidente SA; and (2) Basquille: The claimant was injured whilst on holiday in Spain. The claim raised a novel issue re jurisdiction (re the proper interpretation of Article 13(3) of the Recast Brussels Regulation). Christopher obtained a reference to the European Court of Justice (understood to be the last English case to be referred to the European Court of Justice before Brexit). The reference was decided in favour of Christopher's client, reversing a prior decision of the Court of Appeal.
- A claim on behalf of an English claimant, injured whilst following an instructional video purchased online from a Dutch company.

Claims for assault

Christopher has extensive experience in claims for personal injury arising from assault. For example:

- Christopher represented a Bristol City FC fan who, whilst attending an away match against Millwall FC, was assaulted by a steward, who twisted his left arm behind his back, causing a traumatic fracture / dislocation of his elbow. Christopher advised on evidence, quantum, and settlement. He drafted the schedule of loss, and he represented the claimant at mediation, where appropriate settlement was reached.
- Christopher is currently instructed by women who were sexually abused by a medical professional during purported consultations. Christopher has advised on liability and drafted particulars of claim.

Christopher has further, particular expertise in claims for assault by police officers, see below.

Stress at work

Christopher is a member of the stress at work team in Chambers. He has considerable experience of claims for psychiatric injury suffered at work. His ongoing instruction in the Grenfell Tower litigation (where his clients bring 33 claims for, inter alia, psychiatric injury) means that he is intimately familiar with the relevant medicine and law.

Claims raising issues of fraud / dishonesty

From time to time, Christopher is instructed to respond to allegations of fraud / dishonesty by personal injury claimants, including in lieu of previously instructed counsel.

Christopher is able to forensically consider evidence of fraud / dishonesty, including surveillance evidence and social media evidence, and provide frank, pragmatic advice on the legal position and on next steps.

Clinical Negligence

Christopher undertakes a considerable volume of clinical negligence work. This includes:

- Birth injuries (child and maternal).
- Delayed diagnosis of cancer.

- Delayed diagnosis of sepsis.
- Delayed diagnosis of compartment syndrome.
- Delayed diagnosis of steal syndrome.
- Failure to identify fractures on x-ray.
- Negligent performance of surgery.
- Failure to obtain informed consent (including for spinal surgery).
- Failures in psychiatric inpatient and outpatient care, resulting in self-inflicted injury.

Christopher has sub-specialist expertise in prison healthcare, and in claims for assault (including sexual assault) by medical professionals.

Group litigation

Christopher is a specialist in multi-party tort claims. He is regularly instructed as part of a counsel team in such claims and as sole counsel to advise on discrete strategic issues.

Christopher is currently instructed as junior counsel for the police officer claimants in the Grenfell Tower litigation. He represents 33 police officers who attended the Grenfell Tower, either during or in the aftermath of the fire, and who suffered injury as a result. Many of these claims are of high value (over £1 million).

Christopher was instructed as part of a team of counsel for the claimants in the Primodos litigation. Christopher's role included devising and implementing a strategy for completion of schedules of information on behalf of each claimant, working to a very tight timescale.

Recently, Christopher has provided strategic advice to solicitors in relation to the application by Hugh James Solicitors and the Ministry of Defence for a group-litigation-order covering claims for noise-induced hearing loss against the Ministry of Defence.

Christopher also has experience of providing "second opinion" type advice to claimants in cases where there is an existing group-litigation-order.

Sport injury

Christopher is experienced in representing sportspersons injured on or off the field of play. Examples include:

- Levine v Canellas and anor: Christopher was instructed on behalf of the claimant, Nigel Levine, a former elite athlete who represented team GB at the 2012 and 2016 Olympic Games. In 2017, whilst on a training camp in Tenerife, the claimant was riding a motorbike, another athlete, James Ellington, was riding pillion. The motorbike was involved in an RTA, seriously injuring the claimant and Mr Ellington. The claim settled the week prior to the trial of liability as a preliminary issue (five-day High Court trial). <https://www.thetimes.co.uk/article/sprinter-james-ellington-sues-fellow-athlete-nigel-levine-over-motorbike-crash-k786dlqm6>
- Advising a current Premier League rugby player on a potential claim for negligent treatment during his rehabilitation from injury, resulting in permanent injuries impeding his ability to play.
- A claim on behalf of a professional ballet dancer, injured by the police.

Christopher is adept at pleading schedules of loss incorporating tiered loss of chance claims, as is often appropriate in claims on behalf of sportspersons.

Inquests

Christopher acts for bereaved families and other interested persons in coronial proceedings and subsequent civil claims. For example:

- Inquest into the death of Stewart Stanley: Stewart took his own life whilst a prisoner at HMP Exeter. After a two-week hearing, the jury found that Stewart's death was a result of causative failings by prison staff. <https://www.devonlive.com/news/devon-news/exeter-prison-failures-linked-prisoners-8778574>
- Inquest into the death of Rana Abdelkarim: Rana died from blood loss shortly after giving birth to her daughter. The Healthcare Safety Investigation Branch and the coroner found that Rana's death was caused by failings in medical care. <https://www.bbc.co.uk/news/uk-england-gloucestershire-64496514>
- Inquest into the death of Simon Penny: Simon died from an upper gastrointestinal haemorrhage whilst a prisoner at HMP Bristol. Hours before his death, Simon had been

found by prison staff bent over a toilet bowl, having vomited blood. This information was not passed on to healthcare staff. Simon was not taken to hospital. Simon died in his cell that night. <https://www.bristolpost.co.uk/news/bristol-news/vulnerable-prisoner-would-survived-received-6753878>

- Inquest into the death of David Gray: David took his own life whilst a prisoner at HMP Bullingdon. In the days before his death, David had told prison staff that he would kill himself, but his care was not escalated. <https://www.bbc.co.uk/news/uk-england-oxfordshire-60699904>
- Inquest into the death of Carys Lewis: Carys took her own life whilst acutely mentally ill. Following the conclusion of the inquest, the Trust admitted that Carys's death was caused by their breach of her Article 2 right to life. The family's civil claim settled for a six-figure sum.
- Inquest into the death of Kieren Reid: Kieren died from a pulmonary embolism resulting from a fracture sustained when he was injured at work. After a two-week hearing, the jury found that the fracture was caused by failings of Kieren's employer. The family's civil claim settled for a six-figure sum.

Christopher also has experience of inquests into homicides, inquests into road-traffic deaths, inquests into deaths on the railway, inquests into deaths in care homes, inquests into deaths in psychiatric hospitals, and inquests into deaths following contact with the police.

Actions Against the Police

Christopher is routinely instructed in claims against the police. He has appeared as sole counsel in numerous trials for assault and false imprisonment, both with and without a jury. He has represented claimants in cases arising out of inappropriate assessment of mental health in custody (including Lewis-Ranwell, see above). He has also been instructed in various cases by victims of domestic violence (including fatal violence) by perpetrators known to the police.

Court of Protection

Christopher has practised in the Court of Protection throughout his career at the bar. He is regularly instructed by local authorities, clinical commissioning groups, the Official Solicitor

and professional litigation friends.