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Tom Panton

Year of Call: 2002

Telephone: 0115 947 2581



Overview

Tom is a specialist in serious injury and industrial disease claims.

In more than twenty years at the Bar, he has built a practice based primarily on complex or multi-party liability disputes, high-value quantum disputes, complex fatal accident cases, asbestos and other disease cases, and claims for psychiatric injury caused by work-related stress.

Expertise

Personal Injury

Employer's Liability

Tom is regularly instructed in accident cases involving all key EL areas, including Work Equipment, Manual Handling, Workplace and COSHH issues.

Tom has particular interests in multi-party CDM disputes involving complex issues of control and practical responsibility, and work-related stress claims.

Tom has noted strength and experience in:

- Multi-party CDM disputes involving complex issues of control and practical responsibility.
- Workplace violence cases, particularly in the social care context. Tom is very much alive to the sensitivities of these cases and used to being involved from the early stages, dealing with disclosure involving multiple agencies and sometimes complex data protection issues.
- Claims for psychiatric injury caused by work-related stress
- Latent defects in work equipment (usually with Consumer Protection Act overlap) as addressed in his 2021 [blog](#) with [Jack McCracken](#) on the Employer's Liability (Defective Equipment) Act 1969 and the interesting county court decision of *Johnson v Nationwide Platforms Ltd* in February 2021.

Public Liability

Tom has vast experience of all kinds of claims against local authorities including highway tripping claims, landlord and tenant cases, and accidents in schools.

Tom has a particular interest in Defective Premises Act claims. His 2016 article on *Claims against Landlords and the Defective Premises Act* generated considerable interest for its clear, structured approach to analysis of these sometimes surprisingly difficult claims.

Fatal Accidents

Tom has represented both claimants and defendants in FAA claims for many years and is known for his careful, conscientious and sensitive handling of this most taxing and stressful type of litigation.

He is used to bringing £1million-plus claims to settlement before court proceedings become necessary, and handling difficult disputes between defendants. Tom welcomes early involvement from the Inquest stage, and (for defendants) close coordination between the teams responsible for regulatory and civil actions.

Product Liability

Tom has considerable experience of Consumer Protection Act personal injury cases involving a diverse range of products from cosmetics to domestic tumble dryers to substantial pieces of plant, frequently overlapping with the EL context.

Disease

Vibration, noise and dust diseases

Tom considers himself forever indebted to the late, much-missed Simon Beard of Ropewalk Chambers for a thorough grounding in industrial disease work from the very start of his career. Tom has since developed experience all kinds of occupational illness litigation ranging from noise exposure, vibration and asbestos exposure to skin conditions, and has

recently received instructions in relation to COSHH cases arising from alleged workplace exposure to COVID-19.

Tom has experience of large-scale HAVS litigation in the context of multiple claims against a large private mining concern.

Work-related Stress/Psychiatric Injury

Tom has always had a particular interest in psychiatric injury cases. His experience of work-related stress claims encompasses a wide variety of workplace situations including local authorities, social services, policing and large financial institutions.

In 2021 Tom co-presented a well-received webinar on employers' liability for work related stress in the COVID-19 era, with Jayne Adams KC, which may be viewed [here](#). Course materials are available on request.

Professional Membership

- Personal Injuries Bar Association

Qualifications

- LLB, University of Kent at Canterbury
- BVC, Nottingham Law School

Notable Cases

***Brown v South West Lakes Trust, South West Water Ltd and Cornwall County Council* [2022] EWCA Civ 18.** Local authorities' duties in relation to the construction and design of highways; duties of occupiers to highway users unintentionally trespassing off the highway onto their land.

***AB v Chief Constable of X Constabulary* [2015] EWHC 13 (QB).** Former undercover police claiming damages for psychiatric illness; issues relating to workplace stress and defence of *ex turpi causa*.

***Smith v Northamptonshire County Council* [2009] UKHL 27.** Interpretation of r3 of PUWER, relevance of concept of control to imposition of statutory duties.

***Hood v Mitie Property Services (Midlands) Ltd & Royal Mail Group plc* [2005] All ER (D) 11 (Jul).** Contribution claim by the employer of a catastrophically injured claimant against the occupier of premises where he had fallen from height.

Recommendations

"Tom is absolutely superb. He cuts through the issues in complex matters with ease."

- Chambers and Partners 2023 – Personal Injury

"Tom's preparation and attention to detail is meticulous when it comes to his advice and settling pleadings. He's approachable and friendly in conference with clients and has a commanding presence in court."

"Always well prepared and takes the time to think cases through, providing excellent advice on strategy as well as the law."

- Legal 500 2023 – Personal Injury

"Significant expertise in employers' liability claims. He also has vast experience in industrial disease claims, including hand-arm vibration syndrome, noise-induced hearing loss and asbestos cases."

"He has a relaxed manner which calms witnesses, and his advocacy is excellent and very robust." He's straight-talking, to the point and fully aware of the economic and commercial side of things. He always has the client's best interests at heart."

- Chambers and Partners 2021 – Personal Injury

"Significant expertise in employers' liability claims. He also has vast experience in industrial disease claims, including hand-arm vibration syndrome, noise-induced hearing loss and asbestos cases."

"He is very clear in his advice and has a good manner with clients in conference."

- Chambers and Partners 2020 – Personal Injury

"I was thoroughly impressed. He is charming in court and will go places."

"Very intelligent and good with tactics."

- Chambers and Partners 2019 – Personal Injury

"Very experienced in industrial disease cases."

- Legal 500 2019 – Personal Injury

"A very safe pair of hands, very pragmatic and very easy to engage with. He provides practical, commercial advice. Pleasant, professional and straightforward."

- Chambers and Partners 2018 – Personal Injury

"He has a good judgement of tactical points, a sound eye for the true issues in a case and he is very calm under pressure."

- Chambers and Partners 2017 – Personal Injury

"Solid in every area, he is always well prepared and can communicate the most complex arguments."

- Legal 500 2017 – Personal Injury

“Sought after for his expertise, which includes employers’ liability, road traffic accidents, and industrial disease.”

- Legal 500 2016 – Personal Injury

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