

John Foy KC

Call: 1969 | Silk: 1998

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John Foy KC has vast experience in all aspects of personal injury and clinical negligence.

He does high-value road traffic accident, employers', public and occupiers' liability cases, with particular experience in carbon monoxide poisoning and industrial disease, which he has conducted since the 1970s and mental health as a former chair of the Mental Health Tribunal.

Frequently they require a periodical payments order and he frequently represents high earning professional people. He is instructed by most of the leading personal injury and clinical negligence claimant firms from all over the country. John acted for the coal miners in their ground breaking group litigation on respiratory disease which led directly to the setting up of the miners' compensation scheme. Over the years he has been in many leading cases.

His clinical negligence practice covers all aspects of the subject including birth trauma, failure to diagnose, surgical errors, toxic shock et cetera.

He has a particular knowledge of and expertise in costs, especially in a personal injury or clinical negligence context. He chaired the committee which drafted the initial solicitor/counsel conditional fee agreement, was responsible for numerous subsequent versions, and for many years was chair of the Bar Council CFA committee.

Areas of Expertise

Personal Injury

Most of his cases concern traumatic brain injury, often involving children, quadriplegia and paraplegia, multiple injuries and amputations. He frequently represents a high earning professional people. These cases often involve periodical payments orders.

Notable Personal Injury cases

Beall v Euro Construction Scaffolding Ltd

Industrial exposure to asbestos in the 1980s resulting in death.

Lynch v JHH Engineers Ltd et al

Fell off his own ladder but established liability subject to contributory negligence.

CB v British Cycling Federation

Brain damage caused by crashing during a cyclocross race.

Beveridge v Homan/Evans Transport Ltd

Brain damage caused by falling from a lorry during loading.

ESC v CCM

Carbon monoxide poisoning of a child at home in tenanted accommodation.

Beveridge v Homan/Evans Transport Ltd

Fell off a lorry during loading

Jones v Gavin Jones Ltd

When one of a tree cutting team, struck by a heavy branch when in the drop zone suffering head injury.

Seales v PIL Membranes Ltd

Struck by a metal bar at work causing a left carotid artery dissection resulting in a stroke.

Clinical Negligence & Healthcare

His clinical negligence practice covers all aspects of the subject including birth trauma, failure to diagnose, surgical errors, toxic shock et cetera.

Notable Clinical Negligence & Healthcare cases

AB v Dr Handa

Failure to diagnose diabetes resulting in leg amputation of a child.

Stephens v Brighton and Sussex University Hospital NHS Trust

Surgical error in a craniotomy following aneurysmal subarachnoid haemorrhage which resulted in a ruptured aneurysm.

HXC v Lincolnshire Partnership NHS Foundation Trust

The claimant was a known suicide risk but the Defendants failed to take reasonable steps to prevent a suicide attempt resulting in the claimant suffering tetraplegia.

Education

- Dartford Grammar School
- Birmingham University LLB (Hons)

Memberships

- Personal Injury Bar Association
- Professional Negligence Bar Association
- South Eastern Circuit

Appointments

- Assistant Recorder 1997-2000
- Recorder 2000 – 2016
- Chair of Mental Health Tribunal 2003- 2016
- Chair of the Bar Tribunal and Advisory Service 2020 to date
- Bencher of Grays Inn 2004 to date

Awards

2

Notable Cases

- 2019- Beall v Euro Construction Scaffolding Ltd – industrial exposure to asbestos in the 1980s resulting in death.
- 2017- Merrix v Heart of England NHS Trust – costs budgeting and subsequent assessment.
- 2020- CB v British Cycling Federation – brain damage caused by crashing during a cyclocross race.
- 2020- Beveridge v Homan/Evans Transport Ltd – brain damage caused by falling from a lorry during loading.
- 2021- ESC v CCM – carbon monoxide poisoning of a child at home in tenanted accommodation.
- 2019- AB v Dr Handa – failure to diagnose diabetes resulting in leg amputation in a child.

Accreditation Logos

