# William Dean

Call: 2011


| | |
|---|---|
| **E** | clerks@dekachambers.com |
| **T** | +44(0)20 7832 0500 |

William Dean is a barrister and mediator whose practice combines court advocacy and advisory work. His common law background gives him experience of a wide range of courts and tribunals at both first instance and appellate level.

William advises and represents individuals, companies, local authorities, police forces, government agencies and other clients before and during proceedings. He advises on paper and in conference (including by telephone and video) on merits, evidence, quantum and legal issues. William also delivers lectures and seminars in matters related to his areas of practice.

## Areas of Expertise

### Personal Injury

William advises on and appears in cases involving road traffic accidents, occupiers' liability, accidents at work, public liability, highways maintenance, and consumer protection, as well as claims arising out of fatal accidents and accidents abroad. Many of his cases involve contested allegations of breach of duty and/or multiple experts where causation is in issue. He has extensive trial experience, including on factual evidence, and also appears at interim hearings.

William frequently drafts statements of case and schedules. He advises on liability, evidence, causation, quantum and procedure. He often deals with costs budgeting and other consequential matters.

He acts for both claimants and defendants at all stages of proceedings, both in civil claims and at inquests in the Coroner's Court.

In addition to claims issued in the County Court and High Court, William advises on and appears in criminal injuries compensation claims involving the appeals against decisions of the CICA. He is familiar with the relevant schemes and tariffs and his cases include maximum-value claims, assaults against vulnerable persons and claims where care is provided abroad. He is a contributor to the leading textbook in the area.

William acts on conditional fee agreements where appropriate.

William is a contributor to various publications, including the *APIL Guide to RTA Liability*, *Butterworths Personal Injury Litigation*




Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

*Service* and the latest edition of *Criminal Injury Compensation Claims*.

## Notable Personal Injury cases

### Carver v. DHL Services Ltd

Accident at work causing back and hip injuries from a wrenching injury on an ungreased lorry lock. Successful at trial after contested expert evidence. Secured award in excess of the claimant's own Part 36 offer.

### Koc v. Royal Berkshire NHS Foundation Trust

Nurse injured at work after slipping on discarded work equipment. Complex causation issues, including as to future capacity for work, and disagreement between experts. Settled for six-figure sum.

### H-M v. H

Road traffic accident resulting in long-term disability to a head chef at an award-winning restaurant. Settled for six-figure sum after round table meeting.

### W v. S

Road traffic accident causing a 16-year-old person a life-long disability which affected work prospects. Settled for six-figure sum.

### R v. MT Ltd

Fatal accident claim arising from a road traffic accident involving issues of projected earnings and life expectancy. Settled for six-figure sum.

### T v. A

Claim under the Animals Act 1971 arising from a traumatic brain injury sustained by a farmhand. Complex medical evidence on causation of future deterioration and losses.

### Dillon v. Haven Insurance Co Ltd

Claim for injuries sustained when escaping a vehicle whose driver had lost control. Allegation of fraud defeated and claim succeeded at multi-day trial with 10 factual witnesses.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

B v. Transport for London

Advised on quantum in respect of a commuter injured in the 2016 Croydon tram derailment.

S v. AXA Insurance

Road traffic accident in Romania, with claim brought in English courts against insurer's representative. Involved issues of jurisdiction, applicable law and quantum according to Romanian law.

Woodcock v. Marston's plc

Defended occupiers' liability claim centred on cleaning regimes in the defendant's public house. Claim dismissed.

Mulley v. Timpson Ltd

Defended public liability claim arising out of a fall outside a supermarket in which the defendant kept a concession stall. Claim dismissed.

H v. Criminal Injuries Compensation Authority

Appeal on behalf of the victim of a random attack with a bottle, which caused a brain injury. Secured award of over £170,000 after initial offer of £21,488

W v. Criminal Injuries Compensation Authority

Sexual assault on a child by his school teacher. Appeared at a contested appeal hearing involving consideration of the August consent test and the proper definition of a "victim".

L v. Criminal Injuries Compensation Authority

Inflicted injury to a very young child causing severe life-long disabilities. Advised on criminal injuries compensation claim, including as to care being provided abroad.

A v. Criminal Injuries Compensation Authority

Appeal on behalf of the victim of a serious assault. Causation of extensive injuries in issue and challenged at appeal hearing.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

## Clinical Negligence & Healthcare

William acts for claimants in clinical negligence claims against hospital trusts and medical practitioners. He advises on liability (including breach of duty and associated expert reports), evidence, tactics, quantum and procedure, and he is experienced in dealing with complex medical evidence including on causation.

He also appears on behalf of families at inquests into the deaths of family members who died after hospital admission or other medical intervention.

William is a trained mediator and has experience of various forms of alternative dispute resolution. He is a contributor to ***Clinical Negligence Claims: A Practical Guide***.

### Notable Clinical Negligence & Healthcare cases

C v. Hospital Trust

Claim for failure to ensure prompt referral, leading to the loss of vision in one eye and ultimately the eye itself.

L v. Hospital Trust

Dependency claim. The deceased's bowel obstruction was misdiagnosed, which led to late admission and deterioration in his condition.

M v. Hospital Trust

Claim arising out of a rare complication of robotically-assisted laparoscopic surgery.

B v. R

Dental negligence claim arising out of over-extraction of dentine and damage to adjacent teeth.

Inquest Touching the Death of JW

Appeared for the family. The deceased suffered pancreatitis and bowel perforations after elective gallstone surgery.

Page v. Private Ambulance Service



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Dependency claim. The deceased was negligently advised by an ambulance technician that he was not having a heart attack. Appeared at the inquest and advised on the claim.

Agyin v. Lewisham & Greenwich NHS Trust

Claim for failure to establish that a child had moved from the breech to cephalic position before birth, leading to an unnecessary Caesarean section.

## Inquests

William represents interested persons, both families and public bodies, at inquests. He is familiar with the particular features of these proceedings, which can be unfamiliar to participants, and works to explain them at an early stage of the process.

William's experience in other areas of practice, such as in personal injury, and representing local authorities and police forces, assists him in appreciating the issues often involved in coroners' investigations.

He also provides broader advice, such as on civil claims which may arise out of the subject matter of inquests.

### Notable Inquests cases

Re Thiko

Inquest concerning the death of a vulnerable man who was hit by a reversing articulated lorry whilst crossing a building site. Issues included site procedures, delegation of on-site roles, and the lorry's safety features. Represented the family.

Re Boughton

Inquest concerning the death of a promising young solicitor at a leading London firm who took his own life. Represented the family. Regulation 28 report sent to the National Police Chiefs Council regarding the process by which one police force seeks assistance from another during a missing person search.

Re Flaxman

Inquest concerning the death of a vulnerable man in receipt of daily care visits. Issues included support and prompt discovery of death. Represented a local authority. No regulation 28 report made and no contributory factors recorded.

Re Page

Inquest concerning the death of a man who was incorrectly advised by an ambulance technician that he was not having a heart



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

attack, notwithstanding an ECG result which showed otherwise. Represented the family. Serious failings found by the coroner.

## Family Law

William's family practice almost exclusively comprises public law (care) proceedings. He acts for local authorities, guardians and parents as well as separately-represented children and intervenors. He routinely represents parties from initial hearings through to multi-day final hearings.

He acts in applications for involving care and supervision orders, as well as adoptions, secure detention and/or the deprivation of liberty safeguards and more specialist work such as applications for FGM protection orders, changing children's names, and the administration of medication.

William is often instructed for hearings with legal arguments on discrete issues, such as designation of public law orders, leave to oppose applications for adoption orders and placement abroad.

William has undertaken the Inns of Court College of Advocacy's vulnerable witness training, and he has conducted several cross-examinations in accordance with the relevant guidance and toolkits

### Notable Family Law cases

Re M (2022)

Application for a placement order in respect of a terminally ill child to permit him to be adopted by his long-term carers. Also involved an application to change his name.

Re R and S (children) (welfare: long-term foster care) [2022] EWFC B20:

Contested welfare hearing after fact-finding process during which the father was found to have beaten the children and made one of them sleep in a shed.

Re S (change of surname: child in foster care) [2021] EWFC B42

Unusual application to change the surname of a child subject to a care order. First known example of a foster child's name being changed to that of the foster carer since 1993.

Re G (2021)

Care proceedings involving inflicted injury to a two-year-old child. Multiple expert witnesses and extensive liaison with parallel criminal proceedings, including a joint sitting of the Crown Court and the Family Court on issues of disclosure.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Re O (2021)

Application under inherent jurisdiction for administration of sedative medication to 10-year old girl in a residential care unit. Also acted in the parallel care proceedings.

Re G (2021)

Care proceedings involving 15-year-old child with significant behavioural challenges resulting in multiple placements of escalating security, triggering deprivation of liberty safeguards.

Re H (2021)

Appeared for a non-applicant local authority. Successful arguments on legal framework resulted in the avoidance of designation of public law orders.

Re O (2020)

Two-week fact-finding hearing arising out of an inflicted injury to one of two twins whilst in their parents' care. Involved extensive medical evidence from experts in four disciplines and consideration of rare diseases. (Led by Tim Parker.)

Re M (2020)

Final hearing on care and placement orders involving cross-examination of vulnerable parent.

Re N (2019)

High Court proceedings seeking FGM protection orders. Involved contested final hearing considering issues of proportionality and necessity.

Medway Council v. Root [2019] EWHC 669 (Fam), [2020] 1 FLR 417 and [2019] EWHC 1640 (Fam)

Defended contemnor in High Court committal proceedings relating to the publication of confidential court papers. Involved novel issue on the meaning of "publish".

Medway Council v. Root [2018] EWHC 1298 (Fam), [2018] EWHC 1299 (Fam), (2018) 168 NLJ 7797



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Defended same contemnor in earlier proceedings.

Re A [2017] EWFC B111

Final hearing in care proceedings involving multiple potential carers contesting the plan for foster care.

Re W [2017] EWFC B48

Long-running care proceedings arising out of concerns of drug use and neglect. Appeared alone against a QC at the final hearing, which involved expert evidence on the reliability of results of hair-strand testing for cocaine.

## Regulatory

William appears in criminal and regulatory matters on behalf of the Crown Prosecution Service and central government agencies including the Home Office and the Food Standards Agency. The cases involve regulatory matters relating to food safety, hygiene and agricultural standards as well as appeals against decisions to the restoration of vehicles and goods seized at the UK border.

As well as appearing at hearings on such matters, William provides advice and drafts documents before and during litigation.

He also appears in other criminal matters, and has experience of defending in cases involving a range of offences (including motoring offences).

### Notable Regulatory cases

Semple v. Director of Border Revenue [2022] UKFTT 73 (TC)

Non-restoration appeal.

R. v. Noble Foods Ltd (2021)

Leading egg packing company fined £47,700 for offences under the Eggs and Chicks (England) Regulations 2009 for failing to comply with provisions relating to the quality and marketing of eggs.

R. v. Lock (2021)

Custodial sentence (suspended) for multiple offences under the Animal Welfare Act 2006 arising out of poor farm management which led to death and disease of several animals. Defendant disqualified from keeping and owning animals.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Food Standards Agency v. Norman (2021)

Fines for 30 offences including failure to comply with hygiene regulations (including as to cleanliness and temperatures of stored meat) in an abattoir.

R. v. P&PR Properties Developments Ltd (2021)

Prosecution under the Forestry Act 1967 for unauthorised tree-felling. Prepared legal argument on time limit for starting proceedings (later abandoned by the defendant).

Food Standards Agency v. MIB United Meat Ltd (2021)

Prosecution for failing to take remedial action on meat-cutting machinery in an unsound/unhygienic condition.

Food Standards Agency v. EFES Group Ltd (2021)

Prosecution for failing to ensure sterilising equipment for tools used in meat-cutting operations was supplied with sufficiently hot water.

R. v. Turney (2020)

Three-week fraud trial involving false quotations generated to support claims totalling £2.7m to the Rural Payments Agency. The first prosecution under specialist regulations relating to the provision of misleading information. (Led by James Thacker.)

Tim Van Vlaandern Transport SRO v. Director of Border Revenue [2020] UKFTT 487 (TC)

Non-restoration appeal. Involved a question of the proper approach where a foreign 'sister' company had experienced similar smuggling activity.

Paniec (t/a Pan-Pol Edward Paniec Transport Samochodowy) v. Director of Border Revenue [2020] UKFTT 360 (TC)

Non-restoration appeal. Question of proper checks on receipt of cargo.

Bailey v. Food Standards Agency (2020-21)

Appeal against revocation of a certificate of competence under the Welfare of Animals at the Time of Killing Regulations 2009.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Involved applications for interim relief and numerous legal arguments as to the proper construction of the 2009 Regulations and the underlying EU legislation (including as to the scope of the tribunal's jurisdiction).

R. v. Cannings (2020)

Prosecution under the Forestry Act 1967 for unauthorised tree-felling. Maximum fine ordered.

Food Standards Agency v. M Coban Ltd (2019)

Prosecution for obstructing food hygiene inspectors.

R. v. Thompson (2019)

Prosecution under the Eggs and Chicks (England) Regulations 2009 for failing to comply with salmonella testing requirements.

Sigito Ekspreso Transportas v. Director of Border Revenue [2018] UKFTT 452 (TC)

Non-restoration appeal involving the effect of the rule on issue estoppel.

BOtrans Avtoprevoznisto v. Director of Border Revenue [2016] UKFTT 547 (TC)

Non-restoration appeal.

Kowalski v. Director of Border Revenue [2016] UKFTT 422 (TC)

Non-restoration appeal.

UAB Transagma v. Director of Border Revenue [2016] UKFTT 126 (TC)

Non-restoration appeal involving a vehicle adapted for smuggling.

## Police & Local Government (Civil)

William advises local authorities and police forces on discrete issues of law and appears for them in court on claims and applications arising out of their public functions.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

In recent years, he has advised local authorities on their duties under the Care Act 2014, traffic management powers and urban transport regulation. He has also appeared before courts and tribunals, including the Coroner's Court, on behalf of local government bodies.

William has appeared for the police on applications involving specialist areas such as cash detention and forfeiture, injunctions to prevent gang-related violence ('gang injunctions'), applications for the return of property under the Police (Property) Act 1897, closure orders, football banning orders, dog control orders and domestic violence protection orders.

He also represents police forces directed to respond to summonses for attendance or disclosure into other jurisdictions (such as care proceedings in the Family Court).

## Notable Police & Local Government (Civil) cases

### Re Flaxman (Coroner's Court)

Represented a London local authority at an inquest into the death of a vulnerable adult who was in receipt of adult care services. No regulation 28 report made.

### Grealy v. London Borough of Lambeth (First-tier Tribunal)

Responded to an appeal in the First-tier Tribunal to set aside an emergency prohibition order under the Housing Act 2004.

### Metropolitan Police v. J (Crown Court)

Responded to an appeal against the making of a banning order under the Football Spectators Act 1989. Order upheld.

### Metropolitan Police v. S (County Court)

Represented the police in contempt proceedings involving five breaches of a gang injunction where the facts were contested. Secured committal and custodial sentence.

### Prezecek v. Chief Constable of Thames Valley Police (County Court)

Defended in a road traffic claim in which a police officer was alleged to have caused an accident by driving negligently. Successful at trial.

### Re DS

Advised a local authority on the effect of an existing traffic restriction order and the scope for renewing it, with or without



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

amendment.

Re Local Authority X

Advised on liability for, and potential transfer of, adult care costs under Part 1 of the Care Act 2014 where a vulnerable person resided out-of-area, and on recovery of costs under section 41.

Re X

Advised on the applicability of Part 4 of the Policing and Crime Act 2009 to gang-related music videos.

R. (on the application of Tofangsazan) v. Westminster Magistrates' Court [2016] EWHC 3772 (Admin)

Appeared for the Metropolitan Police.Successfully resisted judicial review claim arising out of an application under the Police (Property) Act 1897.

## Civil Litigation & Costs

William advises private clients on discrete issues of law and appears for them in court on claims and applications involving commercial and other interests. His common law background provides him with significant trial experience and the ability to advise on realistic outcomes of litigation.

William's experience extends to matters involving contractual, landlord and tenant and costs disputes. He has also defended in contempt proceedings (in both the High Court and the County Court) and has experience in that technical area of law.

### Notable Civil Litigation & Costs cases

Fernando v. Morgan Law

Represented a company responding to a claim for payment arising out of a chain of contracts. Secured the striking-out of the claim with costs.

William Montgomery & John v. Ellis-Brown

Advised and appeared in the High Court on behalf of a firm of trial lawyers based in Chicago. Involved issues of jurisdiction, service and natural justice. Obtained domestic recognition of a judgment for $400,000 entered in the Circuit Court of Cook County, Illinois.

Veale v. Veale



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

Advised on a claim for a loan repayment arising out of a contract between a mother and her son-in-law. Involved issues of intention to create contractual relations, consideration, undue influence and release. Successful at trial.

A v. Somerset County Council

Advised on the applicability of the Land Compensation Act 1973 in respect of a mobile home situated near a newly-constructed highway.

Cary v. Kumar

Appeared against a QC in the High Court in a long-running landlord and tenant dispute. Settled on terms which secured possession of the premises. Involved issues of bailment, allegations of tenancy breaches and charging orders.

Secretary of State for Work and Pensions v. Kiboi

Advised and appeared for the wife of a child maintenance debtor in respect of whose home an order for sale was made. Order set aside with costs.

Medway Council v. Root [2019] EWHC 669 (Fam), [2020] 1 FLR 417 and [2019] EWHC 1640 (Fam)

Defended contemnor in High Court committal proceedings relating to the publication of confidential court papers. Involved novel issue on the meaning of "publish".

Medway Council v. Root [2018] EWHC 1298 (Fam), [2018] EWHC 1299 (Fam), (2018) 168 NLJ 7797

Defended same contemnor in earlier proceedings.

Re Taunsvi

Defended in County Court committal proceedings. Secured striking-out of the application on the basis of legal argument.

Davis Solicitors LLP v. Raja [2015] EWHC 519 (QB), [2015] CN 422

Responded to appeal against the striking-out of a claim owing to procedural default relating to compliance with trial preparation requirements. Decision upheld. Also appeared at the subsequent contested hearing on costs.



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

## Education

- MA (Cantab)
- LLM

## Memberships

- Gray's Inn
- South Eastern Circuit
- London Common Law and Commercial Bar Association
- Personal Injury Bar Association
- Family Law Bar Association
- Central London Bar Mess

## Appointments

- Deputy District Judge
- Co-Chair of the Bar Representation Committee (Bar Council)
- Member of the Services Appointment Panel (Bar Council)
- Elected Committee Member of the South Eastern Circuit Committee
- Treasurer of the Central London Bar Mess
- Joint Head of Pupillage at Deka Chambers
- Convenor of the Examination Committee for the Diploma in Forensic Medical Sciences (DipFMS)

## Publications

- Contributor to RTA section of ***Butterworths Personal Injury Litigation Service*** (LexisNexis, ongoing)
- Contributor to ***APIL Guide to RTA Liability*** (Jordan Publishing, third edition, 2018) (fourth edition forthcoming)
- Contributor to ***Criminal Injuries Compensation Claims*** (The Law Society, second edition, 2016)
- Contributor to ***Clinical Negligence Claims: A Practical Guide*** (9 Gough Square, third edition, 2015) (fourth edition forthcoming)
- Editor of the ***Landlord and Tenant Reports*** (Sweet & Maxwell, ongoing)



Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439

# Accreditation Logos

Deka Chambers
5 Norwich Street
London
EC4A 1DR

**T:** +44 (0)20 7832 0500
**E:** clerks@dekachambers.com
**DX:** LDE 439