

## SIMEON MASKREY KC

Year of call 1977    Silk 1995



Simeon Maskrey KC is a star individual or band 1 silk in all of the major directories for each of his three main practice areas, comprising maximum severity clinical negligence, personal injury and product liability cases.

He is commended for his judgement and pragmatism and for the quality of his advocacy. His forthright and straightforward approach in mediations and round table meetings has resulted in the settlement of difficult and apparently intractable cases.

Simeon has appeared as an advocate in the European Court of Justice, in all divisions of the High Court and Court of Appeal and in the Supreme Court and the House of Lords. He works regularly for and against the NHS and for and against private hospitals and doctors engaged in private practice. He has appeared in disciplinary tribunals and public inquiries. He has a large group litigation practice, currently acting for claimants in the Larium group litigation against the MoD, the blood product cases against the NHS, and for the NHS in claims involving Covid-19. He has a cross jurisdictional practice and is currently instructed in cases from Trinidad & Tobago, the states of Jersey and Guernsey, the Isle of Man, and Gibraltar.

Simeon has sat as a Recorder since 1994 and as a Deputy High Court Judge since 2001. He arbitrates in the neutral evaluation of claims against the NHS and conducts other personal injury related arbitrations.

Simeon has been a speaker at AvMA conferences and at Trinity College, Dublin. He lectures regularly at King's College, London. He is a well-known contributor to seminars organised by specialist clinical negligence and product liability solicitors. He has spoken and been involved in workshops for the Royal College of Surgeons, the Royal College of Physicians and a number of NHS Trusts.

### LEGAL EXPERTISE

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## Clinical Negligence

Simeon is recognised as one of the country's leading clinical negligence silks and is a Chambers and Partners star individual. He is commended for the relationships he builds with his lay and professional clients, his ability to absorb and distil large quantities of complex and technical medical information and for his cross-examination skills. His persuasiveness in Court has been noted by judges on numerous occasions. Solicitors comment on his approachability and informal style and lay clients on his manner and ability to explain complex issues. He is regularly instructed to act in cases emanating from international jurisdictions.

## Selected Cases

### [Joseph John v North West Regional Health Authority \(2022\) High Court Trinidad & Tobago](#)

Simeon acted for the defendant in this clinical negligence case in the County Court and the High Court of Trinidad & Tobago, and won. This was a multi-million mismanagement of birth case, where there is an active application for appeal.

### [Khan v Meadows \[2021\] UKSC 21](#)

Simeon acted successfully for the respondent, in this appeal against the applicability of the scope of duty principle in clinical negligence torts. Omodole Meadows sought to establish Dr. Khan's liability for the costs associated with her son's autism.

The Supreme Court identified six sequential questions to clarify the role of the scope of duty principle (a defendant is liable only for losses which fall within the scope of their duty of care to the claimant) in the context of the tort of negligence (*paragraph 28, judgment*). It found no basis for excluding clinical negligence from the scope of duty principle, nor for confining the principle to cases involving pure economic loss arising in commercial transactions.

### [AXO v Salisbury NHS Foundation Trust \[2019\] EWHC 1454 \(QB\)](#)

### [EL v States of Jersey \[2019\] Royal Court 2017/147](#)

### [Khan v Meadows \[2019\] EWCA Civ 152](#)

### [Darnley v Mayday Hospitals NHS Trust \[2018\] UKSC 50](#)

### [Macauley v Karim & Croydon Health Services NHS Trust \[2017\] EWHC 1795 \(QB\)](#)

### [Velarde v Guy's & St Thomas' NHS Foundation Trust \[2017\] EWHC 1250 \(QB\)](#)

### [Willmott v Rotherham NHS Foundation Trust \[2017\] EWCA Civ 181](#)

Welds v Yorkshire Ambulance Service NHS Trust [2016] EWHC 3325 (QB)

Rich v Hull and East Yorkshire Hospitals NHS Trust [2015] EWHC 3395 (QB)

Gregg v Scott [2005] UKHL 2

## Product Liability

Simeon is described by the directories as “dedicated to the representation of claimants in product liability cases” with “unsurpassed claimant experience and knowledge”. He is one of only three star individual and band 1 claimant silks in the 2019 editions of Chambers and Partners and Legal 500. He has unparalleled experience in medical product and pharmaceutical group actions and assisted in the successful negotiation of a settlement in the metal on metal hip litigation, leading a team of four counsel. He is currently leading a three counsel team in the blood products litigation against the Secretary of State and NHS Trusts and is engaged in a test case on the application of section 41(1) of the Consumer Protection Act.

## Selected Cases

Ayannuga & Ors v One Shot Products [2022] EWHC 590 (QB)

Represented the claimant in the High Court, which considered whether the highly toxic gas hydrogen was released by a drain cleaning product and responsible for the death of a man and the serious injury of Simeon’s client, Mr. Ayannuga.

Bailey v Glaxosmithkline Ltd (2018)

Lewin v Glaxosmithkline Ltd [2016] EWHC 331 (QB)

OB v Aventis Pasteur SA [2010] UKSC 23

Aventis Pasteur [2009] EUECJ C-358/08

## Personal Injury

Simeon is regularly instructed on behalf of claimants and defendants in maximum severity personal injury actions and is a band 1 silk in Chambers and Partners. He is commended for his judgement and pragmatism and for the quality of his advocacy. His forthright and straightforward approach in mediations and round table meetings has resulted in settlement of difficult and apparently intractable cases.

## Selected Cases

Carter v Kingswood Learning & Leisure Group Ltd [2018] EWHC 1616 (QB)

Fryer v Limpkin (2019)

Roberts v Jenkins (2018)

McCartney v Akram (2018)

## Appointments

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- Deputy High Court Judge (2001)

## Memberships

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- AvMA
- PNBA
- Midland Circuit
- Bencher; Gray's Inn