



## Andrew Prynne QC

Year of Call: 1975

Year of Silk: 1995

### Practice Areas

- Clinical Negligence
- Commercial
- Credit Hire
- Health & Safety
- Inquests
- Inquiries
- Insurance
- Personal Injury
- Product Liability
- Professional Discipline
- Professional Liability

### Mediator

Qualified Mediator

### Email:

[aprynne@tgchambers.com](mailto:aprynne@tgchambers.com)

### Awards

### Experience

Ranked by the Directories in four practice areas; Personal Injury, Product Liability, Insurance and Health and Safety, Andrew Prynne QC is a leading common law and commercial advocate who has represented and advised both claimants and defendants in heavy litigation at first instance and on appeal. He has also represented parties in a number of public inquiries and inquests. His wide ranging practice developed from his broad grounding as a junior in the civil, family and criminal courts.

Since joining Temple Garden Chambers in 2010, Andrew has been leading counsel in a number of High Court trials and Appeals in the Court of Appeal in claims for personal injury, property damage and credit hire test cases. Andrew led for the claimant in a high profile historic childhood sexual abuse claim in the High Court: *Raggett v Preston Catholic College*. Last year Andrew represented the ejection seat manufacturers, Martin Baker, before the Lincolnshire Coroner at an Inquest into the death of a Red Arrows pilot. Before the Bolton Coroner he represented the Derbyshire Youth Offending Service at an inquest into the death in custody of a young person.

Andrew is currently instructed as Leading Counsel for one of the interested parties in respect of the Shoreham air crash. He is also advising as to the potential liabilities that may arise out of the supply and use of e-cigarettes.



Andrew has over many years gained considerable experience in product liability and group litigation in injury and commercial claims and the insurance coverage issues to which they have given rise. Andrew advises manufacturers and/or their insurers on the liability and regulatory issues that arise in relation to a wide array of products such as: drugs, food, fuel, packaging, mobile phones, tobacco and its substitutes and medical devices, though due to funding and costs constraints, few such cases now get to trial. In 2011, he was leading counsel for an insurer in a heavy international arbitration concerning product liability insurance coverage for food packaging that was said to be defective.

In his work Andrew has gained considerable experience in railway, aviation and marine accidents. As a life long sailor he has a particular interest in navigation.

Andrew has also been instructed by insurers in a number of major fire claims.

Andrew is an accredited mediator and has mediated and arbitrated a number of substantial claims.

### **Directories**

Andrew Prynne is ranked as a leading silk in the fields of: Consumer/Product Liability, Health and Safety, Personal injury and Insurance and Reinsurance.

“Looked up to by juniors and highly regarded by his peers due to the quality of his strategy and the excellence of his arguments in court.”

“Obviously first class. He’s a very smooth operator. He’s totally unflappable and charming to both witnesses and judges”

“He’s got great intellect, has arguments rooted in common sense, and likes a fight when he goes in to bat for clients. He doesn’t go through the motions- he’s a hard litigator.”

*Chambers UK 2013*

Andrew Prynne is ranked as a Leading Silk in the following areas: Product Liability, Health and Safety, Insurance and Reinsurance, Personal Injury

*Legal 500 2013*

“This ‘very bright original thinker’ has drawn praise for his recent contentious and advisory work.” (Health and Safety)

“Highly regarded as ‘a compelling advocate and a sound

tactician who is extraordinarily good on his feet'. Sources praise him for his 'great flair and style'." (Product Liability)  
*Chambers UK 2011*

"Andrew Prynne QC has considerable strengths, such as his ability to 'identify the key issues and arguments that will resonate with the court'." (Personal Injury)

"Andrew Prynne QC is praised for his 'grasp of detail, ability to narrow issues and the ease with which he deals with very technical evidence'." (Health and Safety)

*Legal 500 2011*

"Concentrates on liability issues that arise in commercial and insurance disputes and has particular know-how of cases relating to the railway industry. Well known as a "hard hitting and tenacious advocate", he is also respected for taking a "very commercially oriented and practical approach on his feet." Prynne is very experienced and handled cases relating to Valium, benzene in fizzy drinks and smoking to name but a few." (Product Liability)

*Chambers UK 2010*

"Temple Garden Chambers.....has signalled a widening of interest in product liability with the arrival of 'heavyweight Andrew Prynne QC'." (Consumer and Product Liability)

*Legal 500 2010*

### **Appointments**

Queens Counsel 1995

CEDR accredited mediator 2000

Assistant Boundary Commissioner 2000 to 2005

The Lord Chancellor's Working Party on Group Actions

### **Education**

Marlborough College

Southampton University LLB Hons

### **Memberships**

Association of Regulatory and Disciplinary Lawyers

Health and Safety Lawyers Association

Personal Injury Bar Association

Commercial Bar Association

London Common Law and Commercial Bar Association

British Insurance Law Association

## **Cases**

### **Inquest into death of Sean Cunningham**

09.01.14 - 29.01.14

Barristers involved: Andrew Prynne QC Nicholas Moss Fiona Canby  
Inquest into death of Red Arrows pilot, Flt Lt Cunningham; accidental ejection from his Red Arrows jet.

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## **Re Cunningham deceased**

**HM Coroner**

01/01/2014

Barristers involved: Andrew Prynne QC  
Red arrow pilot - fatal accident

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## **Re Hardy deceased**

**HM Coroner**

01/01/2014

Barristers involved: Andrew Prynne QC  
Death in custody of young offender

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## **Akhtar v Bolland**

**CA 2014**

01/01/2014

Barristers involved: Andrew Prynne QC

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## **Gilman v (1) UPS (2) Network Rail**

**[2013] EWHC 2341**

01.07.2013 - 10.07.2013

Barristers involved: Andrew Prynne QC Fiona Canby  
Contribution proceedings following vehicle incursion onto the West Coast Main Line. Led by Andrew Prynne QC. Instructed by Keoghs on behalf of the motor insurers. July 2013.

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## **Salat v Burutis**

**CA 2013**

01/01/2013

Barristers involved: Andrew Prynne QC

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## **Dau Chi Chong v Funafloat Ltd t/a College Cruisers, British Waterways Board**

**Lawtel 26/4/12**

26/04/2012

Barristers involved: James Arney Andrew Prynne QC  
James Arney appeared in the Queen's Bench Division District Registry, Coventry, led by Andrew Prynne QC and successfully defeated a claim pleaded at over £5m for brain injuries sustained while on a canal boat holiday.

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## **W v Veolia**

**2011 Mercantile Court**

01/01/2012

Barristers involved: Andrew Prynne QC

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## **Sylvestre v Ministry of Defence**

**QBD 2012**

01/01/2012

Barristers involved: Andrew Prynne QC

Claim by soldier on active service

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## **Raggett v Preston Catholic College**

**QBD 2012**

01/01/2012

Barristers involved: Andrew Prynne QC

Child sexual abuse claim

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## **Vaile v. London Borough of Havering - (Brain Injury)**

**[2011] EWCA Civ 246**

01/03/2011

Barristers involved: Andrew Prynne QC Marcus Grant

Court of Appeal judgment on breach of duty and causation appeal in assault case

Andrew Prynne QC and Marcus Grant appeared for the Appellant, a special needs teacher assaulted by a 14-year-old pupil on the ASD spectrum. The Respondent, through its headmaster, engaged in a cover-up by fabricating documentary evidence and giving perjured oral evidence in Court, in an attempt to protect itself from criticism that it had not devised and maintained a safe system of work for the Appellant. The Court of Appeal described this conduct as 'reprehensible'. The Court below found that despite the cover-up, the Claimant failed to establish either a breach of duty or causation. The Court of Appeal overturned both findings. It found that on the Judge's own primary factual findings there had been a breach of duty. Furthermore, whilst it was difficult for the Claimant to show precisely what the school should have done to avoid the assault, such difficulty did not automatically mean that her claim should fail. There was sufficient evidence to establish on a balance of probability, that but for the multiple breaches in the Respondent's duty of care to her, she would not have sustained injuries in the assault. Costs of the liability trial were awarded on the indemnity basis.

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## **Vaile v Havering B C**

**CA 2011**

01/01/2011

Barristers involved: Andrew Prynne QC

Employers liability

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## **Network Rail v Conarken**

**TCC 2010**

01/01/2010

Barristers involved: Andrew Prynne QC

Property damage and economic loss

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## **Omega Proteins v Aspen Insurance**

**Commercial Court**

01/01/2010

Barristers involved: Andrew Prynne QC  
Insurance coverage of product liability policy

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## **Valentine v Transport for London**

**CA 2010**

01/01/2010

Barristers involved: Andrew Prynne QC  
Highways liability

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## **Re Power deceased**

**HM Coroner**

01/01/2009

Barristers involved: Andrew Prynne QC  
Road vehicle incursion on railway - fatal accident

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## **Pinder v Fox**

**QB 2008**

01/01/2008

Barristers involved: Andrew Prynne QC  
Product liability under the Consumer Protection Act

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## **Collett v Smith**

**QB 2008 and CA 2009**

01/01/2008

Barristers involved: Andrew Prynne QC  
Professional footballing injury claim

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## **Farraj v Kings NHS Trust**

**QB 2008 and CA 2009**

01/01/2008

Barristers involved: Andrew Prynne QC  
Wrongful birth claim

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## **R v Cemex Cement Ltd**

**CA 2007**

01/01/2007

Barristers involved: Andrew Prynne QC  
Appeal against sentence in an environmental prosecution

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## **Fetal Anti-Convulsant Litigation**

**QB 2005**

03/03/2005

Barristers involved: Andrew Prynne QC  
Group action - defining the scope of the action

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## **Viasystems v Thermal Transfer**

**CA 2005**

03/03/2005

Barristers involved: Andrew Prynne QC  
Vicarious liability - the borrowed employee

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## **Inquiry into Domestic Bulk LPG Supply**

**Competition Commission 2004 to 2006**

01/01/2004

Barristers involved: Andrew Prynne QC  
Interaction between Health and Safety and Competition Law

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## **Britvic Soft Drinks -v- Messer**

**Commercial Court and CA 2002 to 2003**

03/03/2002

Barristers involved: Andrew Prynne QC  
Sale of goods - exclusion clauses - unfair contract terms - tort claim for property damaged by contamination

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## **Bacardi Martini v Thomas Hardy**

**CA 2002**

03/03/2002

Barristers involved: Andrew Prynne QC  
Sale of goods and liability for contamination of food and drink

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## **Afrika v Cape**

**QB and CA 2001**

03/03/2001

Barristers involved: Andrew Prynne QC  
A definitive ruling on costs sharing orders in group actions as they affect claimants who discontinue their claim

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## **MMR Litigation**

**QB 2000 to 2006**

03/03/2000

Barristers involved: Andrew Prynne QC

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Various procedural rulings between 200 and 2006

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### **Watson and Bradford City FC v Gray and Huddersfield Town FC**

**QB 1999**

03/03/1999

Barristers involved: Andrew Prynne QC

Footballing injury claim – measure of damages for future loss of earnings – award £1 million

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### **Worral v British Railways Board**

**CA 1999**

03/03/1999

Barristers involved: Andrew Prynne QC

Injury claim contrary to public policy – ex turpi causa

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### **Hodgson v Imperial Tobacco Lrd**

**CA 1999**

03/03/1999

Barristers involved: Andrew Prynne QC

Conditional fees – order for costs-proceedings in chambers to be held in public

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### **Tobacco Litigation**

**QB 1999**

03/03/1999

Barristers involved: Andrew Prynne QC

Limitation in smoking claims and a refusal to override it

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### **Macaffery v Datta**

**CA 1996**

03/03/1996

Barristers involved: Andrew Prynne QC

Liability to recompense for social security payments and its effect on an order for costs following a payment into court

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### **Powell v Boladz and others**

**QB 1995 and CA 1996**

03/03/1995

Barristers involved: Andrew Prynne QC

Allegations of interfering with medical records – no cause of action – action struck out

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### **Nash v Eli Lilly**

**QB and CA 1993**

03/03/1993

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Barristers involved: Andrew Prynne QC  
Open litigation - group actions- limitation - power to override

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## **Scottish and Great Western Railway**

**QB and CA 1993**

03/03/1993

Barristers involved: Andrew Prynne QC  
Negligence - constructing a contract and its effect on liability for a railway accident

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## **National Trust v Haden Young**

**QB and CA 1993**

03/03/1993

Barristers involved: Andrew Prynne QC  
The Uppark fire claim - negligence - constructing the insurance provisions of the JCT contract - measure of damages

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## **AB v Wyeth and Brother Ltd**

**QB an CA 1992-1996**

03/03/1992

Barristers involved: Andrew Prynne QC  
The Benzodiazepine litigation - striking out as abuse of process

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## **Joseph Owen Davies v Eli Lilly**

**CA 1987**

03/03/1987

Barristers involved: Andrew Prynne QC  
Open litigation - costs sharing in group litigation

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## **Samuelson v N.I.G.C**

**CA 1986**

03/03/1986

Barristers involved: Andrew Prynne QC  
Motor Insurance coverage

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## **Cooper v M.I.B**

**CA 1985**

03/30/1985

Barristers involved: Andrew Prynne QC  
Coverage under the MIB agreement

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## **Department of Health and Social Security v Kinnear and Others**

**QB 1984**

03/03/1984

Barristers involved: Andrew Prynne QC  
Pertussis vaccine litigation - government attempting to strike out claim

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## **Adsett v West**

**QB 1983**

03/03/1983

Barristers involved: Andrew Prynne QC  
Future loss in an injury claim

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