



## Fiona Canby

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Fiona is not presently able to accept instructions. Please contact [deannorton@tgchambers.com](mailto:deannorton@tgchambers.com) with any queries.

## Expertise

### Inquests & Inquiries

Fiona is recognised as a leading junior in inquests and inquiries. She has represented public authorities, very large corporations, and individuals. She acted for the Mayor of London in the first inquest to consider the role of air pollution in a death. She represented Transport for London in the Inquests into the London Bombings of 7 July 2005 and the Inquests into the terror attacks at Westminster Bridge and London Bridge and Borough Market. She represented a contractor at the Inquest into the Lakanal House fire. She is experienced in public inquiries such as the Grenfell Tower Inquiry and IICSA.

### Notable Inquests & Inquiries cases

#### Croydon Tram Inquest

Fiona, led by Keith Morton QC, represented Transport for London at the Inquests into the deaths of the seven people killed in the Croydon Tram crash at Sandilands on 9 November 2016. The Inquests lasted 10 weeks and included detailed arguments in relation to the application of Norfolk (a case Fiona and Keith had also appeared in) and unlawful killing conclusions. The jury returned a narrative conclusion combined with a short-form conclusion of accident. Croydon Coroner's Court. May to July 2021.

#### Inquest into the death of Ella Adoo Kissi-Debrah

This inquest was the first to record air pollution as a medical cause of death. Ella, who suffered from



asthma, died in February 2013 at the age of 9 of acute respiratory failure. The inquest considered issues including how air pollution levels were monitored at the time; the steps taken to reduce air pollution and the information provided to the public about the level of air pollution, its dangers, and ways to reduce exposure. Fiona represented the Mayor of London and Transport for London without a leader. All other Interested Persons were represented by a Junior and a Silk. London Inner South Coroner's Court. December 2020.

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#### London Bridge and Borough Market Inquests

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Fiona acted for Transport for London in the Inquests arising from the deaths in the London Bridge and Borough Market terror attack on 3 June 2017. Considering of issues including physical protective security measures and guidance in relation to crowded places. Before the Chief Coroner, sitting at the Central Criminal Court. May to June 2019.

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#### Westminster Bridge Inquests

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Fiona acted for Transport for London in the Inquests arising from the deaths in the Westminster terror attack of 22 March 2017. Consideration of issues relating to protective security measures and crowded places guidance. Before the Chief Coroner, sitting at the Central Criminal Court. September to October 2018.

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#### Inquest into the death of Bernard Ovu

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Fiona acted for Transport for London in this inquest into the death of a man who had fallen down emergency exit stairs at Canning Town station. Consideration of issues relating to lone working staff and action to be taken when trespassers access non-public areas, beyond emergency gates. Walthamstow Coroner's Court. November 2017.

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#### Inquest into the death of Sarah Reed

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Fiona acted for the Ministry of Justice in this 12-day inquest into the death of Sarah Reed at HMP Holloway. Consideration of issues relating to obtaining fitness to plead reports, ACCT reviews and observations, CPA meetings and the cancellation of prison visits. Before HH Sir Peter Thornton QC, City of London Coroner's Court. July 2017.

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#### Independent Inquiry into Child Sexual Abuse

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Fiona appeared for the IPCC at two preliminary hearings held by IICSA in relation to allegations of child sexual abuse involving Lord Greville Janner. The hearings took place at the RCJ before Hon Dame Lowell Goddard. March and July 2016.

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#### Inquest into the death of Gladys Jones

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Fiona acted for the facilities managers in this 10-day inquest into a death at a hospital. Consideration of issues relating to the management of legionella and responsibilities of different organisations on site. In-depth questioning of the legionella expert instructed by the Coroner. Southwark Coroner's Court. July 2016.

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#### Lakanal House Fire Inquest

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Fiona acted for one of the contractors at this inquest into the fire at a high-rise block of flats in Camberwell, which caused the death of six people. Consideration of issues relating to the Building Regulations, fire safety and high-rise structures. Before HHJ Frances Kirkham at Inner South London Coroner's Court. January to March 2013.

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#### Inquests into the London Bombings

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Fiona acted for Transport for London in the inquests into the London Bombings on 7/7. Before Hallett LJ sitting at the RCJ.

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## Health & Safety

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Fiona is recognised as a Band 1 leading junior for health & safety. Her first major health & safety case was acting for the rail maintenance company in the prosecution for corporate manslaughter and health & safety offences following the Hatfield train crash. She continues to act in the most high-profile cases and is currently acting for the Principal Contractor in the criminal investigation into the Grenfell Tower Fire. She is also acting for an individual in the criminal investigation into the Didcot power station collapse. She acts for all sizes of organisations, public authorities, and individuals. Her previous cases have included consideration of agriculture; construction; demolition; fire safety; highways; legionella; leisure (including playgrounds and swimming pools); manufacturing; rail and self-harm and suicide (in schools; universities; workplaces and prisons).

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### Notable Health & Safety cases

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#### Investigation into the Grenfell Tower Fire

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Fiona (led by Ben Compton QC) is advising the Principal Contractor in the ongoing criminal investigation into the Grenfell Tower Fire.

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#### Investigation into the Didcot Power Station collapse

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Fiona (led by Prash Popat QC) is advising an individual in the ongoing criminal investigation into the Didcot Power Station collapse.



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## Investigation in renewable energy sector

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Fiona is advising a multinational funding advisor in the renewable energy sector on its response to a health and safety investigation following a fatality.

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## R v Balfour Beatty Rail Infrastructure Services Ltd

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Fiona acted for Balfour Beatty in the prosecution for corporate manslaughter and health and safety offences arising out of the Hatfield train crash.

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## Personal Injury

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Fiona acts for both claimants and defendants in claims for personal injury and fatal accidents. She is instructed in seven figure fatal cases, as well as serious personal injury cases involving significant disability and provisional damages. Her extensive health and safety experience assists in resolving complex workplace liability issues. Her experience acting for the MOD has led to her being instructed for claimants in military fatal claims. Fiona also acts for defendants in claims for human rights breaches, particularly Articles 2, 3 and 8. She also has experience in personal injury and property damage cases following vehicle incursion onto the railway.

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### Notable Personal Injury cases

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#### A v MOD

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Fiona acted for the Claimants in this fatal claim following the death of a Corporal in a military training accident. Settlement reached without any reduction for contributory negligence. The main issues on quantum were in relation to maintenance payments; the services dependency and Article 2 damages.

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#### N v O

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Fiona acted for the Claimants in this fatal claim following the electrocution of a grab lorry driver at work. Liability issues relating to whether the overhead power cables were seen by the Deceased. Quantum issues focused on the Deceased's earning capacity; the hourly rates to use to assess the loss of childcare services claim and the claim for loss of services in relation to DIY and gardening.

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#### J v C

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Fiona acted for the Claimants in this claim following a construction site fatality. Settlement reached with no reduction for contributory negligence. Issues on quantum included how to assess the loss of opportunity for the Claimants to benefit from the Deceased building their own home.

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## M v MOJ

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Fiona acted for the Defendant in this Article 2 claim following the self-inflicted death of a prisoner. The Deceased was not on an ACCT. Liability issues focussed on whether, if the Deceased had access to an in-person translator, he would have revealed suicidal ideation. Quantum issues included how much support the Deceased would have provided to his family in the future.

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## S v B

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Fiona acted for the Claimant in this claim for personal injury and provisional damages following a very serious leg injury in a road traffic accident. Quantum issues focussed on whether the Claimant would require a leg amputation in the future.

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## Gilman v (1) UPS (2) Network Rail [2013] EWHC 2341

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Fiona (led by Andrew Prynne QC) acted for the Claimant's motor insurers in contribution proceedings following a vehicle incursion onto the West Coast Main Line.

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## Memberships

- HSLA
- PIBA

## Recommendations

- Leading Junior for Inquest & Public Inquiries "Fiona provides excellent client service and her expertise is second to none in relation to inquests as well as HSE prosecutions". **Chambers & Partner 2024**
- Leading Junior for Inquest & Public Inquiries "She's sensible, measured, intelligent and charming." **Chambers & Partners 2024**
- Leading Junior for Inquests & Public Inquiries. "She is really good with clients, and her knowledge in relation to inquests is second to none." "She is an extremely hard-working barrister who is approachable and acutely sensitive to the needs of her clients." **Chambers & Partners 2022**
- Leading Junior for Health & Safety (Band 1). "Tactically she's really good, but she's also excellent with clients and really gets into the detail of the cases." "Really responsive, on top of the detail and a really good advocate." "Very experienced and thoroughly prepared." **Chambers & Partners 2022**
- Leading Junior for Inquests & Inquiries. "Brings to bear an encyclopaedic knowledge of law and procedure, but able to explain this to clients at all levels – very thorough and highly professional. A go-to person for complex and high-profile inquests, clients are always impressed with Fiona – definitely a silk in the making." **Legal 500 2022**



- Leading Junior for Health & Safety. “Fiona has an excellent level of knowledge of this practice area coupled with highly professional service delivered in a friendly manner. One of the leaders in this field at this level and rightly instructed in the most important cases.” **Legal 500**