



Keith Morton KC

Call 1990 | Silk 2011

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Keith Morton KC has a long-established practice in the fields of health and safety, inquests, public inquiries and related proceedings.

He is recognised as a leading practitioner in these fields. He has been instructed in some of the most significant health and safety cases, inquest and inquiries in recent years. He represents and advises clients ranging from individuals to SMEs, public bodies and large multi-national corporations.

In October 2017, he was named 'Health & Safety Silk of the Year' at the Chambers & Partners UK Bar Awards, for which he has also been short listed on two other occasions.

More generally, Keith's practice also encompasses administrative law (especially related to his practice areas) and civil common law with a particular focus on personal injury. He is accustomed to dealing with complex civil litigation. Before taking Silk Keith was a long-standing member of the Attorney General's A Panel of Treasury Counsel.

Expertise

Health & Safety

Recommended in Band 1 UK Bar by both Chambers and Partners and Legal 500.

Cases include the Heathrow tunnel collapse, Ladbroke Grove Rail Crash, the Stockwell Shooting, Cotswold Geotechnical Ltd (first prosecution for statutory offence of corporate manslaughter), Tata Steel UK Ltd [2017] EWCA Crim 704 (first successful appeal by a very large organisation sentenced under the Sentencing Guidelines) and advising and representing at trial and on appeal clients in numerous serious cases.

Notable Health & Safety cases

R v Transport for London and Tram Operations Limited and another (2023)



Keith is representing TfL in the on-going prosecution following the Croydon Tram crash.

R v A Major Construction Company (2021)

Keith secured the acquittal of a major construction company following an 8 day trial before the District Judge (Magistrates' Court) at Derby Magistrates Court.

R v London Borough of Tower Hamlets (2021)

Keith acted for the local authority in this especially tragic case in which a young child died while using play equipment in one of the authority's parks.

R v X Construction Company Limited (2020)

Keith secured a reduction of almost quarter of a million pounds on appeal for a very large construction company following its guilty plea to a charge under section 2 of the Health and Safety at Work Act 1974.

R v Mick George Limited (2019)

Successful appeal to the Court of Appeal. Keith secured a 40% reduction in the fine imposed for breach of Regulation 25(3) of the Construction (Design and Management) Regulations 2015.

R v Rose Builders Limited (2019)

Prosecution contended for a fine of £2.5m but the judge accepted all of the mitigation advanced and imposed a fine of £225k.

R v BAM Construction Limited (2017)

Keith represented BAM Construction Limited at a month long trial in which the Company was acquitted of failing to comply with its duties under Section 3 of the Health and Safety at Work Act 1974 and Regulation 22 of the Construction (Design and Management) Regulations 2007.

R (OCS Group UK Limited) v Health & Safety Executive

Successful judicial review proceedings challenging the HSE's dispute process for challenging findings of contravention and fees issued under the Fee for Intervention (FFI) scheme and two specific notices.



Inquests & Inquiries

Recommended in Band 1 UK Bar by both Chambers and Partners and Legal 500.

Prominent and high profile inquest cases include: the London Bombings Inquests, a number of child death inquests (including choking and play equipment cases), Inquests into the deaths of 3 SAS reservist while training on the Brecon Beacons, the Vauxhall Helicopter crash, inquests in deaths of air crew said to be attributable to cabin air toxicity, inquests into food allergy related deaths, the Shoreham Air Show crash, the Emiliano Sala Inquest and the Croydon Tram Crash inquests.

Prominent and high profile public inquiries include: The Ladbroke Grove Rail Crash Inquiry (counsel for Thames Trains), the D Article 3 Inquiry (counsel to the Inquiry), The (first) Mid-Staffordshire NHS Foundation Trust Inquiry (counsel to the Inquiry), The Grenfell Tower Fire Inquiry (counsel for directors of one of the core participants), advice in relation to the Covid Inquiry.

Notable Inquests & Inquiries cases

Covid Inquiry

Grenfell Tower Inquiry

Croydon Tram Inquest

Represented Transport for London at the inquests into the deaths of seven people killed in the Croydon Tram crash at Sandilands on 9 November 2016.

Shoreham Airshow Inquests

Instructed by the Civil Aviation Authority in the Inquests in the deaths of 11 people on 22 August 2015, when a Hawker Hunter participating in the Shoreham Air Show crashed onto the A27. The Senior Coroner concluded that the deceased were unlawfully killed.

Celia Marsh Inquest

Keith represented Planet Coconut in the Inquest into the death of Celia Marsh who suffered an allergic reaction to a wrap purchased from Pret a Manger.

Emiliano Sala Inquest

Keith represented the Civil Aviation Authority in the Inquest into the death of Emiliano Sala, the professional



footballer, who died when the aircraft he was flown in crashed en route from Nantes to Cardiff.

Vauxhall Helicopter Crash Inquest

Keith Morton KC acted for the Civil Aviation Authority at the Inquest into this high profile case in which a helicopter collided with a crane on top of St Georges Wharf Tower, then under construction in Vauxhall.

Personal Injury

Keith has undertaken personal injury work for both claimants and defendants throughout his practice.

Notable Personal Injury cases

A child v A local authority and others

Keith represented the local authority in a multi-defendant action in which the claimant suffered catastrophic injuries in a school playground. The action arose from work that had been undertaken in the course of major building and refurbishment work at the school and gave rise to complex liability and indemnity issues between defendants.

Warnock v Ministry of Justice

Keith represented the claimant who was assaulted by another soldier in their barracks using a machete obtained from Army stores. Issues of vicarious and directly liability hotly contested until shortly before trial.

An Officer v Ministry of Defence

Keith represented the claimant who was an officer serving in Kuwait undertaking integrated desert training exercises with the Kuwaiti Army and Airforce. He suffered serious injury when the vehicle he was travelling in was sliced open by the undercarriage of a low flying Kuwait Apache Helicopter. The MoD denied liability, but a favourable settlement was achieved on liability and quantum.

Various claimants v A local authority

Keith is representing a local authority in claims brought by various claimants arising out of the death of a man who was killed by a man suffering from schizophrenia. He was acquitted of murder by reason of insanity. The claims are ongoing.

Re the deaths of SAS soldiers who died during training (2016)

Keith represented the father of one of the deceased soldiers in the civil claim which followed the inquest (see also inquest cases).

Cox v Ministry of Justice [2014] QB 107

Keith represented the MoJ in this significant case considering the reach of vicariously liability of the Ministry of Justice for the negligent act of a prisoner resulting in injury to a prison officer.

Monk v Cann Hall Primary School and Essex County Council [2013] EWCA Civ 826

Keith represented the claimant on appeal. The decision of the Court of Appeal is significant for its consideration of the relationship between damages for unfair dismissal and common law damages for negligence causing person injury in the context of a dismissal and the proper approach to a strike out application.

Macintyre v Ministry of Defence [2012] EWHC 1690 QB

Keith represented the defendant in its successful defence to this claim arising out of serious injury sustained by an officer in the course of a mountain climbing accident during adventure training in the Alps.

Appointments

- Head of Chambers
- Bencher, Lincoln's Inn
- Assistant Coroner
- Member, Bar Tribunal Appointments Body

Awards

- Chambers & Partners – 'Health & Safety Silk of the Year' 2017

Education

- Inns of Court School of Law
- City University
- University of Hull

Memberships

- Administrative Law Bar Association
- Health & Safety Lawyers Association
- Personal Injuries Bar Association
- Justice

Recommendations

- Recommended in Band 1 for Health & Safety and Inquests & Inquiries. **Chambers & Partners**
- “He is excellent – a fierce opponent and gets into the detail of cases.” “He is diligent in his approach and very good on his feet.” “It’s great to have the strategic steer that he provides.” **Chambers & Partners**
- Earlier editions reported: “A brilliant barrister who has a lovely manner with clients. He is very knowledgeable and very thoughtful” and “has good vision, a good eye for detail and experience of handling big cases”. “It’s great to have the strategic steer that he provides.” “He is extremely thorough, meticulous in his preparation and tactically astute”, “A fantastic grasp of the law. He has a great jury manner and is a wonderful cross-examiner, which becomes immediately apparent” and “He is thorough, bright, intelligent and a pleasure to work with.” “Bright, hard-working, careful in court but capable of baring his teeth when necessary.” “He is incredibly user-friendly, has a knack with clients and an almost instinctive knowledge of what the judge or coroner is looking for”, “His attention to detail is phenomenal”, “He is very good with clients, as he is user-friendly. His advocacy is excellent and well judged, he knows which points to take and he has a good grasp of tactics”, “an absolutely fabulous advocate” and a “calm advocate who reflects wisely” and note that Keith is “a ferocious cross-examiner” who “is in demand and responsible for exploring acres of new grounds in case law”, “works tirelessly and ceaselessly” and that “he outshines just about any other” with a “solid grasp of the law” and “great attention to detail”. **Chambers & Partners**
- Recommended in Band 1 for Health & Safety and Inquests & Inquiries. **Legal 500**
- “Probably the best QC in the field ...” and has “First-class client skills, with meticulous attention to detail and focused on working with solicitors as part of an integrated legal team”. **Legal 500**
- Earlier editions reported that Keith “is one of the best cross-examiners of expert witnesses and is always polished” and that “He is undoubtedly one of the leaders in this area of law and a pleasure to work with”. “An incisive cross-examiner and good tactician, who has the jury’s attention” and “He gets to the core of the issues quickly and with ease”. “He has a gravitas which inspires confidence in judges, juries and clients”, “Great with clients and good on his feet”, “direct, focused and decisive” and “has established an excellent reputation for his tremendous manner in court”. **Legal 500**