

He is very thorough, hard-working and possesses an incisive intellect.

Chambers and Partners 2016



John Meredith-Hardy

Called in 1989 +44 (0)20 7583 9241

John Meredith-Hardy undertakes commercial, general common law, personal injury & clinical negligence, professional negligence, insurance and costs related instructions.

The breadth of John's experience across a range of subject areas is of particular assistance to professional and lay clients due to the nature of civil litigation that frequently includes both, for example, insurance coverage and liability issues, personal injury and costs, director's duties and director's remuneration etc.

John acts for both claimants and defendants and receives instructions from solicitors, insurers and via public access. John is an accredited mediator and is 'Top ranked' in Chambers UK Bar Directory and is a 'Leading Individual' in the Legal 500.



Location

Farrar's Building,
Temple,
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Public Access

John receives instructions by public access across the range of areas of work that he undertakes. Anyone can now go directly to a barrister without having to involve anyone else (e.g. a solicitor) and this presents a cost effective and efficient approach to obtaining legal advice.

John provides advice on legal status or rights, drafts documents and can provide representation in court and at mediations. John can also negotiate on your behalf by telephone, at face-to-face joint settlement meetings, mediations and at court.

Assistance in pursuing claims via the Financial Ombudsman, the Parliamentary & Health Service Ombudsman & Local Government Ombudsman can also be provided.

Examples of public access work undertaken

P v Hospital & Medical Care Association – insurance coverage dispute regarding medical expenses insurance

Earls Court Properties v S – value & quality of building works undertaken

Sparrow v M – personal injury claim alleging damages for assault

Clinical Negligence

John is instructed in claims against medical professionals including consultants, doctors, GPs and nurses for clinical negligence and acts for both claimants and defendants.

Examples of cases undertaken

Bardsley v Dovehaven Nursing Home – successful defence of a claim for negligent care by a nursing home

Coleman v S – shoulder surgeon negligently performed four part shoulder arthroplasty

Bloomfield v Brighton & Sussex University Hospitals NHS Trust – negligently performed herniogram resulting in a perforated bowel & failure to obtain informed consent

Muminoglu v Sharma – claim against a GP for wrongful prescribing of medication

Nicols v Guy's & St Thomas' Hospital NHS Trust – negligent treatment with regard to operative treatment to remove a needle from a patient and negligence causing infection

Leybourne v King's College Hospital NHS Trust – negligent diagnosis of cancer causing premature death

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Professional Negligence

John has undertaken a range of professional negligence actions against solicitors for breach of duty in the conduct of personal injury, clinical negligence and commercial claims.

Instructions have included claims against mortgage brokers, architects, surveyors, accountants and IFAs for failing to discharge their duties towards their client.

Examples of cases undertaken

Dey v Thurston – surveyor’s negligence in the conduct of a pre-purchase survey

Mcfarlane v Thompsons Solicitors (a firm) – solicitor’s negligence in the conduct of a personal injury action

Rogers v Andersoned Solicitors (a firm) – solicitor’s negligence in the conduct of a personal injury action

Bennett v UNISON – union’s failure to protect their member’s interests; solicitors brought in as an Additional Party

Thomas v Countrywide Surveyors Ltd – surveyor’s negligence in the conduct of a pre-purchase survey

Russell Whyte v Thompsons Solicitors (a firm) – solicitor’s negligence in the conduct of a personal injury action

Personal Injury

John has significant experience acting for claimants and defendants across the full range of personal injury claims.

The subject matter of claims includes accidents at work including factories, oilrigs, workshops, shops & offices; Occupational disease including asbestos related conditions; Road traffic accidents involving heavy goods vehicles, cars and motorbikes; Employment & holiday accidents abroad whilst on-land and on-ship.

Instructions include injuries resulting in Brain injury, Cerebral palsy and Spinal injuries of the utmost severity; Chronic pain, Amputation and Complex injuries resulting in lifetime care & therapy, adaptive housing and ancillary services. John undertakes CICA claims of the utmost severity, concerning nervous shock and Fatal accidents.

Examples of cases undertaken

AAA by her litigation friend BBB v MIB & another EWHC 22.7.16 – settlement of £4 million plus interim payments of £357,725 for a brain injury sustained in an RTA when age 2 & age 21 on date of settlement

XP v (1) Compensa Towarzystwo SA (2) Bejger [2016] EWHC 1728 (QB) – High Court trial relating to, inter alia, apportionment of damages following consecutive road traffic accidents, the first in Poland followed two years later by an accident in the UK

Jesmin v WH Smith Retail Holdings Ltd – County Court trial – chronic pain claim for substantial damages dismissed after a trial and damages awarded for minor soft tissue injury

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Ibidapo-Obe v Selimi – brain injury following a collision with a car whilst a pedestrian

McMaster v Pringle – complex & severe brain injury that included lifetime claims for damages across the spectrum of recoverable loss

Middlemiss v Ministry of Defence – Junior soldier injured whilst paint balling & sustaining serious eye injuries

Woods v Fiserv Ltd – repetitive strain injury claim relating to work place injuries in an office environment

Rutley-Frayne v Meller – Fatal Accident and personal injury of the utmost severity including loss of a leg and arm

Weale v Todd – complex pain case including substantial business loss & expert accountancy evidence

Ward v First Central Insurance Ltd – poly-trauma and brain injury sustained in an extremely serious road traffic accident

D v CICA – CICA hearing – claim for a victim of child abuse resulting in brain injury and spastic quadriplegia

McGonigle & another v Fineturrret Ltd v Morgan Est PLC v Farrans Construction Ltd v Format Urzadzenia I Montaze Przemyslowe SP Z.O.O. – multi-party liability dispute following an accident on a major infrastructure project

Insurance

John is regularly instructed on coverage, indemnity & related disputes by both insurers and the insured. RTA insurance coverage, including MIB, Article 75 and uninsured & untraced drivers, are common themes in John's practice.

John's insurance work dovetails with his commercial, common law and PI practices as insurance claims involve liability issues falling within these areas of expertise.

Examples of cases undertaken

Wasley v MIB & UK Insurance – coverage dispute concerning RTA insurance where the accident occurred not on the road or public place; declaratory relief

P v Hospital & Medical Care Association – coverage dispute regarding medical expenses insurance

Corder v Boyd, D & MIB – RTA coverage and liability of car owners to those not permitted to drive

Downing v Chartis Insurance Co – coverage of personal accident policy following clinical negligence

Carmichael & Sons (Worcester) Ltd v NIG – property insurance & indemnity claim successfully defended following a land slip

Thorpe v Cruze & Gallantree – destruction of neighbouring thatched premises by fire, causation and insurance indemnity

Walding & Savage v Singh & others – High Court trial – tenants successfully claimed insurance monies wrongfully taken by the landlord after premises destroyed by fire; freezing injunction before & after judgment

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Commercial

John is instructed in commercial contractual disputes; Unregulated commercial lending; Sale of services including mortgage brokering; Company directors and duties; Building disputes involving the construction of domestic housing and commercial property, Property disputes involving shops, hotels and farms and the Sale of goods including Engines and Mechanical devices.

Complex issues of causation of loss and quantification of damages arise in the work undertaken by John.

Examples of cases undertaken

Nusantara Energy Ltd v Healey – Commercial Court trial – breach of director’s duties, director’s negligence and breach of fiduciary duty

Briggs v Quore - dispute over meaning & effect of a share purchase agreement in the telecoms space (mobile phones)

UK Acorn Finance Limited v Vincent – agricultural mortgages & a claim for Consumer Credit Act 1974, s.140B relief

Acorn Country Capital Limited v Walker – High Court trial – agricultural mortgages & a claim for Consumer Credit Act 1974, s.140B relief and breach of fiduciary duty

Pilcher v Stan & others – advance fee fraud, freezing injunctions and recovery of ‘money had & received’

Penna PLC v Huawei Technologies (UK) Co Ltd – breach of contract in the employment recruitment field

Jawaheer v AIB GROUP (UK) P.L.C. – breach of contract by a bank following a business restructure

Hankey v Sealine International Ltd – County Court trial – action against Sealine International for engine failure 5 years after purchase

Gewefa UK Ltd v Saro Engineering (Merthyr) Ltd – quality and fitness for purpose of specialist machine tools supplied to an engineering company

May v Motortech Marine Engineering Ltd – County Court trial – action against engine supplier for engine failure

General Common Law

John receives instructions in Property & related disputes such as nuisance for collapse of land, falling trees, tree roots & escape of water; Boundary disputes; Fraud and dishonesty in the commercial & employment contexts; Recovery of the proceeds of crime in the civil courts and Employment disputes & contracts.

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Examples of cases undertaken

Nusantara Energy Ltd v Healey – Commercial Court trial – a claim concerning inter alia an executive chairman’s remuneration in the UK and Indonesia

SWT Ltd v Hind & Steel – TCC trial – issues concerning liability for trees by an occupier and the duty of care owed by a tree surgeon to third parties

James v E.H. Whybrow & Co Limited – claim for trespass relating to building works undertaken by a neighbour

Ferguson v Ossett Brewery Pub Co Ltd – nuisance claim concerning land slip and damage to neighbouring land

Carmichael & Sons (Worcester) Ltd v NIG – Rylands v Fletcher claim successfully defended following a land slip

Baker v Phillips – County Court trial – easements & water access dispute resolved in favour of the Claimants at a trial

Shurmer v Council of the City & County of Swansea – nuisance claim following collapse of an embankment

Director of the Assets Recovery Agency v Jackson [2007] EWHC 2553; [2007] All ER (D) 149 (Nov) – High Court trial – the second ARA case to be heard in England for civil asset recovery

H v a local education authority – ET hearing – sex, disability and unfair dismissal (all successful in the ET) and pursued to a final conclusion almost to the door of the EAT (6 figure settlement)

Uglov v Uglov & Ors – High Court trial; appeal to CA – Proprietary estoppel dispute over a farm and related buildings

Costs

Costs issues form a regular aspect of John’s day-to-day practice and include Costs budgeting, Qualified one way costs shifting (QOCS); Enforceability of Conditional Fee Agreements; Interim payments of costs; Orders for costs and Detailed Assessment of Costs.

Notable Cases

AAA by her litigation friend BBB v MIB & another EWHC 22.7.16

Settlement of £4 million plus interim payments of £357,725 for a brain injury sustained in an RTA when age 2 & age 21 on date of settlement.

XP v (1) Compensa Towarzystwo SA (2) Bejger [2016] EWHC 1728 (QB)

High Court trial relating to, inter alia, apportionment of damages following consecutive road traffic accidents, the first in Poland followed two years later by an accident in the UK.

Nusantara Energy Ltd v Healey (2015)

Breach of company director’s duties, director’s negligence and breach of fiduciary duty.

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Jesmin v WH Smith Retail Holdings Ltd (2015)

Chronic pain claim for substantial damages dismissed after a trial and damages awarded for minor soft tissue injury.

Middlemiss v Ministry of Defence (2014)

Serious eye injuries sustained whilst a Junior Soldier.

UK Acorn Finance Limited v Vincent (2014)

Agricultural mortgages & a claim for Consumer Credit Act 1974, s.140B relief.

SWT Ltd v Hind & Steel (2014)

Issues concerning liability for trees by an occupier and the duty of care owed by a tree surgeon to third parties.

Bardsley v Dovehaven Nursing Home (2013)

Successful defence of a claim for negligent care by a nursing home.

D v CICA (2013)

CICA claim for a victim of child abuse resulting in brain injury and spastic quadriplegia.

Carmichael & Sons (Worcester) Ltd v NIG (2013)

Insurance indemnity claim successfully defended following a land slip.

Pilcher v Stan & Others (2013)

Advance fee fraud, freezing injunctions and recovery of 'money had & received'.

Ferguson v Ossett Brewery Pub Co Ltd (2013)

Nuisance claim concerning land slip and damage to neighbouring land.

If you would like to instruct John Meredith-Hardy or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at chambers@farrarsbuilding.co.uk

For more information about our clerking team, please [click here](#) for the clerks page.

Appointments & Memberships

- Professional Negligence Bar Association
- Personal Injury Bar Association
- Western Circuit

Education & Qualifications

- MA Hons, History & International Relations, St Andrews (1987)
- Diploma in Law, London (1988)

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Directory Quotes

John Meredith-Hardy was listed in 2016 as a leading personal injury junior in both Chambers & Partners and the Legal 500.

Has a proven track record advising on CICA, fatal accident and catastrophic injury claims. He is highly regarded for expertise in handling asbestos exposure and other work-related claims.

Strengths: *“He is very thorough, hard-working and possesses an incisive intellect.”*

Chambers UK

‘He has great attention to detail and makes sure no stone is unturned.’

Legal 500

‘He is great on drilling down into the details, has a robust but sympathetic approach with clients and prepares excellent schedules of loss.’

Legal 500 2018



Personal Interests

- Mountaineering & Ski Touring
- Motor Cycling
- Paragliding
- Sailing

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