

A very approachable counsel with impressive grasp of the facts and law relating to personal injury claims and with proven success at court. Highly regarded by our commercial clients.

Andrew West, BLM



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## Tom Bourne-Arton

Called in 2005 +44 (0)20 7583 9241

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Tom Bourne-Arton is an experienced junior barrister, predominantly specialising in Personal Injury and Employment law. He is extremely experienced in all aspects of litigation.

Tom is proud of his quick turnaround of papers and is happy to accept instructions to turn around papers urgently.

Tom completed his pupillage at Farrar's Building and has been a tenant ever since.

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## Clinical Negligence

Tom is happy to act for both Claimants and Defendants. He has extensive experience of fatal and catastrophic injury claims. His clinical negligence work is usually conducted in the High Court. Tom's clinical negligence practice is burgeoning. However, he is used to dealing with complicated medical issues, including causation, and with cross examining medical experts, as a result of his extensive personal injury practice.

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## Costs

Tom is becoming increasingly experienced with Costs Budgetting hearings and is routinely instructed by both Claimants and Defendants in the county court and in the high court.

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### Location

Farrar's Building,  
Temple,  
London, EC4Y 7BD  
United Kingdom

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### Contact Us

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DX: 406 Chancery Lane

## Credit Hire

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Tom is experienced in credit hire claims and is instructed by both Claimants and Defendants in fast track and multi track cases.

## Employment

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Tom's employment practice involves working for both Claimants and Respondents, in all aspects of employment law. He is particularly experienced in unfair dismissal claims, whistle blowing claims, and all types of discrimination claims.

Tom's employment practice involves all stages of litigation from pleadings, through interlocutory hearings, to final liability and remedy hearings.

A recent case of note was a disability discrimination, whistle blowing and unfair dismissal claim where Tom successfully represented the Claimant in a four week liability trial, and the subsequent three day remedies hearing. Tom has also recently represented a Claimant in a race discrimination claim, and a Respondent in a disability discrimination claims.

## Fraud

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Tom's personal injury practice includes acting for Defendant's in fraudulent personal injury claims. Examples of fraud cases Tom has been involved in include fraudulent occupancy claims, "slam on" road traffic accident claims, and made up or exaggerated personal injuries claims.

## General Common Law

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Tom has undertaken numerous contractual dispute cases, including those involving building works, sale of goods and misrepresentation claims.

## Inquests

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Tom regularly appears at inquests on behalf of insurers and has experience of both coroner and jury inquests.

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# Personal Injury

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Tom's personal injury practice involves working for both Claimants and Defendants in all aspects of personal injury and fatal accident claims. He is particularly experienced in highway liability claims, workplace accident claims, road traffic accident claims, complex care claims, industrial disease claims (including noise induced hearing loss, VWF and HAVS claims) and claims involving multiple and severe injuries. Tom is also experienced with costs budgeting hearings.

Tom's personal injury practice involves all aspects of litigation including advising, drafting pleadings, CCMCs, JSMs, PTRs, conferences with clients and experts, and trials.

Recent cases of note have included settling a fatal accident claim at a JSM, a contribution claim trial between a highway authority and their contractor, a complex work equipment claim.

Tom has experience with claims involving severe injuries, including those to the brain and to the spine.

Tom is willing to consider cases on a CFA basis.

# Professional Negligence

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Tom has experience with advising and litigating professional negligence claims.

# Travel and Tourism

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Tom is regularly instructed in cases involving personal injury in the Travel Law sphere on behalf of Claimants and Defendants in cases brought under the Package Travel Regulations, Montreal or Athens conventions. Examples of cases include a road traffic accident in Greece, personal injury accidents suffered whilst on board plane, and whilst in transit in airports, food poisoning claims, accidents in hotels (such as slips and trips), a tripping accident on a cruise ship and a fatal accident following a light aircraft accident.

Tom has extensive experience through his travel law and other personal injury practice with issues of jurisdiction and choice of law.

# Notable Cases

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## Amantcho v Aviva (unreported) 21/04/17

Tom successfully argued that 1) the issue of fundamental dishonesty could be decided on the papers, and did not require a separate trial on the issue, and 2) bringing a claim based on facts the Claimant must have know were untrue meant the claim was fundamentally dishonest.

## Elson v Stilgoe [2017] EWCA Civ 193

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Successfully acted for the Defendant/Respondent in an appeal, heard by the Court of Appeal, against the decision to dismiss the Claimant/Appellant's claim for personal injuries, loss and damage in a road traffic accident.

#### Miller v TFL & Ringway Jacobs

Successful settlement (following evidence at trial) for contribution and/or indemnity in a highways act tripping case.

#### Harrison v Selfridges

Successfully settled complicated personal injury and contractual dispute at a JSM.

#### Murphy v Poplar Housing Association & Regeneration Community Association Ltd

Successful unfair dismissal claim for six figure sum.

#### Barratt v Sunrise Senior Living Limited

Successful claim for personal injury under PUWER.

#### Langley v William Hill Plc & Gables Scaffolding

Successful strike out application leading to costs being enforceable.

#### Aziz v SFS Performance Engineering Ltd

Successful claim for personal injury under PUWER.

#### Daniel v Mountain of Fire & Miracles Ministries International UK Ltd

Successfully struck out an employment claim on grounds Claimant was not in a position to pursue his claim due to continuously purporting to be too unwell to attend a trial.

#### Monk v Newsquest London Ltd

Successful claim for religious discrimination.

#### Hager v Colas

Successful defence of a highway tripping accident.

If you would like to instruct Tom Bourne-Arton 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](mailto:chambers@farrarsbuilding.co.uk)

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

## Appointments & Memberships

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- South Eastern Circuit
- Personal Injuries Bar Association
- Employment Law Bar Association

## Education & Qualifications

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- BPP Law School (2004 – 2005)
  - Diploma in Law, City University (2003 – 2004)
  - MA in Mental Philosophy, Edinburgh University (1999 – 2003)

## Testimonials

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“A very approachable counsel with impressive grasp of the facts and law relating to personal injury claims and with proven success at court. Highly regarded by our commercial clients.”

**Andrew West, BLM**

“I have worked with Tom Bourne-Arton on a number of Tribunal matters over the years including many final hearings – always with success. Tom is easy to work with, approachable, and builds good rapport with clients. Tom is technically sound and hones down on key detail to the success of the case. Great Counsel to have in the team.”

**Victoria Russell, LLP Partner, Silverman Sherliker LLP**

“Tom is a very good junior and typical of this set. Strong on paper, on his feet and in conference, I find him especially good on Claimant employers liability. He is very switched on to the harsh realities of CFA work, but refreshingly not risk averse.”

**Neille Ryan, Partner, Furley Page**

## Personal Interests

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Tom enjoys playing cricket, golf, and the piano. He is also an avid reader and a keen, albeit very amateur, cook.

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