

Bright, technical and client-focussed. A very safe pair of hands who will always advise practically and in a commercial context. A strong junior, apt for advising commercially on claims in today's progressive insurance world.

Thom Lumley, instructing Solicitor



## Matthew Kerruish-Jones

Called in 2003 +44 (0)20 7583 9241

Matthew is a highly experienced common lawyer with a wide range of advocacy experience in both civil and criminal courts. He provides high quality advocacy services to clients and is very experienced in advisory matters and legal drafting in many of the areas in which Chambers specialises.

His practice covers civil; criminal; inquests and inquiries; health and safety; food safety; fatal road traffic; contentious probate; environment; fire; corporate governance (including bribery and corruption); personal injury; and regulatory law.

Whilst Matthew's broad practice covers predominantly the civil and criminal courts in the UK he frequently advises clients from all over the world. Matthew acts for global companies and organisations, national companies, insurance companies, local authorities, public bodies as well as individual clients.

He continues to expand his international interests and has lectured abroad to international clients including in conjunction with UK Trade and Investment business development missions.

Matthew has some quasi-judicial experience as he sits as an Appellate Tribunal Chairman for a trade body in London.

## Health & Safety

Matthew is often instructed by corporate entities and insurers to represent defendant companies and/or directors in health and safety, fire safety, food safety and environmental prosecutions, many of which involve complex technical issues and expert evidence. Many of these cases are heard at the Crown Court and at appeal. In addition, he provides advice on corporate governance issues including bribery and corruption. Matthew has been led in multiple cases by Queen's Counsel. In addition, Matthew is very experienced in representing clients prosecuted by QC's as well as co-defending with them.

### Location

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Notable Health and Safety cases include:

**HSE v TJ Smith** This case involved a health and safety prosecution involving a fatality where abuse of process was argued. The employer used mobile elevated work platforms to raise up members of staff up to 30 metres high to carry out redecoration works. Two workers were in the process of doing this when the vehicle supporting the elevated work platform collapsed. One worker was thrown clear of the accident while the other was crushed to death. Matthew argued at first instance that his client should not be prosecuted on their own as a fault had been identified in the machine that was deemed repaired by an independent specialist and certified as safe to operate. Just three weeks after the certification the incident occurred. The case went to a two week trial at Exeter Crown Court with Patrick Harrington QC leading Matthew. The family of the deceased pursued a civil claim for which Matthew drafted the pleadings. Andrew Peebles, also of Farrar's Building acted at the Inquest and at the joint settlement meeting. [Related article](#).

**HSE v Dickies Pet Centre and RE** Pallet loaded with animal bedding collapsed from fork lift truck; tetraplegia; company and director prosecuted. [News article](#).

**HSE v Bespoke Bodies** Matthew acted for coach building company after an investigation by the HSE found that it had not properly supervised work at height activity following an accident where an apprentice fell through a roof he was working on and was seriously injured. The HSE also found the company failed to identify the risks associated with working at height and working on fragile surfaces. The company was charged for breaches of Regulation 3 (1) (a) of the Management of Health and Safety at Work Regulations 1999 and Section 2 (1) of the Health and Safety at Work Act 1974.

**Redcar and Cleveland BC v Baketime Ltd** An international biscuit manufacturer who manufactured own brand biscuits for a number of supermarkets, including Aldi, was prosecuted for food hygiene breaches due to a number of rodents found on the premises.

**HSE v M Baker Produce Ltd** The Defendant company operated a commercial farm which employed a number of seasonal workers. One of their employees was pulled into a piece of agricultural equipment sustaining injury.

**Darlington BC v Aldi Stores Limited and Wilkinson Maintenance Limited** Matthew represented a contractor who was contracted by Aldi to carry out building works. During the works, an unsecured smoking shelter was caught by gust of wind injuring an employee. Both Aldi and the contractor were prosecuted for health and safety offences. Matthew co-defended with Richard Matthew QC, who represented Aldi Stores.

**HSE v Spa Laminates** Injuries were caused by fork lift truck at a manufacturing plant.

**HSE v Brims Construction Ltd** Fall on a building site through a void in a roof. The complainant survived with serious injuries.

**HSE v HIS Energy** The Defendant company operated a cavity wall insulation business. One of their employees inadvertently drilled into a chimney flue for a gas boiler. One of the occupants of the premises died as a result of carbon monoxide poisoning.

**HSE v Habitat Construction LLP** Fall on a building site; complainant paralyzed; inadequate safety systems in place

**HSE v TG Engineering Ltd** Machine tool manufacturer; flying parts causing injury (potential fatality)

**Westminster City Council v Charalambous & Co** Falling object from height on hotel customer; life changing head injuries

**HSE v Rare Butchers of Distinction** Butcher causing laceration with cleaver; inappropriate gauntlet

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**Wandsworth County Council v Rayners Catering Hire Limited** Death of an employee; catastrophic brain injury; fall in a warehouse; incorrectly stacked equipment by visitor to premises

**HSE v Hampson Gas** Explosion at residential property; prosecuted under Gas Safety (installation & Use) Regulations 1998; serious injuries to occupants and severe structural damage to property

**HSE v Aden Pro Form** Experienced machine operator injured arm in metal press machine

**HSE v Cambs Compressor Engineering Ltd** Employee fell from height; life changing injuries

## Inquests

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Matthew is often instructed to represent the interests of insurers, corporate entities, public bodies, care homes, motorists and other interested persons at inquests. Matthew is well versed in the practice and procedures of coronial law. In particular, he represents parties who are at risk of facing criminal prosecution and/or civil claims, pending the outcome of an inquest. He is all too aware of the risks faced by individuals and companies alike who find themselves under investigation.

Notable inquests include:

**Re: Jones** (Coroner's Court) Diabetic motorist suffers hypoglycaemic attack at the wheel; collision on motorway; hypoglycaemic unawareness.

[Related news article](#)

**Re: Clarke** (Coroner's Court) Police restraint of male with Acute Behavioural Disturbance; system wide failures leading to death; BBC Panorama investigation.

News articles and Panorama link for this case:

[Farrars Building](#)

[BBC News](#)

**Re: Hapuarchchi** (Coroner's Court) A case involving an Article 2 Inquest involving Lewisham and Greenwich Healthcare NHS Trust and Matthew's client, CIS Security Limited. The case involved a man who arrived in hospital covered in blood in 2008 in a very agitated state. Security had to be called on numerous occasions and in the end restrained him to such an extent that he was suffocated and suffered cardiac arrest leading to a traumatic brain injury which led to him being hospitalised for 9 years. The Coroner asked if this should be referred to the HSE. In addition, new guidance came into force regarding deprivation of liberty at the time of this case making it especially interesting. The case led to a long-running inquest of over three weeks into the procedures used by the Trust's Mental Health Unit.

**Re: Cuthbertson** (Coroner's Court) Mathew acted for a property owner at an inquest into a house fire in mid-Wales where six members of the same family died. The cause of the fire was never established. This was an extremely high-profile case attracting attention from all over the world. The case was extremely complex involving forensic anthropologists in order to identify the victims.

News articles for this case:

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**Re: GI Construction Ltd** (Coroner's Court) Matthew represented a construction company in relation to the death of an employee. The deceased had worked for the company for only two days when, he took a pneumatic drill to the base of a concrete column which collapsed on him. Proceedings were issued at the criminal court and the HSE reserved its position. The Coroner found that the death was accidental.

[Related news article](#)

**Re: Bennett** (Coroner's Court) Representing driver involved in fatal RTA

**Re: Hicks** (Coroner's Court) Representing family of deceased; decapitation at work on railways

**Re: Edge** (Coroner's Court before) Defendant scaffolding company; fall from height; causation of fatality (pineal cyst)

## Crime

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Matthew regularly advises and defends individuals prosecuted for causing death whilst driving. He has unique experience in this area as he is able to straddle both the criminal and civil court jurisdictions and understands the tactical issues faced by lay clients and their insurers when facing linked criminal and civil prosecutions.

In addition, Matthew has significant prosecution experience over the years, having been a Category 3 prosecutor for the Crown Prosecution Service as well as working for the Serious Fraud Office as Disclosure Counsel. Matthew has been led in multiple cases by Queen's Counsel. In addition, Matthew is very experienced in representing clients prosecuted by QC's as well as co-defending with them.

### Notable criminal cases:

**R v D** Death by careless driving: Tesla v pedestrian

**R v Harris** Represented an elderly man who was not fit to stand trial due to dementia. The case involved "pedal confusion" whereby it was alleged the defendant drove at speed into a shop killing an occupant.

**R v Parsons** Successfully defended an ambulance driver who, whilst responding to an emergency, collided with a pedestrian killing him.

**R v Howard** Successfully defended a mother with her two children who drove into a fatal collision with a motorcyclist riding up a bus lane.

**R v Colledge** The Defendant suffered with a black out at the wheel due to a neurological condition and caused a fatal collision with an oncoming vehicle. Insane automatism was successfully argued.

**R v Mitzman** Successfully defended a motorist charged with causing death by careless driving who came into collision with two

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pedestrians crossing a road.

**R v Smart** Matthew represented a defendant charged with causing serious injury by dangerous driving at first instance. He advised on the appeal against sentence which was successfully reduced by the Court of Appeal (represented by Douglas Day QC).

**R v Calnan** Successfully defended a motorist charged with causing death by careless driving who came into collision with an oncoming motorcyclist.

**Appeal of M (CA)** Disclosure and PII; reference by Criminal Case Review Commission; rape

**R v S** Causing death by careless driving; speeding motorcyclist killed

**R v S** Serious injury by dangerous driving; collision with pedestrian on zebra crossing

**R v Grant** Dangerous driving; collision with police motorcyclist

**R v Tottman & Others** Multi handed conspiracy to steal metal from railways

**R v Knight** Causing death by careless driving; distracted by wasp inside car; phobias

**R v Clarke** Causing death by dangerous driving; hypoglycaemic attack whilst driving

**R v Cleal** Causing death by careless driving; death of motorcyclist; under the influence of alcohol; sleeping at the wheel

Notable cases involving fraud include:

**Re: INL01** Instructed by SFO; fraudulent trading; legal expenses insurer fraud circa £75 million; led by Douglas Day QC.

**R v Prince** “confidence fraud” against lottery millionaire depriving victim of approximately £700,000; confiscation hearing

**R v Adamson** Insolvency Act offences; money laundering; fraudulent trading; “jet set” lifestyle; appeal to CA; confiscation hearing

**R v Young & Ors** Conspiracy to defraud GMP; civilian counter clerk accepting invalid documents

## Personal Injury

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Matthew regularly acts for defendant insurers in multi-track claims and undertakes work in all areas of the personal injury field, particularly those which involve complex technical issues and expert evidence beyond that of clinicians. He acts for a number of local authorities and public bodies, local and national transport companies, as well as private companies and individuals.

Examples of notable personal injury and damages claims include:

**Saunders v FTM** Employer’s liability; crush injury by forklift.

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**A v BS** Employer's liability (over £1 million claimed)

**Ruff v Chief Constable of Sussex** Employer's liability; firearms officer injured in training

**W v HSS** Breach of contract; negligence; injuries sustained at sea on powerboat trip

**MM v AP** Fire damage claim to 30 vehicles in airport car park (multi track); negligence and damages

**J v B** Credit Hire claim (multi track); insolvent claimant

**Cavell v Transport for London** Application to resile from admission of liability. [Note of Judgment](#)

## Civil Fraud

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Matthew has extensive experience of representing Defendant's in cases where fraud and dishonesty are alleged at trial. More recently these have included the successful application of Section 57 and the exceptions to the QOCS regime.

## Travel & Tourism Law

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Matthew has acted in claims arising from accidents abroad during his career. He has had to consider jurisdictional matters on several occasions.

He is an experienced personal injury practitioner and regularly handles complex, high value claims. He has had recent experience of holiday sickness claims and the issues associated with them.

Matthew regularly deals with cases where allegations of fundamental dishonesty are raised and has recent experience of bringing contempt proceedings against dishonest litigants.

## Trusts & Probate

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Matthew is regularly instructed on a broad range of probate disputes, including challenges to the validity of wills, and to the disposition of the deceased's estate by claims under the Inheritance (Provision for Family and Dependents) Act 1975.

If you would like to instruct Matthew Kerruish-Jones 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)

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

## Appointments & Memberships

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Health and Safety Lawyers Association  
Criminal Bar Association  
Personal Injury Bar Association  
London Common Law and Commercial Bar Association

## Education & Qualifications

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Manchester Metropolitan University, BVC  
College of Law, PgDL  
University of Manchester, Russian Studies BA (Hons)  
Moscow State Linguistic University  
Marlborough College, Wiltshire

## Personal Interests

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Married with children. Matthew enjoys skiing and motorcycling.

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