

Andrew Young

Call Date: 1977



Andrew Young is the senior junior in chambers and has been a member of 3 Hare Court and its predecessor, 1 Crown Office Row, throughout his career at the Bar.

In his early years, he had a broad based general common law practice that included personal injury, contract, landlord and tenant, employment and family law work, but more recently his practice has concentrated on personal injury cases, especially those with a foreign element; professional negligence cases against doctors, solicitors, fine art valuers and other professionals and on professional regulatory work.

He has many years' experience of handling foreign accident and illness cases, including multi-party claims, and frequently acts in cases involving complex issues of jurisdiction and conflicts of law. In recent years, he has developed a special expertise in acting for claimants who have suffered injuries or illnesses while working overseas, particularly for international security companies and in the oil industry. He has immense experience of the Package Travel Regulations and he recently acted for the claimant in the leading case on food poisoning claims against tour operators, both at first instance and in the Court of Appeal.

He also acts for claimants in high value domestic employers' liability personal injury claims.

Andrew is an appointed PICArbs panel arbitrator.

Legal Services

Professional Negligence

Andrew's professional negligence practice covers most professions. He recently acted on behalf of a claimant who brought a claim against a leading auction house for misattributing a painting as a copy that was subsequently found to be the work of a Renaissance master worth £18 million. He has also brought a claim against a solicitor for failing to advise a house purchaser to insure a property on exchange when the house burned down between exchange and completion. He has conducted many claims against doctors covering a wide spectrum of negligent practice extending from failure to diagnose early signs of cancer to failure to identify foetal distress with the result that a baby was born with cerebral palsy.

Some of his professional negligence work also has a foreign dimension. For example, he acted for a British

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soldier who brought a clinical negligence claim against the surgeons who conducted an operation to repair his fractured right ankle which was held to be statute-barred under German law in *Spring v. Evangelisches Krankenhaus* [2019] EWHC 3420. He recently settled a case that brought by an aid worker employed by a European NGO against a Nigerian Hospital for failing to diagnose advanced sepsis while the worker was being investigated for an unidentified illness. He is currently representing the widow of a locally engaged fitter who contracted mesothelioma many years after working for the Royal Navy in its dockyard in Singapore in a case that involves every possible complication of jurisdiction and applicable law and in which even the employment status of the deceased fitter is the subject of dispute between the parties.

Regulatory

Andrew has for many years acted as a legal assessor for a variety of different regulatory bodies, including the NMC (Nursing & Midwifery Council), the GMC (General Medical Council) and its successor body, the MPTS (Medical Practitioners' Tribunal Service), the GCC (General Chiropractic Council), CIMA (the Chartered Institute of Management Accountants) and CIPFA (the Chartered Institute of Public Finance Accountants). He finds his experience of regulatory work provides helpful insights into claims which he is asked to conduct against doctors and nurses and other healthcare professionals.

Travel & Cross Border Claims

Andrew represented the claimants in a food poisoning claim against TUI, which established that tour operators are strictly liable for providing contaminated food on package holidays and which was the subject of an unsuccessful appeal by the tour operator to the Court of Appeal in *Wood v. TUI Travel Plc* [2018] QB 927. It had been hoped that this case would clarify the law on such claims, but because of certain obiter dicta by two members of the Court of Appeal both sides claimed a victory and it has resulted in a very large increase in food poisoning claims arising from package holidays over the past 2 years and a substantial increase in work for members of chambers acting for both sides as a result!

Following on from this ruling, Andrew is now acting for two claimants who are bringing claims against tour operators for causing them to contract legionnaires' disease from contaminated water supplied to their hotel bedroom alleging that these are also strict liability claims under the same supply of goods legislation as food poisoning claims.

He is also acting in two cases for claimants who allege that they have been poisoned by exposure to H₂S while visiting an oil refinery as part of the security protection for industry guests.

In addition to the normal type of claims for accidents and injuries occurring on package holidays, Andrew has acted for claimants who been killed or injured in unusual situations, including a group of tourists seriously injured by machete attacks while on safari, a tourist drowned while taking part in a snorkelling lesson and tourists attacked by a polar bear and a crocodile. The polar bear claim was more successful than the crocodile claim!

Accreditations

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Publications

- New Law Journal – [The implications of Brexit for international travel claims](#)
- Andrew writes for the leading legal publications and contributes to Chambers' travel bulletins. He lectures to solicitors, particularly in relation to travel claims.
- Andrew has written an article and delivered a seminar on the topic of personal injury claims arising from accidents at sea, the article is available for download [here](#).

Memberships

- LCLCBA
- British German Jurists Association
- PEOPIL

Languages

- German; (Andrew studied German at a Goethe Institute in Bavaria)
- French (Andrew spent a year studying French at Grenoble University)