

Christopher Loxton

Call Date: 2009



His practice encompasses a broad range of civil work, namely:

- Aviation and Travel
- Commercial and Insolvency
- Insurance and Professional negligence
- Employers' & Public liability
- Public law and Inquests

He frequently appears in the High Court's Chancery and Queen's Bench Divisions, the Commercial Court, the TCC, the Business and Property Courts, and a multitude of county courts in and out of London.

Before joining the Bar, Christopher worked as a paralegal to Michael Topolski QC at the Baha Mousa Public Inquiry, as a paralegal in the family department of a solicitors' firm, and as a legal assistant at the Wandsworth and Merton Law Centre. He also worked as a journalist for the China Daily newspaper in Shanghai and interned at the United Nations Headquarters in New York (the General Assembly Affairs Department).

Legal Services

Travel Law

Christopher undertakes court, drafting and advisory work in a wide variety of matters relating to aviation and travel law, including:

- Insurance disputes;
- Hull damage claims;
- Carriage by air disputes involving EU regulations, Warsaw and Montreal Conventions, and associated passenger, cargo, baggage, delay and denied boarding claims.
- Personal injury, fatality and discrimination claims.
- Regulatory and compliance issues (including threatened CAA enforcement action).
- Package Holiday (including holiday sickness) claims, Regulation (EU) 1177/2010 claims.
- International carriage by road and sea claims, including under Athens Convention and the Convention on the Contract for the International Carriage of Goods by Road (CMR).

Notable Travel Law cases

Acted for a major international airline in a Montreal Convention personal injury claim valued at over £1.2 million, successfully negotiating a settlement late on in the litigation.

Currently instructed by a large low-budget airline in an indemnity claim brought by a ground handler in respect of the settlement a high-value personal injury claim.

Acted for a South American cargo carrier against a large food distributor in a claim brought under the Montreal Convention for damage to a large cargo consignment.

Successfully acted for an airline defending multiple actions brought by a company whose business model was to buy up the claims of passengers brought under EC Regulation No.261/2004. Defences pursued under the laws of maintenance and champerty. Claims successfully struck out after contested applications.

Acted for an international airline pursuing an additional claim for breach of statutory duty and negligence against a co-defendant being a major contractor providing catering services to the airline.

Represented several group companies, forming part of a multinational corporation specialising in mining and chemical production, in an action against multiples defendants for compensation under the CMR for loss of a large consignment of chemical emulsion.

Commercial and Insolvency

Christopher is regularly instructed in a wide variety of business, finance, company property related disputes and has represented clients in a number of claims involving alleged fraud. Christopher's drafting and advisory work includes contracts, indemnities, guarantees, investment vehicles, and commercial leases.

He has a burgeoning insolvency practice, having represented individuals and companies before the Bankruptcy and Companies Court and in various county courts. Advisory work has included advising on the impact of retention of title to goods on the liquidation of a company's assets.

Notable Commercial and Insolvency cases

Acted for a client in relation to an overage dispute concerning one of the largest onshore wind farms in the UK.

LM v AM

Acted in a s.423, Insolvency Act application (transaction at an undervalue) for a claimant acting as a trustee of an estate against a family member for misuse of estate assets.

MD v SW, JW and ST FC Ltd

Advised on potential, high-value claims for restitution, breach of contract, the existence of business partnerships and constructive trusts.

JG v HC and Pioneer Point Ltd, Queen's Bench Division

Acted as a junior in a high-value claim brought by a creditor against co-investors and a joint enterprise company, involved allegations of fraud and equitable tracing.

Data Protection

Christopher has a developing practice in data protection work, frequently representing clients on cases involving the Data Protection Act, the GDPR, and/or Article 8 ECHR issues.

Notable Data Protection cases

[ZC v Royal Free London NHS Foundation Trust \[2019\] EWHC 2040 \(QB\)](#)

Successfully defending an NHS Trust in ZC v Royal Free London NHS Foundation Trust [2019] EWHC 2040 (QB); a case concerning libel, misuse of private information and Article 8 right to privacy in relation to medical records.

Representing a well-known political party in injunction proceedings concerning an alleged data breach of its computer systems.

Successfully defending an NHS Trust in proceedings alleging breaches of the DPA 1998 and misuse of private information concerning the sharing of patient medical records between authorities.

Currently defending a mental health trust in proceedings concerning the transfer of patient health records in hard copy into digital form.

Employers' & Public Liability

Christopher is frequently instructed in negligence and other tort claims, particularly those concerning employers' and public liability, including personal injury. He has represented former employers and employees on the enforcements of restrictive covenants including injunctive relief proceedings.

Notable Employers' & Public Liability cases

Presently defending an NHS Trust in a +£2 million claim brought by a person who purportedly contracted aspergillus in hospital.

Currently defending a well-known construction company in a negligence and nuisance claim for property damage in the Technology and Construction Court.

ZC v Royal Free London NHS FT [2019] EWHC 2040 (QB)

Successfully acted for an NHS Trust against claims of defamation, breach of confidence, and Article 8 human rights infringements.

Successfully defended a claim brought by a family against an NHS Trust for damages under the Human Rights Act concerning misdiagnosis of a child's non-accident injury.

Ballard v Sussex Partnership NHS FT [2018] EWHC 370 (QB)

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Successfully acted for the NHS Trust in a claim for loss of chance, and then appeared in the appeal to the High Court (QBD) from the circuit judge's costs judgment.

Represented an orthopaedic surgeon and private health care provider in interlocutory proceedings in a large GLO dispute concerning product and clinical liability for allegedly defective hip replacement (so-called "metal on metal") devices.

Advised on a potential claim against a local authority and primary care trust for breach of statutory duty and professional negligence for their responsibility in the suicide of a father whose children had been taken into care.

Insurance and Professional Negligence

Christopher is instructed in a wide variety of insurance cases, including employers', public, product, D&O and professional indemnity disputes; property damage claims; regulatory compliance; contractors all risks and defects insurance; and fundamental dishonesty applications. He has acted in professional negligence cases, including those against solicitors and breach of fiduciary duties.

Notable Insurance and Professional Negligence cases

Currently instructed as a junior representing several businesses against a well-known law firm in a multi-million pound, professional negligence claim relating to a bank's mis-selling of an interest rate hedging product.

Acting as a junior in a prospective, multi-jurisdictional claim brought by a US PE firm against a major reinsurance company for breach of contract and unjust enrichment.

Acting for an insurance intermediary in a multitude of claims brought by contractors in relation to latent defects insurance policies following the collapse of the Danish insurer, Alpha Insurance A/S.

Public Law, Public Inquiries and Inquests

Christopher has a broad public law practice, and is regularly instructed in inquests typically for NHS Trusts

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(both Middleton and Jamieson type inquests). Before joining the Bar, Christopher worked as a paralegal to Michael Topolski QC at the Baha Mousa Public Inquiry representing former corporal Donald Payne.

Notable Public Law, Public Inquiries and Inquests cases

Recently representing a family at an inquest into the suicide of a person having been allegedly denied mental health treatment by two primary care trusts. Advising on a civil claim following the outcome of the inquest.

Representing an NHS Trust in a judicial review claim against the Secretary of State for Health in relation to permanent injury benefits paid out to an employee's family.

Acting for a doctor and a nurse in respective appeals to the High Court against their respective regulators' fitness to practice panels' decision to suspend their practice.

Advising on a potential claim against a local authority and primary care trust for unlawful detention of a young girl under the Mental Health Act (false imprisonment and breach of Articles 5 and 8 of the ECHR).

Public Access

Christopher is able to accept instructions directly from members of the public, companies and other entities through the public access scheme (also known as direct access). He has acted, advised and drafted pleadings and documents for a number of individuals and small and medium sized businesses on a direct access basis. He is happy to accept instructions on a direct basis in appropriate cases. If you wish to instruct Christopher on a direct basis, please speak to the clerks.

For more information on public access, please see the Bar Council [website](#).

Memberships

- Royal Aeronautical Society
- COMBAR (Commercial Bar Association)
- LCLCBA (London Common Law & Commercial Bar Association)
- ALBA (Constitutional and Administrative Law Bar Association)
- BILA (British Insurance Law Association)
- Personal Injuries Bar Association (PIBA)

Qualifications

- BSc. Joint Honours in Politics and Philosophy (Bristol University)
- GDL (College of Law)
- BVC (College of Law)