



## Augustus Ullstein KC

Year of call: 1970 | Silk: 1992

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Augustus Ullstein QC has built up and maintained a wide-ranging practice in a number of areas, including personal injury, clinical negligence, product liability, sports law, construction, insurance, professional negligence and common law. He has been involved in a number of high-profile cases including, for example, successfully acting for the families of the victims of Dr Harold Shipman in judicial review of the government's refusal to hold a public inquiry (*R v Secretary of State for Health ex parte Wagstaff*)<sup>1</sup> WLR 292. He also defended three Balfour Beatty employees in the Hatfield rail crash prosecution.

Recently, he took the case of *Jain v Trent Strategic Health Authority* to the House of Lords. Although unsuccessful there, the European Court of Human Rights accepted the case and encouraged the UK government to settle. The Jains subsequently accepted a very substantial sum in settlement together with their costs.

## Areas of expertise

Clinical Negligence and Personal Injury

### Clinical Negligence and Personal Injury

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Augustus has long experience of multi-party actions, particularly in relation to pharmaceutical products, dating back to the Opren Litigation in 1989. Since then, he has been involved in the Myodil Litigation, Sheep Dip Litigation, LSD Litigation, Gulf War cases and the MMR Litigation.

In the field of personal injury, he gained international recognition in 1995 when he was one of five foreign lawyers appointed by the United States Federal Court as one of a panel to set the quantum of damages for claimants outside the USA in the Shiley Heart Valve Litigation (*Bowling v Pfizer Inc.* 143 F.R.D. 138). He is currently advising the DII Asbestos Trust in Texas in relation to UK claims for asbestosis and mesothelioma.

He has extensive experience in catastrophic injury, particularly acquired traumatic brain injury, a subject in which he has both given lectures and seminars.

In the field of professional negligence, he has regularly acted for both claimants and defendants in all professions. He has particular expertise in the field of financial services, having been involved in the Barlow Clowes Litigation, home income plans and pensions mis-selling. He also regularly acts for surveyors and valuers with particular emphasis on negligent lending by banks and other financial institutions.

He has also wide experience of commercial cases. He acted for the claimants in a long running case about the collapse of a property joint venture in 2008 (*Daniels v Samuel Beadie (Properties and others)*). Currently,

he is instructed in a case involving the making of a film, a claim against Lloyds Bank for misrepresentation and breach of contract and a claim for loss of commission on a property venture.

He has been involved in high-profile cases over the years, including litigation resulting from the activities of nurse Beverley Allitt, acting for the families of Dr Harold Shipman's victims in judicial review proceedings and latterly the MMR Litigation. He defended three of the Balfour Beatty employees in the prosecution, which resulted from the Hatfield rail crash.

In 2009, he took the case of *Jain v Trent Strategic Health Authority* to the House of Lords. Although unsuccessful there, the European Court of Human Rights accepted the case and encouraged the UK government to settle. The Jains subsequently accepted a very substantial sum in settlement together with their costs.

He has appeared as an expert witness on the English and European Law of Tort and damages in the United States on a number of occasions, in particular the Breast Implant Litigation (in *Re Dow Corning Corporation*).

He sits on the Council of the Academy of Experts and regularly gives courses and seminars for that organisation both in the United Kingdom and Hong Kong.

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