

Year called 1974

Silk 1997

william.norris@39essex.com



“A class act”.

Chambers & Partners 2020

“Excellent advocacy and sector knowledge, he leaves no stone unturned and is one of the outstanding advocates of his generation”.

The Legal 500 2020

William Norris QC has a wide ranging advocacy and advisory practice and is noted for his ability to get on with people, take a strategic view of litigation or projects and run litigation teams effectively. He is well known in the field of large loss insurance claims in general and personal injury including sex abuse claims, product liability, property damage and nuisance claims in particular as well as dealing with issues of cover and fraud. He is also an arbitrator under the PlcARBS scheme.

William is a leading advocate and arbitrator in sports law and has extensive experience of disciplinary and regulatory tribunals (both as chairman and advocate) and Public Inquiries.

He sits as one of the chairmen/arbitrators of Sport Resolutions (UK) as well as the National Anti-Doping Panel, World Athletics and Hurlingham Polo Association Appeal Panel, the Disciplinary/Judicial Panels of the FA as well as dealing with arbitrations under Rule K

William also has a separate, specialist, practice in environment and planning law, particularly relating to wind farms, and judicial review in relation to environmental cases.

He is the General Editor of ‘Kemp and Kemp: the Quantum of Damages’ and Consultant Editor of ‘Practice and Procedure’ and contributor to ‘Brain Injury Claims (Sweet and Maxwell)’ and to various other legal publications.

PRACTICE AREAS

- Personal Injury
- Sport
- Environmental & Planning
- Civil Liability

PRACTICE AREAS

PERSONAL INJURY

- **Kolasa v Ealing Hospital [2015] EWHC 289**: claim by visitor to hospital who fell/climbed over low wall outside A & E and suffered very serious injury
- **JL v Archbishop Bowen – [2017] EWCA Civ 82**: claim alleging sex abuse over 15 year period: Issues of consent, vicarious liability and limitation in particular.
- **Murray v Devenish [2018] EWHC1895 (QB)**: claim by former schoolboy alleging sexual abuse at Catholic Seminary in the 1970s raising issues of limitation
- **Buckett v Staffordshire County Council (QBD – Lawtel 2015)**. 16 year old trespasser fell through skylight of school buildings and suffered serious head injuries.
- **Yates v National Trust [2014] EWHC 222 (QB)** (December 2013): Claimant, a self-employed tree surgeon, suffered catastrophic injuries when falling from a tree whilst working for an uninsured contractor: claim brought against owner of land which had engaged the contractor.
- **The Lakanal House litigation** (2013): claims arising out of the deaths and injuries caused by a fire in a high-rise block of flats in South London. Claim brought against Southwark Council and London Fire Brigade.
- **Grenfell Tower**: (2018 and ongoing)
- **Summers v Fairclough Homes Limited** 27 June 2012 [2012] UKSC 26: on 27 June 2012 judgment was handed down in the landmark personal injury case of Summers v Fairclough Homes Limited. Acted for the appellant, Fairclough Homes, leading James Todd and Sadie Crapper. Central issue was whether a claimant's fraud in relation to one part of the claim was fatal to the whole of the claim.
- **Dau Chi Chong v Funafloat and BWB** QBD April 2012: claim against the owners and operators of a canal boat company by one of a party injured when a lift bridge fell on his head as the boat passed through.
- **Geary v Wetherspoon [2011] EWHC 1506 (QB)**; the Claimant suffered catastrophic injuries when she slid down the banisters in a pub and fell: this was a case which exactly fits Scrutton LJ's well known example in *The Calgarth* of who is a trespasser and is directly concerned with the extent of the duty under OLA 1957 and what, if any, free-standing duty is owed to an adult who does something he/she knows involves risk.

- ***Kylie Grimes v David Hawkins & Frimley Park Hospital NHS Foundation Trust*** [2011] EWHC 2004 (QB): the Claimant, a teenager, dived into a swimming pool at the home of a friend and broke her neck. She brought an unsuccessful claim against the householder seeking to extend the scope of the OLA 1957 and to construct a duty of care.
- ***Estelle Maria Clarke v Colin Maltby*** [2010] EWHC 1201, 1856 (QB): Claimant succeeded in establishing that she had a significant brain injury which had major consequences for her earning capacity. An unmeritorious and unjustified attack on her bona fides resulted in her being awarded indemnity costs.
- ***Poppleton v Trustees of Portsmouth*** YAC [2008] EWCA Civ 646: C sought to establish a common law/supervisory duty by those who ran an indoor climbing centre in favour of an adult visitor.
- ***Shaw v London Borough of Redbridge*** [2005] EWHC 150 (QB): claim against a school for failing to take adequate steps to protect a child from bullying and to manage the consequences of bullying in the school.

SPORT

William has acted on many occasions as chairman/arbitrator of Sport Resolutions / National Anti-Doping Panels and other specialist panels: a full list of the many and wide ranging rulings in which he has been involved can be found on those bodies' websites (these include drugs testing cases, selection disputes, rule breaches and other disciplinary matters). William has also acted as chairman of the panel in a number of FA Rule K arbitrations and as chairman or nominated panel member in a number of EFL Arbitrations.

ENVIRONMENTAL & PLANNING

- ***South Kyle Wind Farm Inquiry*** (2017) – inquiry/hearing into a wind farm in East Ayrshire
- ***Fauch Hill Wind Farm Inquiry*** (2013): acted for developer in relation to the aviation issue (impact of turbines on air traffic control/radar).
- ***Tegni Cymru Cyf v Welsh Minsters*** [2010] EWCA Civ 1635: an ultimately unsuccessful 'reasons' challenge to the decision of an Inspector which had no obvious regard for the provisions of ETSU-R-97 and ordinary planning practice as regards wind farm noise.
- ***The Bickham Moor Inquiry*** (2009); a 4 turbine project in mid-Devon where issues included ecology (birds and bats), energy policy, landscape and visual impact (including cumulatively), National Parks, Noise and Tourism.
- ***The Ray/Steadings/Green Rigg***: conjoined inquiry in Northumberland in 2008. This was an extremely long running case in which the main issue was the impact of the various projects (including Ray's 16 turbines) on civil air traffic and airport radar and on the air traffic and threat systems radar. There were technical issues of assessment of impact and of what constitutes mitigation for the purposes of planning law and practice. Other issues included the status and sufficiency of the ES (compliance with EIA Regs or otherwise) including in relation to the proposed grid connections, archaeology, cumulative impact, energy policy, landscape and visual etc.
- ***The Clyde Wind Farm Inquiry*** (2007): acting for the developer in a section 36 application for the largest onshore wind farm project (152 turbines/464 MW) in Europe, consent for which was given in July 2008. It raised issues of landscape and visual impact, including the cumulative impact of Clyde with other nearby projects. Other issues included archaeology and the historic environment (and 'setting'), ecology, economic benefits, energy policy, hydrology and hydrogeology, local and national planning

policy, ornithology, tourism and transport.

- **The Greenock Wind Farm Inquiry** (2005): considering the impact of 24 turbines on radar systems at Glasgow Airport (for the developer).
- **R Akester v (1) DEFRA (2) Wightlink Ltd** [2010] EWHC 232 (Admin): a successful challenge to the introduction of the new/larger Isle of Wight Ferries, the impact on Natura 2000 sites and Defra's responsibilities under the Habitats regime (for the applicant).

William has also advised or acted in a number of major Judicial Review or Appeal cases. Several involved consideration of the Habitats Directive/Regulations and, particularly, he acted for the (successful) interested party in the Little Cheyne Court wind farm judicial review (*Merricks v Secretary of State*). He has also advised/acted in several other cases involving the inter-relation of offshore wind development and the Directive/Regulations. Other cases have included a challenge to the s.36 consent for the offshore Teesside Wind Farm (involving the Secretary of State's supposed irrationality in not holding a public inquiry and to his application of the Habitats Directive and the process of s.36 consents offshore) – see *R v Redcar and Cleveland* [2008] EWHC 1847 (Admin) – and several other JRs in relation to the offshore consenting regime and other onshore infrastructure projects. Currently advising a group of developers in relation to the validity of s. 36 consents following the decision in the Viking Wind Farm case in Scotland.

CIVIL LIABILITY

- **Klopper v JLR**: claim in relation to computer management systems of Discovery 3 (heard in Pretoria in March 2013 and withdrawn during course of trial).
- **Gold Venture Lodges v JLR**: accident in Namibia involving Land Rover Defender. Claim (discontinued shortly before trial in 2012) alleging inadequate strength of roof structure.
- **Moult v Land Rover UK** – TCC October 2005: PL claim alleging fault in computer management systems of Discovery 2.
- **Tonelli v Various Parties**: ongoing: product liability claim currently being litigated in Argentina
- **Manchester Ship Canal Co v Vauxhall Motors [2019] UKSC 46**: claim for relief from forfeiture in relation to a licence for drainage and historic rights under statute

PROPERTY DAMAGE/NUISANCE

- **Davies v Tinley and Others** (QBD: 2012: settled during course of trial: claim in private nuisance (noise) arising out of the construction and operation of the Deeping St Nicholas wind farm.
- **Buften v Hereford** (QBD: settled shortly before trial in 2011): allegation against a housing authority/landlord in respect of formaldehyde poisoning claimed to be attributable to the cavity wall insulation.
- **Morris v Network Rail** [2004] EWCA Civ 172; for the Defendant in a claim in private nuisance arising out of electrical interference with a recording studio caused by the railway's new signalling circuits.
- **Albright and Wilson UK v Biachem Ltd & ors** (HL) 17 October 2002 [2002] UKHL 37; (2002) 2 All ER (Comm) 753: a remarkable case involving the supply of different chemicals by different suppliers who used the same haulier to make deliveries on the same day and they were mixed by mistake causing a verybig bang. But it was not clear which supplier was in breach of contract, or whether both were.

- **Allen v BREL** [2001] EWCA Civ 242: for the Defendant in a case about divisible/indivisible harm and joint/several tortfeasors where Cs had suffered VWF.

HEALTH & SAFETY, INQUESTS, PUBLIC INQUIRIES

- **R v Holmes Place and Thyssen Krupp** (2009-2011): prosecution arising out of death in a lift failure.
- **R v Condon and Stevens 2002/3**: acted for the Crown in the prosecution brought by the HSE against the past and present Commissioners of the Metropolitan Police. This case was heard at the Old Bailey in April/May 2003.
- **R v Boundary Oak School October 2002**: appeared for the defendant: school prosecuted following the death of one of their pupils in a sailing accident.
- **R v Biachem (2000 to 2001)**: representing the successful defendant in a claim arising out of a major fire/explosion at Avonmouth: Court held that the defendant was not responsible for the fault of a sub-contractor with this defendant's paperwork but another's materials.
- **BSE Inquiry** – 1998-2000. Counsel for Southwood Working Party.

RECOMMENDATIONS

Highly recommended in both Chambers & Partners and the Legal 500.

Quotes:

"An outstanding performer and talented counsel." Chambers UK 2018

"A brilliant and charming trial advocate." Chambers UK 2018

"Immensely experienced, innovative and an exceptional advocate." Legal 500 2017

"A strong advocate, who presents complex arguments in a simple manner." Legal 500 2017

"He's very impressive on his feet. If you want someone to fiercely fight your corner, you go to him." Chambers UK 2017

"He is one of the senior silks that judges listen to." Chambers UK 2016

"His judgement in liability is particularly excellent." Chambers UK 2016

"Particularly good in wind farm cases and environmental judicial review" Legal 500 2016

"He remains one of the foremost leaders of the personal injury Bar." Legal 500 2016

"Sought after for his particular expertise in wind farm matters." Legal 500 2015

"A superb advocate with a steely commitment to his cases." Legal 500 2015

"Sought after for his experience in wind farm related environment issues." Legal 500 2015

"His main attributes are his knowledge of large, complex and high-profile PI actions, and his approachability." Chambers UK 2015

"A superstar of the PI bar." Legal 500 2014

"I could talk to you about him for a fortnight. He's right at the top of the tree – he's an extremely adept and versatile performer in virtually any type of claim." Chambers UK 2014

"He has a lovely way with the clients, and manages to entertain whilst communicating effectively and hitting home with all his points." Chambers UK 2014

APPOINTMENTS

Lecturer to JSB on damages – 1996 – 2008

Former Chairman of the Personal Injury Bar Association

Former member of the MR's Working Party on Structured Settlements

Former member of the Clinical Negligence and Serious Injury Committee of the Civil Justice Council

Chairman of Injured Jockeys Fund

PUBLICATIONS

General Editor, Kemp and Kemp, the Quantum of Damages

Consultant Editor, Kemp Practice and Procedure

Contributor to Brain Injury Claims (published by Sweet and Maxwell, 2017)

Author of numerous articles on Duty of Care, Damages and Personal Injury law in J.P.I.L and other legal publications.

MEMBERSHIPS

- The Planning and Environmental Bar Association
 - Personal Injury Bar Association
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