



Adam Heppinstall KC

"A brilliant barrister at the top of his game. Adam has a fierce intellect. He is commercial, measured, a great strategist and a team player. He is highly experienced and a real pleasure to work with."

- Chambers UK 2024

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Adam Heppinstall KC is described by The Legal 500 as being “very sharp, always finds the best way through a complex situation and very commercial, too. Has an engaging easy manner that makes him a pleasure to work with and great with all clients” and someone who “responds well under pressure and is incredibly bright.” Chambers UK say that he is “a very robust counsel – nothing fazes him. He’s hard-working and gets on top of the detail.” and that “he is extremely calm and knowledgeable and has excellent judgement. He is a terrific team player; he rolls his sleeves up and gets into the detail” and as “tactically astute” and “the ‘very bright’ Adam Heppinstall who provides ‘clear, sensible advice’ and brings ‘a spirited approach’ to his cases”.

Representative cases include being instructed by the Levelling Up Department before the Covid Inquiry (having acted for one of the interested parties in the Grenfell Tower Public Inquiry), by Total Energies in respect of a climate change law/judicial review challenge to a LNG plant in Mozambique, by Dyson in a modern slavery international group action, by the insurers of the Manchester Arena in relation to the 2018 bombing, by Dr Craig Wright (Satoshi Nakamoto) in relation to Bitcoin litigation, by a shareholder domiciled in London being pursued for compensation for alleged marine environmental damage in South America, by several extractive UK based parent companies in relation to alleged environmental damage in African jurisdictions, by the claimants in the VW (settled), Vauxhall and Volvo emissions diesel gate scandal group actions, by the DHSC/MOD in a range of high-profile commercial claims (including those related to Covid PPE and procurement matters as well as claims relating to Ajax tanks and service family accommodation), by the Cabinet Office in relation to the withheld diaries and correspondence of Lord and Lady Mountbatten, and by various private clients and government departments in respect of judicial reviews, public procurement, property disputes, fires, housing policy, professional discipline, contractual/commercial claims, EIA/FOIA/DPA, inquests, employment claims, Traffic Commissioner hearings, vaccine damage, product liability (pharmaceutical, medical devices and consumer goods), NIHL, ionising radiation, bullying, mesothelioma, TBI, WBV, NFCI and Q Fever.

Adam has a wide-ranging ESG advisory practice, relating to the UN Guiding Principles (including OGMs), OECD Guidelines (including NCP complaints), TFCDD reporting, Paris Agreement compliance, ASA/CMA Greenwashing complaints and associated civil actions, appeals and judicial reviews.

Adam inquired into and reported on the appointment of Richard Sharp as Chair of the BBC Board on behalf of the Office of the Commissioner for Public Appointments.

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International Group Actions and ESG Advisory

Adam acts for a range of multi-national companies in international group actions brought against companies domiciled in London.

These mass tort claims generally arise out of the foreign operations of subsidiaries and supply chains.

Proceedings are often brought using the anchor defendant gateway coupled with an allegation of parent company liability. They may also concern supply chain or shareholder/investor responsibility issues.

The claims involve a range of subject-matters, including environmental/climate-related damage caused by extractive operations, gender-based violence, modern slavery and alleged liability for acts of state security forces.

Each has usually involved challenging service out of the jurisdiction. The challenges have included consideration of the merits of the duty of care pleaded against the parent company/anchor, and whether it is sustainable.

He currently acts for Dyson which is facing claims relating to its supply chain in Malaysia. He also acts for another UK PLC facing supply chain claims. He acts for a major extractive parent company facing claims arising out of activities of a group company in Africa. He acts for a London registered shareholder of a company alleged to have caused marine environmental damage in South America.

Led by Geraint Webb KC, and instructed by a team led by Heather Gagen and Stephanie Lee at Travers Smith, Adam assisted Camellia plc and two of its English subsidiaries with its settlement of parent company/human rights claims brought by Leigh Day in relation to subsidiary operations in Kenya and Malawi. The public announcement of the settlements are [here](#). Similarly, led by Geraint Webb KC and instructed by a team led by Jonathan Isted and Simon Duncombe at Freshfields Bruckhaus Deringer, Adam advised Petra Diamonds in relation to the settlement with claimants instructing Leigh Day, who made human rights allegations associated with third-party security operations in relation to a diamond mine in Tanzania. The public statement in relation to the settlement is [here](#). Both cases involved the setting up and implementation of an Operational Grievance Mechanism (OGM) under the United Nation's Guiding Principles on Business and Human Rights.

Adam routinely advises businesses on their corporate structure, policies and procedures in relation to such issues. He has advised on a myriad of ESG matters, including compliance with corporate conduct standards set by the OECD (including on NCP complaints), UNGPs, the Voluntary Principles, TFCDD disclosure, the Equator Principle and IFC Performance Standards. He is well versed in all climate change law matters, including

litigating the enforceability of the Paris Agreement in domestic courts.

Representative Cases

- *The Bodo Group Action*

Acting for Shell in a mass international environmental group action (oil spills in the Niger Delta) proceeding in London. The clean-up injunction proceedings were most recently stayed by Cockerill J [2018] EWHC 1377 (TCC) when she gave useful guidance on when a Court will stay a case to allow for a novel ADR process. Judgments have also been given by Coulson J and Akenhead J

- *AAA and others v Unilever PLC and Unilever Tea Kenya Limited* [2018] EWCA Civ 1352

In the latest of a series of jurisdictional decisions, the Court of Appeal (Lady Justice Gloster, Lord Justice Sales and Lord Justice Newey) in *AAA and others v Unilever PLC and Unilever Tea Kenya Limited* has decided that Unilever's Kenyan subsidiary should not face claims in England and Wales based on injuries suffered by visitors to and on its tea plantation in Kenya (arising out of Post- Election Violence, at the hands of third parties, in 2007.)

The assertion that England and Wales was the correct forum was based on a "anchor defendant claim" of parent company liability against Unilever PLC (domiciled in England and the Netherlands.) The Court has found that the Claimants cannot make out a duty of care, on Caparo principles, against the parent company. The Court confirms that its decision in *Chandler v Cape PLC* [2012] 1 WLR 3111 does not lay down a separate test of parent company liability, distinct from general tortious principles. The Court sets out that there are broadly two possible types of parent company duty cases. The first is where the parent has (in substance) taken over the management of the relevant activity in the subsidiary (which can be joint with the subsidiary's management) and the second is where the parent has given relevant advice to the subsidiary about how it should manage a particular risk.

The Court found that this case fell into neither category. Without a claim against the parent company, the claim against the Kenyan subsidiary cannot be heard in London and the intended group action, as a whole, fails. The Claimants may seek permission to appeal to the Supreme Court.

- *The Bodo Group Action* [2014] EWHC 958 (TCC) (Akenhead J)

Acting for Shell's Nigerian subsidiary in a mass international oil spill environmental group action. Led by Charles Gibson QC. [Read more.](#)

- *The Cape Group Action* (2001)

Multi-claimant action arising out of asbestos exposure in South Africa. Instructed by Cape.

Domestic Group Actions

Adam acts in a range of product liability, environmental and person injury group actions.

Led by Oliver Campbell KC, he acted for a large group of Claimants in the now settled VW, Audi, Seat and Skoda Emissions Group Action. Adam leads teams of Counsel in the Vauxhall and Volvo follow on NOx emissions group actions, on behalf of the claimants.

Adam is currently instructed by mortgage prisoners considering taking legal action against their current and former mortgage providers as well as in claims relating to energy broker commission.

He was instructed by GSK plc in the Seroxat Group Action.

Adam acts for the Department for Health in a vaccine damage group action (the swine flu vaccine, Pandemrix) which is at the pre-action stage.

He was instructed in a group of military/combat immunity Noise Induced Hearing Loss (NIHL) and Q Fever claims by the MOD.

Adam was junior counsel for the MOD in the Nuclear Test Veterans Group Action, where judgment for the MOD was given by the Supreme Court in the limitation preliminary issue (which also raised novel causation arguments) having already been heard by the High Court and Court of Appeal.

He is used to handling complex medical/technical expert evidence and large-scale disclosure, particularly involving commercially sensitive or classified evidence.

Representative Cases

- *Crossley & Ors v Volkswagen Aktiengesellschaft & Ors* [2020] EWHC 783 (QB) (Waksman J)
Preliminary issues determined in favour of Claimants, in UK's biggest consumer group action arising out of the VW NOx Dieselgate Scandal. Waksman J interpreted EU law in finding that the affected VWs had defeat devices installed which detected when the vehicles were being tested so that they emitted lawful amount of NOx during regulatory testing but not otherwise in normal use. He also found that he was bound by a decision to the same effect made by the German Regulator, the KBA.
- *Bailey and others v GSK* [2019] EWCA Civ 1924 - *The Seroxat (Anti-depressant) Group Action*
Court of Appeal refusing Pharmaceutical Group Action's Claimants' bid to expand the scope of their claims. Upholding ruling already made at trial by Lambert J.
- *Bass/Taylor v MOD* [2018] EWHC 1297 (QB)
Master Davison has given guidance on the approach to be taken to an application to the High Court to "transfer in" a County Court claim (section 41 County Court Act 1984) after an application to the County Court to transfer up to the High Court (section 42 County Court Act 1984) has already been refused by a District Judge (para 14.) The Master did not treat the second application as an abuse of the process but dismissed it as a "mere replication of the application" which the District Judge had already refused, a decision the Master found to be "within her judicial discretion and which she was entitled to make" (para 14). The Master notes the rarity of successful application to transfer in (para 16.) He comments upon the need for comity between the QB Masters and the District Judges of the County Court at Central London, now co-located in the RCJ. He also considers the meaning and effect of CPR Rule 30.3(3) and confirms that nothing in the Justice and Security Act 2013 effects the County Court's jurisdiction to consider Public Interest Immunity (PII) Certificates.
The Claimants seek personal injury compensation for Q Fever, a zoonotic disease allegedly contracted during their military service in Afghanistan.
- *Eaglesham v Ministry of Defence* [2016] EWHC 3011 QB (Andrews J)
Decision on striking out for failure to comply with Unless Order. [Read more.](#)
- *Durrheim & Others v MOD* [2014] EWHC 1960 (QB) (Patterson J)
Application to transfer a number of NIHL personal injury claims to the High Court. Led by Leigh-Ann

Mulcahy QC. [Read more.](#)

- *Nuclear Test Veterans Litigation - [2013] 1 AC 78 Supreme Court, Court of Appeal, QBD*
Group action arising out of the British atomic and nuclear tests in the Pacific and Australia in the 1950s. Leading judgment of Supreme Court on limitation, causation and group actions. [Read more.](#)

Product Liability

Adam has advised and appeared in various product liability cases, including in relation to vaccines (he is advising the UK Government in respect of several vaccine damage cases, including the pandemic vaccine, Pandemrix), drugs, medical devices (including metal on metal hips, pacemakers and vaginal mesh), vehicle components (including capacitors), drinks distribution and other electrical equipment (including toys, televisions/white goods). He has advised on a number of recalls, regulatory actions and prosecutions by trading standards and similar. He acted for the manufacturer of the fridge at the alleged seat of the Grenfell Tower Fire.

Many of Adam's claims relate to Covid-19 PPE, testing equipment (PCR and LFT) and vaccines. He has published an article in the European Pharmaceutical Law Review in relation to the legal issues arising out of the COVID-19 Pandemic ([copy here](#)).

Adam was instructed by GSK plc in the Seroxat Litigation/Group Action which was in trial and went to the Court of Appeal on the question of scope in 2019, before being summarily concluded in favour of GSK, with an indemnity costs against the Claimant, before Lambert J in 2020. He acts for a defendant in the trans-vaginal mesh group action. He acted for a defendant in the Metal on Metal Hips litigation.

Adam has acted in a number of commercial claims relating to the alleged defect manufacturing of goods, including capacitors, automobile parts (including air bags), tyres, drinks goods, and hair products.

Adam is experienced at working with medical experts, particularly in the fields of electrical engineering, automobiles, emissions, pharmacology, GMP, psychiatry, ionising radiation, industrial disease and epidemiology. He is a Fellow of the Royal Statistical Society, a Senior Associate of the Royal Society of Medicine and an Associate of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians of London, as well as a member of the Medico-Legal Society.

Adam appeared for the Department of Work and Pensions in the first ever vaccine damage payment appeal (relating to the administration of Pandemrix) to reach the second and third appellant tiers, having been heard by both the Upper Tribunal and the Court of Appeal (Etherton MR presiding).

Adam has acted for both the MHRA (counterfeit drug enforcement) and the Food Standards Agency (especially in meat hygiene cases – including in a JR relating to EU Law on animal slaughter heard by the Supreme Court and by the Court of Justice of the European Union (CJEU), led by Professor Sir Alan Dashwood KC).

Representative Cases

- *Crossley & Ors v Volkswagen Aktiengesellschaft & Ors* [2020] EWHC 783 (QB) (Waksman J)
Preliminary issues determined in favour of Claimants, in UK's biggest consumer group action arising out of the VW NOx Dieselgate Scandal. Waksman J interpreted EU law in finding that the affected VWs had defeat devices installed which detected when the vehicles were being tested so that they emitted lawful amount of NOx during regulatory testing but not otherwise in normal use. He also found that he was bound by a decision to the same effect made by the German Regulator, the KBA.
- *Bailey and others v GSK* [2019] EWCA Civ 1924 - *The Seroxat (Anti-depressant) Group Action*
Court of Appeal refusing Pharmaceutical Group Action's Claimants' bid to expand the scope of their claims. Upholding ruling already made at trial by Lambert J.
- *Secretary of State for Work and Pensions v G (VDP)* [2017] EWCA Civ 61, [2017] 1 WLR 1956, (2017) 154 BMLR 100 & Times 2.3.17 (Etherton MR, Underhill & Davis LJJ)
Court of Appeal's first ever consideration of the operation of the Vaccine Damages Payment Scheme. The claimant sought a payment for Narcolepsy due to the administration of the Pandemrix vaccine and successfully contended for the proposition that the scheme should look to the future when deciding whether the claimant is severely disabled for the purposes of obtaining a statutory award under the scheme. [Read more.](#)

Environment, Health & Safety, Personal Injury

Adam has appeared in some landmark international environmental cases, including acting for Shell plc in the Bodo Nigerian Oil Spill Group Litigation and in the VW NOx Emissions Group Action. He acted for Total Energies, defending its new LNG facility in Mozambique, in a judicial review against the Government's decision to provide export credit finance for the project, both before the Divisional Court and the Court of Appeal.

Adam is familiar with climate change law and emissions reporting. He acts for a company accused of failing to use its shareholding power to abate alleged marine pollution abroad as well as several extractive parent companies accused of environmental damage abroad. He acted for Petra Diamonds, alleged to have caused human rights abuses relating to its extractive operations in Africa. He is acting for the insurer of the Manchester Arena in relation to personal injury claims arising out of the 2018 bombing.

Adam has advised several companies in criminal prosecutions and civil claims arising out of health and safety related matters.

Adam has specific expertise in asbestos personal injury claims (particularly in respect of the British Coal legacy cases) as well as those arising in the public sector (especially police, prison, fire and waterways). He has spent many years being instructed by insurers, working on road traffic, employer's liability and public liability claims. He has appeared for several companies and individuals (and families of victims) before Coroners where health and safety issues have been raised. He has been instructed by the MOD in claims for NIHL, Q Fever, NFCI and traumatic brain injury.

Adam is experienced at working with medical experts, particularly in the fields of psychiatry, ionising radiation, industrial disease and epidemiology. He is a Senior Associate of the Royal Society of Medicine and an Associate of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians of London, as well as a member of the Medico-Legal Society.

Adam has fire-related experience: He was instructed in civil claims arising out of the Marlie Farm Firework Fire, the Leyland Fire and a large residential fire in the Canary Wharf area. He represented an interested party in the Grenfell Tower Fire Public Inquiry. He also has worked on claims arising out of the burning down of a luxury yacht. He has prosecuted for Fire and Rescue authorities as well as representing them in civil/employment claims and in coroners' inquests. He has advised HMG on matters concerning the Fire Service College.

Adam has been instructed by the Environment Agency to assist in numerous environmental claims, prosecutions and statutory appeals. He has pollution, water contamination and waste expertise and has acted in several private, public and statutory nuisance claims/prosecutions for companies, private clients and public bodies.

Adam has acted for Highways England, particularly in health and safety and allied matters. He has experience of property damage claims, including recoveries for flood damage for the Environment Agency and damage to the motorway estate caused during road traffic accidents, as well as for insurers subrogating on behalf of their insured.

Adam also has considerable expertise relating to explosions and to exposure to ionising radiation.

Representative Cases

- *Eglesham v Ministry of Defence* [2016] EWHC 3011 QB. (Andrews J)
Decision on striking out for failure to comply with Unless Order. [Read more.](#)
- *Durrheim & Others v MOD* [2014] EWHC 1960 (QB) (Patterson J)
Application to transfer a number of NIHL personal injury claims to the High Court. Led by Leigh-Ann Mulcahy QC. [Read more.](#)
- *Blythe v MOD Court of Appeal* (Lord Toulson JSC, , Floyd & Christopher Clarke LJJ) LTL 26/11/2013
EXTEMPORE
Whether time can be extended under a consent order, to seek further damages in a provisional damages pleural plaques case. Led by Patrick Limb QC. [Read more.](#)
- *The Marlie Farm Firework Explosion Litigation* [2013] EWHC 2331 (QB) (Irwin J)
Civil claims of fire personnel arising out of negligence of employing fire authority in dealing with large fireworks explosion. Led by Lawrence West QC. [Read more.](#)
- *Nuclear Test Veterans Litigation -* [2013] 1 AC 78 Supreme Court, Court of Appeal, QBD
Group action arising out of the British atomic and nuclear tests in the Pacific and Australia in the 1950s. Leading judgment of Supreme Court on limitation, causation and group actions. [Read more.](#)
- *Simon v Secretary of State for Communities & Local Government & Another*, QBD
Assessment of damages in a mesothelioma case. Instructed by the Defendants.
- *The Cape Group Action (2001)*
Multi-claimant action arising out of asbestos exposure in South Africa. Instructed by Cape.

Commercial, Property, Arbitration

Adam has conducted several arbitrations, including under the LCIA and ICE schemes. Some of these have involved major commercial disputes relating to public service and goods contracts. He is currently instructed by the MOD in a range of arbitrations and procurement related disputes. These including multi-million-pound service contracts. He acts for DHSC in a high profile commercial/TCC dispute relating to allegedly defect Covid 19 testing equipment. He has done several TCC product liability business to business liability trials.

Adam has advised the Pubs Code Adjudicator on issues arising out of arbitrations, judicial reviews and regulatory and acted for the PCA in the first arbitration appeal substantively heard by the Chancery Division against a decision of the PCA, *Punch Partnership (PTL) Limited and others v The Highwayman Hotel* [2020] EWHC 714 (Ch) as well in the first ever appeal against the exercise of her regulatory functions (*Star Pubs & Bars Limited v Pubs Code Adjudicator* [2021] EWHC 1291 (Admin)).

Adam is a member of the Chartered Institute of Arbitrators and the London Court of International Arbitration. He accepts appointments as a single or joint Arbitrator in any of his major practice areas.

Adam has advised on franchise agreements, finance leasing arrangements, agency agreements and all forms of consumer credit. He has represented companies in health and safety and local government regulatory prosecutions. He has acted in construction adjudications and Institution of Civil Engineering Arbitrations as well as in other forms of arbitration and mediation, including property, employment and commercial Din Torahs before the London Beth Din. He has spent time seconded to the legal departments of the Financial Services Authority, Railtrack and Nestlé (UK) Ltd. He assisted the Home Secretary in the E-Borders arbitration, particularly in relation to difficult disclosure issues.

Adam has represented an array of large property owning bodies including a major rail infrastructure company, the Environment Agency, Transport for London and the MOD. He also acts for householders, farmers and tenants. He has particular expertise dealing with rights of way, freehold covenants, conveyancing mistakes, land drainage, statutory nuisance, flood defence, service charges and other property and environmental law matters.

Adam has appeared before the LR Adjudicator, LVT, RAC and the RPT (now combined in the new Property Chamber of the FTT).

Adam has advised several Local Authorities in respect of their housing policies, regeneration projects, public procurement exercises, bids for central government grants and FOI/DPA procedures. He has detailed knowledge of the Housing Act 2004, including the tenancy deposit scheme, housing standards and houses in multiple occupation.

Adam acted for and advised the London Development Agency relating to compulsory purchase issues arising out of the London Olympics 2012.

Representative Cases

- *Punch Partnership (PTL) Limited and others v The Highwayman Hotel* [2020] EWHC 714 (Ch)
Acting for the Office of the Pub Code Adjudicator in appeal against DPCA's arbitration award (challenged under section 68 and 69 Arbitration Act 1996) which raised both significant principles of

arbitration law and procedure as well as key issues under the Pubs Code, which regulates the relationship between Pub Owning Business landlords and Tied Pub Tenants.

- *Abbey Forwarding Insolvency Case*
Instructed by the Liquidator in the Inquiry as to damages on HMRC's cross-undertaking (on the Provisional Liquidation Order). [Read more.](#)
- *LCIA Arbitration*
European Government pursuing IT contractor. Major commercial arbitration.

Public Sector

Adam was Junior Counsel to the Crown (from 2004, appointed to two terms on A Panel before taking silk) and in that capacity he advised and represented most Government Departments, agencies and related bodies, (including the Registrar of the Supreme Court and members of the senior judiciary). His work for central and local government and other public and third sector bodies spans all of other areas of expertise.

Adam has substantial public law experience, before the Administrative Court and the First and Upper Tier Tribunals. He acts for private clients who find themselves as interested parties or claimants in judicial reviews, particularly relating to climate change, advertising standards, procurement, regulatory matters and licensing.

Adam's extensive experience includes acting for the Environment Agency, the Home and Foreign Secretaries in respect of national security and counter-terrorism matters, public inquiries (including appearing at the Shipman, Grenfell and Covid Inquiry), HM Prison and Probation Service, UK Border Force, and matters relating to local transport (e.g. North East Combined Authority Quality Contract Scheme).

Adam has acted extensively for the MOD, in civil personal injury claims, judicial reviews, war pensions/AFCS tribunals (including the leading case of JM v Secretary of State) and in the Court of Appeal/Supreme Court. He has spent many years representing the MOD in both the civil claims and the war pensions' appeals arising out of the Nuclear Tests in the 1950s.

Adam's regulatory and public law appeal experience before the FTT, UT and Court of Appeal is extensive. He has appeared in most Chambers of the FTT, including the GRC as well as the AAC of the UT. He has been successful in several JRs before both the Admin Court and the Court of Appeal and currently has JR appeals (both raising complex issues of EU Law) pending in the Court of Appeal and the Supreme Court, where he represents the HSE and the FSA respectively.

Adam has public procurement expertise and has acted both for companies challenging awards and public bodies defending them. He has advised many local authorities on a wide range of issues relating to their powers, procedures and policies.

Adam has particular FOIA, EIR and DPA/GDPR expertise, dealing with the Information Commissioner and has conducted several appeals before the First-tier and Upper Tribunals, including in long running matters relating to the prosecution of Paul Burrell, security arrangements at the Channel Tunnel, the diaries and personal correspondence of Lord and Lady Mountbatten, the treatment of homosexuals in the army, the last capital murder case as well as relating to procurement of PPE during the Covid Pandemic (the VIP lane etc.).

Adam has Traffic Commissioner experience and has appeared before the Upper Tribunal (Transport) and Court of Appeal on appeals from the Commissioners.

Representative Cases

- *R (Stillmans and Penny) v Food Standards Agency [2020] EWHC 703 (Admin)*
Foster J dismissed a claim for judicial review against the FSA which sought to constrain the Agency's ability to remove official controls within an abattoir where Agency staff and contractors were facing alleged assault and verbal abuse. Permission to appeal to the Court of Appeal has been sought by the Claimants.
- *Lownie v ICO, TNA and FCO [2020] UKUT 32 (AAC) Judge Markus QC*
Important FOIA decision determining the scope of the section 23 national security exemption to historic documents (case related to documents concerning the Burgess and Maclean affair) and approach to be applied where the public authority changes its position on the application of exemptions at the hearing before the FTI. The Appellant has sought permission to appeal to the Court of Appeal.
- *Cox v Information Commissioner and Secretary of State for Transport [2020] UKFTT 2019 0224 (GRC)*
FTT (GRC Information Rights) refused to order the disclosure of information relating to the Channel Tunnel on section 24 exemption – national security grounds.
- *Catch22Bus Limited and Philip Higgs v Secretary of State for Transport [2019] EWCA Civ 1022*
The Court of Appeal has upheld the Upper Tribunal's dismissal of an appeal of a Public Service Vehicle Operator which had its licence revoked by a Deputy Traffic Commissioner following its Director being alleged to have harassed the Senior Traffic Commissioner. Adam Heppinstall was led by First Treasury Counsel, James Eadie QC. The case is a leading authority on the what matters can be taken into account when deciding whether an operator or director of an operator is of good repute. The Upper Tribunal decided that a Traffic Commissioner must have regard to "all the relevant evidence" and that this may include evidence of conduct which is not unlawful.
- *R (on the application of Chiltern Farm Chemicals Ltd) v Health and Safety Executive [2017] EWHC 2491 (Admin).*
Adam Heppinstall and Jonathan Lewis successfully represented the Health and Safety Executive (the HSE) in a judicial review challenge to a decision that the HSE was entitled to take into account proprietary research data belonging to one manufacturer (constituting testing of vertebrates) in deciding whether any applicant manufacturers of slug pellets should have regulatory authorisation.
- *R (on the application of Association of Independent Meat Suppliers & Another) v Food Standards Agency [2019] UKSC 36*
Supreme Court has referred matter to the CJEU. Adam addressed the Supreme Court on the human rights issues. The Court of Appeal upheld judgment judicial review heard by Mr Justice Simon relating to whether there ought to be a right of appeal when an Official Veterinarian refuses to apply a health mark to a meat carcase in a slaughterhouse. First instance judgment reported at [2016] 1 CMLR 5 and [2015] PTSR 1383. Led by Professor Sir Alan Dashwood QC. [Read more.](#)
- *Secretary of State for Defence v NM [2017] UKUT 223 (AAC)*
Decision of Upper Tribunal in relation to burden and standard of proof under article 40 SPO, War Pensions. [Read more.](#)

- *Secretary of State for Work and Pensions v G (VDP)* [2017] EWCA Civ 61, [2017] 1 WLR 1956, (2017) 154 BMLR 100 & Times 2.3.17 (Eherton MR, Underhill & Davis LJ)
Court of Appeal's first ever consideration of the operation of the Vaccine Damages Payment Scheme. The claimant sought a payment for Narcolepsy due to the administration of the Pandemrix vaccine and successfully contended for the proposition that the scheme should look to the future when deciding whether the claimant is severely disabled for the purposes of obtaining a statutory award under the scheme. [Read more.](#)
- *Akerman v London Borough of Richmond* [2017] EWHC 84, [2017] ACD 36, [2017] PTSR 351 (Beatson LJ and Nicol J)
Divisional Court refusing to set aside District Judge (Magistrates Courts) conviction for parking vessel on bank of River Thames. Human rights challenge to byelaws rejected. [Read more.](#)
- *Reynolds v Secretary of State for Transport* [2016] UKUT 159
Important decision in relation to jurisdiction and powers of Traffic Commissioners. [Read more.](#)
- *AL v Secretary of State for Defence* [2016] UKUT 141 (AAC)
Decision relating to role of Medical Adviser in war pensions cases. [Read more.](#)
- *PM v Secretary of State for Defence* [2015] UKUT 647 (AAC)
On powers of FTT to extend time for appealing, including impact of human rights. [Read more.](#)
- *JM v Secretary of State for Defence* [2015] UKUT 332 (AAC)
Three Judge Panel decision of Upper Tribunal (including Charles CP) considering what injuries should be treated as being caused by service for the purposes of the Armed Forces Compensation Scheme (AFCS) including as to how that question is to be dealt with in cases of alleged bullying. [Read more.](#)
- *MD v Secretary of State for Defence* [2015] UKUT 298 (AAC)
Two appeals relating to meaning of "other pathology" in the AFCS scheme. [Read more.](#)
- *Nuclear Test Veterans war pensions appeals -* [2014] UKUT 477 AAC (Charles J CP)
War pensions appeals arising out Nuclear Test veterans civil claims. [Read more.](#)
- *AL v Secretary of State for Defence* [2014] UKUT 0524 (AAC)
Upper Tribunal appeal on the principles to be applied when setting off civil compensation awards against war pensions. [Read more.](#)
- *PL v Secretary of State for Defence* [2014] UKUT 285 (AAC)
Upper Tribunal decision on apparent bias in the First-tier Tribunal. [Read more.](#)
- *Dr Christopher Phillips v Information Commissioner and The National Archive*
FOIA appeal where academic was seeking access to sensitive papers relating to the penultimate judicial execution in the UK.
- *Crawford v Information Commissioner and Department of Culture, Media & Sport - First Tier Tribunal*
FOIA appeal concerning re-negotiation of BBC licence fee. BBC journalist seeking information about nature and content of negotiations between BBC and DCMS. [Read more.](#)

- *CC*
Control order proceedings, acting for SSHD.
- *R (English Speaking Board) v SSHD, [2011] EWHC 1788 (Admin)*
Judicial review of changes to immigration rules, acting for claimant. [Read more.](#)

Regulatory, Disciplinary and Employment

Adam has long-standing experience of employment law. He appeared for the local authority in *Prater v Cornwall County Council* and for the Secretary of State in *Pressure Coolers v Secretary of State*.

Adam has experience of claims in the public sector, including education, prisons, police and MOD Service Complaints claims. TUPE, employment status, minimum wage are niche areas of expertise as well as discrimination, redundancy and unfair dismissal. He has expertise in insolvent employment situations, including guaranteed State payments and pre-pack administrations. He also deals with restrictive covenants, protection of copyright, pension appeals and other employment related issues. He has represented several financial institutions, especially in cases concerning the interaction between FSA regulation and employment law. He has advised the Department for Transport in respect of pay policy across the rail and light rail industry. He is the co-author of “Manual of Employment Appeals” Jordans..

Adam has long experience working in the healthcare sector in which The Legal 500 describes him as being “particularly accomplished” and for which he is also recommended by Chambers and Partners. Adam cut his teeth in this area as junior to Roger Henderson KC representing the GMC before The Shipman Inquiry and was later led by Robert Seabrook KC at first instance and Roger Henderson KC on appeal in the case of *General Medical Council v Professor Sir Roy Meadow*. He has represented a range of health professionals before Coroners and internal inquiries / investigations as well as their professional regulators and bodies. He has also acted for osteopaths and those in the diverse psychotherapy profession.

Outside of healthcare Adam has acted for surveyors (RICS), accountants (ICAEW and ACCA), solicitors (SDT) and vets (RCVS) before their professional bodies.

Adam has appeared in most Chambers of the First-tier Tribunal and Upper Tribunal on a wide spectrum of matters from credit licensing, vaccine damage, environmental, food hygiene, war pensions to transport matters.

Adam also acts for the Food Standards Agency in meat hygiene cases. He currently has commercial/regulatory JR appeals pending in the Court of Appeal and the Supreme Court, where he represents the HSE (marketing of slug pellets) and the FSA (food hygiene) respectively.

Adam acted for the London Borough of Barking and Dagenham in a trading standards underage knife selling case which changed the law on how information should be laid before Magistrates. He has regulatory, trading standards and health/safety criminal prosecution experience.

Representative Cases

- *Catch22Bus Limited and Philip Higgs v Secretary of State for Transport [2019] EWCA Civ 1022*
The Upper Tribunal has dismissed the appeal of a Public Service Vehicle Operator which had its licence revoked by a Deputy Traffic Commissioner following its Director being alleged to have harassed the Senior Traffic Commissioner. Adam Heppinstall was led by First Treasury Counsel, James Eadie QC. The case is a leading authority on the what matters can be taken into account when deciding whether an operator or director of an operator is of good repute. The Upper Tribunal decided that a Traffic Commissioner must have regard to “all the relevant evidence” and that this may include evidence of conduct which is not unlawful.
- *R (on the application of Chiltern Farm Chemicals Ltd) v Health and Safety Executive [2017] EWHC 2491 (Admin)*.
Adam Heppinstall and Jonathan Lewis successfully represented the Health and Safety Executive (the HSE) in a judicial review challenge to a decision that the HSE was entitled to take into account proprietary research data belonging to one manufacturer (constituting testing of veterbrates) in deciding whether any applicant manufacturers of slug pellets should have regulatory authorisation.
- *R (on the application of Association of Independent Meat Suppliers & Another) v Food Standards Agency [2019] UKSC 36*
Supreme Court has referred matter to the CJEU. Adam addressed the Supreme Court on the human rights issues. The Court of Appeal upheld judgment in judicial review heard by Mr Justice Simon relating to whether there ought to be a right of appeal when an Official Veterinarian refuses to apply a health mark to a meat carcase in a slaughterhouse. See alerter here. First instance judgment reported at [2016] 1 CMLR 5 and [2015] PTSR 1383. Led by Professor Sir Alan Dashwood QC. [Read more.](#)
- *Reynolds v Secretary of State for Transport [2016] UKUT 159*
Important decision in relation to jurisdiction and powers of Traffic Commissioners. [Read more.](#)
- *Iles v Lord Chancellor [2015] EWHC 1415 (Admin) (Lang J)*
Successfully resisting appeal, on behalf of the Lord Chancellor, from an Employment Tribunal decision to refuse to permit a former Justices’ Clerk to receive payment of both his redundancy type compensation under a “Crombie compensation scheme” as well as his retirement benefits.
- *Hemming v British Waterways UKEAT/0102/13/GE EAT*
Appeal relating to when ET should adjourn due to absence of claimant. [Read more.](#)
- *Pressure Coolers v Secretary of State [2012] ICR 51 - EAT*
Whether TUPE transferee liable for unfair dismissal compensation. [Read more.](#)
- *Professor Sir Roy Meadow -v- General Medical Council - [2007] QB 462 Court of Appeal*
Disciplinary proceedings arising out of expert evidence in the murder trial of Sally Clark. Junior Counsel to the GMC (at first instance, in the High Court and the Court of Appeal). [Read more.](#)
- *Prater v Cornwall County Council - [2006] ICR 731 Court of Appeal*
Employment status of casual teaching staff. Instructed by the County Council. [Read more.](#)
- *The Shipman Inquiry (2003)*
Junior Counsel to the General Medical Council. [Read more.](#)

What the directories say

"Adam has an encyclopaedic knowledge of environmental and climate case law."

Legal 500 2024

"Adam is a formidable opponent. He's robust, hardworking and on top of the detail. You know you have to be on the top of your game when against him."

Legal 500 2024

"Adam is a skilled leader with extensive court experience in group litigation. He is a clear communicator, lovely to work with, and a reassuring presence when strategic difficulties arise."

Legal 500 2024

"He is a very impressive silk who is very clear in his analysis. Adam is bright and cuts through the issues in a very compelling way."

Chambers UK 2024

"Adam is a very impressive silk. He's very clear in his analysis. It's clear he's bright and cuts through the issues in a very compelling way."

Chambers UK 2024

"Impressively robust."

Chambers UK 2024

"Adam is superbly helpful in every possible way."

Chambers UK 2024

"Adam is incredibly responsive and reliable. He is commercially very astute and he impresses clients with his grasp of the detail and good judgement."

Chambers UK 2024

"Highly experienced in complex group litigation. A brilliant barrister, great strategist and team player. Superb on his feet and all over the detail."

Chambers UK 2024

"A remarkable grasp of how the law on these issues works internationally."

Chambers UK 2024

"Combines exceptional intelligence with a pragmatic and strategic approach"
Legal 500 2020

'Very on top of the law and great in a big team, he is a very good mentor to juniors.'
Legal 500 2023

Adam is a formidable opponent. He's robust, hardworking and on top of the detail. You know you have to be on the top of your game when against him.'
Legal 500 2023

"Adam is a great strategist and team player. He is very client-friendly and a pleasure to work with."
Chambers UK 2023

"He has a fierce intellect and he is commercial, measured, and a great strategist."
Chambers UK 2023

"Adam is brilliant. He's very bright, he likes forensic points and is very quick and creative."
Chambers UK 2023

"Adam has a very good presence in court. He prepares very well and has the detail at his fingertips."
Chambers UK 2023

"An impressive lawyer, with particularly strong knowledge of EU and domestic environmental legislation, he is clear, quick, hardworking and has excellent tactical judgement."
Legal 500 2022

"Just brilliant. Hard-working, insightful, no-nonsense heavyweight of the product liability and consumer law bar."
Legal 500 2022

"His knowledge of black-letter law is exceptional and he is very pragmatic."
Chambers UK 2022

"He is an excellent operator with an encyclopedic knowledge of UK and foreign law."
Chambers UK 2022

"He is very good in writing and is willing to get stuck in."

Chambers UK 2022

"Very sharp. An engaging manner. Easy to work with."
Legal 500 2021

"He is the senior junior in this area - very much the QC in waiting. Has a broad range of experience to draw on when advising in this area. Very sharp, always finds the best way through a complex situation and very commercial, too. Has an engaging easy manner that makes him a pleasure to work with and great with all clients."
Legal 500 2021

"His work includes osteopaths and psychotherapy cases."
Legal 500 2021

"Clients really like him; he's straightforward, easy to work with and very succinct. He has very good judgement as well."
Chambers UK 2021

"He's utterly reliable, runs everything like a silk and is fantastic with clients."
Chambers UK 2021

"A highly capable junior who demonstrates his skill across a broad range of areas."
Chambers UK

"Represents the Environment Agency and big companies with vigour. "
Legal 500 2020

"A very robust counsel – nothing fazes him. He's hard-working and gets on top of the detail."
Chambers UK 2020

Appointments

- King's Counsel (QC 2021)
- Former Deputy Chair, Greenwich Housing Society
- Junior Counsel to the Crown 2004-2021, 2014-2021 on A Panel
- Judicial Assistant to the Court of Appeal, Michaelmas Term (2000)
- Reviewer, Advocate (Bar Pro Bono Unit)

Publications

- Co-author of “Manual of Employment Appeals” Jordans, 2008.
- Contributor to volume 37 of Halsbury’s Laws (Practice and Procedure) and author of various articles in Medical Law Review, Landlord & Tenant Review, The Conveyancer, New Law Journal, Solicitors Journal and The European Advocate.

Memberships

- Member, The Chartered Institute of Arbitrators (MCI Arb)
- Member, London Court of International Arbitration (LCIA)
- Member, Health & Safety Lawyers’ Association
- Member, British Insurance Law Association
- Member, COMBAR, LCLBA, ALBA, ELBA
- Member, Association of Regulatory and Disciplinary Lawyers
- Member, Employment Lawyers Association
- Member, UK Constitutional Law Association
- Associate Fellow, Society of Advanced Legal Studies
- Member, Medico-Legal Society
- Fellow, Royal Statistical Society
- Senior Associate, Royal Society of Medicine
- Associate, Faculty of Forensic & Legal Medicine, Royal College of Physicians of London
- Associate, Chartered Institute of Personnel and Development

Education

- First Class Law Degree, MA, Balliol College, University of Oxford
- Middle Temple Astbury Scholar

Awards & Recognitions

