



Charles Gibson QC

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Charles Gibson QC

"Experienced, calm, knowledgeable and easy to work with." "A very intelligent and practical leader whose advice is clear, succinct and commercial." "He's a fantastic leader and a courageous advocate, who is a great man to be in the trenches with." "A great team leader and a very good strategic thinker"

- Chambers UK 2018 & Legal 500 2020

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Head of Chambers, Charles Gibson QC, is identified in the Legal 500 and Chambers UK as a leading silk in commercial litigation, product liability, environmental law, health & safety, and consumer law. He was named Environmental Silk of the Year at the Chambers UK Bar awards 2019. He was a Lawyer magazine Barrister of the Year finalist in 2008 and 2010 and was runner up Barrister of the Year 2012.

He is a leading expert in commercial law, product liability (contract and tort claims and related insurance and regulatory issues) and has acted in many major domestic and international group actions for over 25 years. He has represented numerous multinationals defending claims against parent companies and subsidiaries operating around the world.

He has recently represented:

- VW in the Diesel Emissions Litigation
- Vedanta in environmental claims arising out of a Copper mine in Zambia
- BHP in the Fundao Dam Litigation
- BP in the Colombian Pipeline Litigation
- Unilever in claims arising out of election violence in Kenya
- Glaxo in the Seroxat Litigation
- Shell in the Bomu-Bonny Pipeline Litigation
- The Ministry of Defence in the Atomic Veterans Litigation from the first instance to the Supreme Court
- Trafigura in the Abidjan Personal Injury Litigation
- Glaxo in the MMR litigation
- Sanofi in the Sabril litigation
- The MPS in the Hip Litigation
- Johnson & Johnson in the Mesh Litigation

He practices primarily as an advocate and is comfortable leading large teams and working with experts in a wide range of scientific, technical and financial disciplines. He has considerable experience conducting lengthy trials with large numbers of factual and expert witnesses. He has also acted in many appeals in the Court of Appeal and the Supreme Court.

Through his international work he has developed a good understanding of jurisdiction, private international law and conflict of laws issues and has a working knowledge of various foreign laws and legal systems e.g. US, Colombia, Kenya, Zambia, Tanzania, Nigeria and Peru.

Commercial and International Group Actions

Charles has represented corporate Defendants in the successful defence of many domestic and international group actions over the last 25 years. As a result, he has worked extensively with experts in a variety of scientific, technical and industrial disciplines and with accountants dealing with business losses. Most recently, he represented BP and Shell in substantial trials involving large numbers of factual and expert witnesses.

He is currently representing a number of multinationals facing claims against parent companies and subsidiaries in various African and South African countries.

His general commercial and insurance law experience covers cases involving the construction of contracts (including insurance and energy service contracts) and sale of goods/products and services contracts. He has conducted cases involving claims arising out of the manufacture and distribution of industrial components scientific instruments, food, drink, chemicals, cosmetics and consumer and agricultural products.

He has also acted on behalf of local authorities, the fire brigade, the NFU and other organisations in cases arising from factory explosions, fires, negligent auditing, local government fraud and negligent advice.

” A stand out QC ” Legal 500 2020

Representative Cases

- *AB and others v Vedanta 2016-2019*
International group action- parent company/subsidiary, jurisdiction.
- *AB and others v Unilever 2016-2019*
International group action- parent company/subsidiary, jurisdiction.
- *The Colombian Pipeline Litigation*
Costs/Group Action/Indemnity.
- *The Bomu-Bonny Pipeline Litigation 2014/2015*
Group Action – Private International Law – nuisance – conflict of law – damages – statutory construction.
- *Various claimants v Barking, Havering and Redbridge University Hospitals NHS Trust 2014*
Successfully opposed Group Litigation Order application by 34 claimants who alleged clinical negligence and Human Rights Act breaches by NHS Trust.
- *Kessabo and others v Afrcan Barrick Gold Plc QB 2014*
Rules governing extensions of time and pleadings- anti suit injunction.
- *The Atomic Veterans Litigation (C of A 2010/Supreme Court 2012)*
Group action – negligence – causation – limitation.
- *The Abidjan (Ivory Coast) Personal Injury Litigation (QB/C of A 2011)*
Costs – group action.

- *Guerrero and others v Monterrico Metals PLC (QB 2011)*
Parent company liability – negligence – conflict of laws – human rights.
- *Gleeson Group Plc v Frankona Reinsurance (Comm. Court 2006/7)*
Construction of insurance policy – building contract – dry rot.
- *The Buncefield litigation (QB 2007/2008)*
Oil depot explosion – group action directions.
- *Nash v Eli Lilly & Co*
Limitation of action – group actions – personal injuries – power to override time limits.
- *Lubbe v Cape Plc (HL 2000)*
Practice – stay – private international law.
- *Afrika v Cape Plc (CA)*
Group Action – costs sharing.
- *The Organophosphate Litigation (QB and CA)*
Strike out for abuse of process.
- *Hodgson v Imperial Tobacco Ltd [1998] 1 WLR 1056 (QB and CA)*
Costs – conditional fees – order for costs – interlocutory application – publication of proceedings in chambers.
- *Other unreported judgments in the Tobacco Litigation (QB and CA)*
Limitation – costs sharing.
- *Connelly v Rio Tinto Plc [1997] 3 WLR 373 (HL)*
Practice – stay of proceedings – foreign causes of action – appropriate forum – legal aid factor.
- *Connelly v Rio Tinto Plc (QB)*
Duty of care owed by parent company – foreign limitation periods.

Product Liability

Charles has acted in many leading product liability claims over the last 25 years. As a result he has developed expertise in many product areas (from pharmaceuticals to medical devices and consumer goods) and worked with experts in many scientific and industrial fields. Many of the product claims have been substantial group actions with international dimensions.

” A great team leader and very good strategic thinker” Legal 500 2020

Representative Cases

- *The Seroxat Litigation (QB 2010) 2017-2019*
Product liability – pharmaceuticals – group action.
- *Primodos Claims 2019*
Group Action claims arising from Hormone Pregnancy Tests.
- *The Metal on Metal Hip Litigation 2016-2019*
Various Group Action directions.
- *The Mesh Litigation 2016-2019*
Various Group Action directions.
- *The Sabril Litigation (QB 2008)*
- *The Sudan Red Litigation (QB 2008)*
- *The MMR Litigation (QB 2005)*
Service – interrogation of witnesses – delivery up of documents from out of the jurisdiction.
- *Bass Britvic v Terra Industries (CA)*
Sale of Goods – product recall – damages.
- *Bacardi V Terra Industries: Manufacturer’s liability in tort*
Exclusion clauses – meaning of ‘damage’.
- *Nash v Eli Lilly & Co*
Limitation of action – group actions – personal injuries – power to override time limits.
- *The Organophosphate Litigation (QB and CA)*
Strike out for abuse of process.
- *Hodgson v Imperial Tobacco Ltd [1998] 1 WLR 1056 (QB and CA)*
Costs – conditional fees – order for costs – interlocutory application – publication of proceedings in chambers.
- *Other unreported judgments in the Tobacco Litigation (QB and CA)*
Limitation – costs sharing.
- *The Norplant contraceptive implant litigation (QB)*
Costs sharing and general directions in group actions.

International Jurisdictional Disputes

He has also acted and advised in a number of cases involving jurisdiction disputes, private international law and practice and the potential liability of parent companies in respect of torts committed by subsidiaries.

International law and jurisdiction cases have involved South Africa, Nigeria, Tanzania, Namibia, Colombia,

Peru, Ivory Coast and various US states.

Representative Cases

- *BHP in the Fundao Dam Litigation*
Claims arising from 2015 dam collapse that led to Brazil's worst ever environmental disaster
- *AB and others v Vedanta 2016-2019*
International group action- parent company/subsidiary, jurisdiction.
- *AB and others v Unilever 2016-2019*
International group action- parent company/subsidiary, jurisdiction.
- *The Bomu-Bonny Pipeline Litigation 2014/2015*
Group Action – Private International Law – nuisance – conflict of law – damages – statutory construction.
- *The Colombian Pipeline Litigation*
Costs/Group Action/Indemnity.
- *Kessabo and others v Afrcan Barrick Gold Plc QB 2014*
Rules governing extensions of time and pleadings- anti suit injunction.
- *The Abidjan (Ivory Coast) Personal Injury Litigation (QB/C of A 2011)*
Costs – group action.

Commercial & Insurance

He has been instructed in a large number of major commercial cases – some of which are commercial disputes arising out of products and installations – but many of which are not product related. In recent years his Commercial Court cases have concerned explosions and catastrophic failures, power plants, ship propellers, sale of goods disputes, product-related claims, business losses and related insurance issues. These cases also often involve international contracts and conflict of law issues. His general insurance work includes policy disputes, Lloyds insurance disputes and fire, building/plant damage claims and contamination claims causing business losses.

Representative Cases

- *AB and others v Vedanta 2016-2019*
International group action- parent company/subsidiary, jurisdiction.
- *AB and others v Unilever 2016-2018*
International group action- parent company/subsidiary, jurisdiction.
- *Columbian Pipeline Litigation 2014/2016*
International Group Action, conflict of laws, environmental damage, construction, contract and tort.

- *The Colombian Pipeline Litigation*
Costs/Group Action/Indemnity.
- *The Bomu-Bonny Pipeline Litigation 2014/2015*
Group Action – Private International Law – nuisance – conflict of law – damages – statutory construction.
- *Arroya v BP TCC 2013*
Measure of loss for damage to land- Wrotham Park Damages.
- *Colombian Pipeline Litigation QB 2012/2013*
Group action – conflict of laws – commercial contracts – jurisdiction and environmental damage.
- *Guerrero and others v Monterrico Metals PLC (QB 2011)*
Parent company liability – negligence – conflict of laws – human rights.
- *Eskom v Alstom Energy Ltd (Comm. Court 2008)*
Turbine explosion – contract – tort – choice of law.
- *Gleeson Group Plc v Frankona Reinsurance (Comm. Court 2006/7)*
Construction of insurance policy – building contract – dry rot.
- *The Buncefield litigation (QB 2007/2008)*
Oil depot explosion – group action directions.
- *Celtech v Dalkia (Comm Ct 2005)*
Energy services contract – combined heat plant – construction – rectification – termination clauses – penalty clauses.
- *FA de Muynch v Farha (TCC 2005)*
Guarantee – whether applicable to past debts.
- *Arkin v Borchard Lines (CA 2005)*
Shipping conference contracts – liability of third party funder for costs – apportionment of liability for costs as between party and funder.
- *Bass Britvic v Terra Industries (CA)*
Sale of Goods – product recall – damages.
- *Bacardi v Terra Industries*
Manufacturer’s liability in tort – exclusion clauses – meaning of ‘damage’.
- *UCC v Todd Construction (TCC)*
Tort, contract, damages, remoteness.

Life Sciences, Healthcare, Pharmaceutical Medicines & Devices

Through his general product liability, pharmaceutical, personal injury and clinical negligence work he has developed a sound knowledge and understanding of scientific and medical issues. He has worked extensively with leading scientists and clinicians in numerous fields including nuclear physics, ophthalmology, immunology, virology, genetics, microbiology, pharmacology, gastroenterology, respiratory diseases, cancer research, psychiatry, toxicology, epidemiology and general medicine.

He is currently instructed on behalf of the MPS and various consultants in the Metal on Metal Hip Litigation. He has also acted on behalf of Johnson & Johnson in the Mesh Group Litigation.

Representative Cases

- *The Metal on Metal Hip Litigation 2016-2018*
Various group directions.
- *The Mesh Litigation 2016-2017*
Various group directions.
- *The Seroxat Litigation (QB 2010) 2017-2018*
Product liability – pharmaceuticals – group action.
- *The Sabril Litigation (QB 2008)*
- *The MMR Litigation (QB 2005)*
Service – interrogation of witnesses – delivery up of documents from out of the jurisdiction.
- *The Norplant contraceptive implant litigation (QB)*
Costs sharing and general directions in group actions.
- *AB v John Wyeth & Brother (1997) 8 Med LR 57 (QB and CA)*
Group action – abuse of process.
- *Other unreported judgments in the Benzodiazepine Litigation (QB)*
Substantiation of medical reports – proof of causation in tort.

Environmental

Recent cases within this field include representing mining and factory owners alleged to have polluted surrounding areas, defending a multinational (Trafigura) being sued by Ivory Coast nationals claiming injuries caused by oil waste, and defending a multinational (BP) sued by Colombian farmers in respect of oil pipeline damage and Peruvian nationals in respect of a mining development.

He has acted on behalf of waste management/disposal authorities, mining corporations facing claims in respect of injuries to employees and residents concerning exposure to pollutants including

radiation/asbestos/silicon dust.

He is currently acting in group action (Vedanta) in which local residents in Zambia are claiming damages in respect of alleged pollution to their waterways by a Copper Mine and for BHP Fundao Dam Litigation. He also represented Vedanta and Unilever in Environmental Claims.

” A leading light for Environmental group actions” Legal 500 2020

Representative Cases

- *Columbian Pipeline Litigation 2014/2016*
International Group Action, conflict of laws, environmental damage, construction, contract and tort.
- *Colombian Pipeline Litigation (various decisions relating to group directions/procedures) QB 2012/2013*
Group action – conflict of laws – commercial contracts – jurisdiction and environmental damage.
- *The Bomu-Bonny Pipeline Litigation (various decisions relating to group actions and costs) QB 2012/2013*
Group action – conflict of laws – environmental damage – private international law – jurisdiction.
- *Austin and others v Miller Argent Group (QB/C of A 2011)*
Group action – nuisance – environmental regulation.
- *AB and others v Vedanta 2016-2018*
International group action- parent company/subsidiary, jurisdiction.
- *Guerrero and others v Monterrico Metals PLC (QB 2011)*
Parent company liability – negligence – conflict of laws – human rights.
- *The Abidjan (Ivory Coast) Personal Injury Litigation (QB/C of A 2011)*
Costs – group action.

Health & Safety

Health Safety work represents a substantial part of his practice and he is listed in the Legal 500 and the Chambers Directory as a leading silk in the field. He has particular experience in health and safety matters affecting the railway and power industry. He has also acted on behalf of commercial entities in many different sectors including manufacturing, building, leisure, food and beverage, sports and the car industry in health, safety and personal injury matters (both civil and criminal).

He advises and acts on behalf of major corporate and public bodies on health and safety related issues (e.g. corporate manslaughter, risk assessments, product safety issues, the work place, the asbestos regulations etc).

He also conducts civil claims involving diseases caused by exposure to dangerous substances and dust and work-place accidents.

He has most recently defended:

- A major film and entertainment company in respect of an accident on a film set
- An energy company following a fatal accident
- A telecommunications company following a fatal accident
- Various companies in the leisure and entertainment industry following fatal accident
- A construction company following an accident which involved serious injuries

He has also been advising on the health and safety issues arising at a substantial car park servicing a large number of retail outlets and advising a leading corporation supplying electricity.

Representative Cases

- *R v Foodles*
Sentencing Guidelines.
- *R v UK Power*
- *R v Mitchells and Butlers*
- *R v UK Power*
- *The Potters Bar Inquest*

Consumer Law

Charles is recognised in the Directories as an expert in consumer law. He has wide experience in consumer related litigation particularly in the commercial and product liability fields. He has also acted in many of the major group actions brought in the UK by consumers against commercial entities for over 25 years. Throughout his career he has been heavily involved in the development and application of the law in relation to group actions.

The consumer claims in which he has acted have covered a range of products (from pharmaceutical to food and drink to industrial plant) and financial and other services (eg involving valuers, share-holders, building societies and financial advisers).

Representative Cases

- *The Metal on Metal Hip Litigation 2016-2018*
Various group directions.
- *The Mesh Litigation 2016-2017*
Various group directions.
- *The Seroxat Litigation (QB 2010) 2017-2018*
Product liability – pharmaceuticals – group action.

- *The Sabril Litigation (QB 2008)*
- *The Sudan Red Litigation (QB 2008)*
- *The MMR Litigation (QB 2005)*
Service – interrogation of witnesses – delivery up of documents from out of the jurisdiction.
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Inquests/Tribunals

He has significant experience of major inquiries, namely:

- the Grenfell Tower Inquiry
- the Kings Cross Underground Fire Inquiry
- the Clapham Rail Accident Inquiry
- the Severn Tunnel Rail Accident Inquiry

He assisted the inspectors with the Inquiry conducted by DTI Inspectors into London Underwriters Limited (Lloyds).

He has also appeared before many employment, disciplinary and regulatory tribunals (including the HFEA) and has gained experience of Judicial Review in the course of his commercial and disciplinary/regulatory work and on behalf of HM Customs and Excise.

Mediation

He is a CEDR Accredited Mediator and he advises on, and acts in, mediations. He has successfully mediated a number of multi-party commercial disputes. He is currently mediating a multi-handed commercial dispute.

What the directories say

"A standout QC."
Legal 500 2021

"One of the leading silks for large-scale environmental cases, particularly the defence of group actions."
Legal 500 2021

"He is a go-to person for environmental group litigations."
Chambers UK 2021

"He gives excellent practical and strategic advice."
Chambers UK 2021

"The combination of his advocacy, his leadership skills and his ability to work in a team is stunning. His strategic vision on matters is very impressive."
Chambers UK 2021

"Provides helpful advice and is easy to deal with."
Chambers UK 2021

"He's a great strategic thinker who sees the whole picture, where the client needs to get to and how to get them there."
Chambers UK 2021

"A standout QC."
Legal 500 2020

"He has an amazing court presence and is a genuine leader of the team."
Chambers UK 2020

"His reputation as one of the leading product liability counsel is well deserved. His ability to grasp complex issues is astounding. His intellect never fails to impress."

Chambers UK 2020

"A very smooth operator. It's difficult to think of anyone who knows more and is more respected." "He is fantastic at stepping back and seeing the bigger picture. Charles knows where clients want to get to and he finds a way of taking them there."

Chambers UK 2018

"A very good leader of a big team of people, he sees the wider strategic issues but also gets thoroughly into the details." "He's an effective operator with a very good courtroom manner." "A formidable leader who gives his heart and soul to any case, he is enthusiastic and committed, and clients really love him."

Chambers UK 2017

"A very poised advocate with enormous experience who is very good with clients."

Chambers UK 2017

"If you had a major product liability case, you'd want him leading it. He really sees the big picture in terms of where you want to get to." "One of the most charismatic barristers that I've ever come across. He is very energetic and will fight your corner to the end."

Chambers UK 2017

"He's the best in the business. He seems to have been involved in everything. He can summarise a claim in five minutes and you understand everything."

Chambers UK 2016

"The go-to QC for the most difficult disputes and group actions."

Legal 500 2014

"A leading light for environmental group actions."

Legal 500 2020

"A great team leader and very good strategic thinker."

Legal 500 2020

Appointments

- Recorder (2001)

- Queen's Counsel (2001)
- CEDR Accredited Mediator
- Bencher of Inner Temple
- Chair of the charity Carney's Community

Publications

- Group Action in Product Liability Law and Insurance
- Product Liability in the Commercial Context
- Product Liability for Medical Products

Memberships

- London Commercial & Common Law Bar Association
- Professional Negligence Bar Association
- CEDR (Accredited Mediator)
- COMBAR
- Health & Safety Lawyers' Association

Education

- BA Hons (Dunelm) Classics
- Dip. Law

Awards & Recognitions

