



John Platts-Mills

Year of Call: 2016

John is a natural and persuasive advocate, with a busy court and tribunal based practice. As well as running his own portfolio of cases he is regularly instructed as junior to more senior juniors and silks in Chambers.

He possesses a “first class mind”, which allows him to develop a command of complex issues quickly. As observed by one of his clients: “in addition, and what is not apparent on his barrister profile (where he looks very corporate), are his interpersonal skills”, which enable him to relate to and communicate with his clients easily and effectively.

Before joining the Bar, John worked in the Shell Global Litigation team, where he had conduct of a range of international trade, distribution and investment disputes. He also has experience of complex international group claims and jurisdictional disputes, having worked on *Okpabi v RDS* in the High Court and Court of Appeal.

Before retraining as a lawyer, John worked as a corporate finance analyst in Deutsche Bank’s mergers and acquisitions team. He worked on a number of high-profile transactions, including: the Dixons Carphone merger and the IPO of Infinis.

Employment

John practises all areas of employment and discrimination law. He has substantial experience of: contractual disputes, including the enforcement of restrictive covenants; breach of confidence; whistleblowing; unfair dismissal; discrimination; and employee status.

Recent case highlights include:

Bennett and Day v Geeks (2020): judgment pending in case addressing the application of the doctrine of restraint of trade and the enforceability of training fee claw back clauses (pro bono working with the Good Law Project).

F3G v Rowe & Ors (2020): successful mediation of c.£7m High Court claim alleging breach of confidence and breach of restrictive covenants, led by Andrew Burns QC and Alice Mayhew.

J v Fareham Academy (2020): successful dismissal of an unfair dismissal claim for lack of jurisdiction.

O v FDM (2020): working with the Good Law Project to assist employees in challenging the enforceability of covenants in their contracts of employment requiring them to repay their former employer for the cost of training on termination of employment (“training fee clawback clauses”).

I v Connect (2019): successfully represented the Claimant in a three-day discrimination claim.

J v Countrywide (2019): represented the Respondent in a two-day Preliminary Hearing, addressing: amendment, limitation and strike out, in the context of a complex constructive dismissal and discrimination claim.

M v Essex Rehabilitation Company (2019): represented the Respondent in a five-day final hearing of a discrimination claim.

John has experience of working with senior members of Chambers conducting internal investigations and is looking to develop this area of his practice. John also has experience of industrial relations disputes having provided research support to Andrew Burns QC in a number of EAT Appeals concerning: restrictions on contractual changes in relation to collective bargaining (the s.145B issue) (*Kostal v Dunkley* [2018] ICR 768) and compensatory rest breaks for transport workers (*Crawford v Network Rail* [2018] IRLR 714).

Personal Injury

John has already developed a busy Fast Track and Multi-Track practice. He has particular expertise, and interest, in cases involving vulnerable road users, including: motorcyclists, cyclists and pedestrians.

Recent highlights include:

Successful mediation of a catastrophic RTA claim led by Stephen Killalea QC (2020).

Successful settlement of a Fatal Accident claim in excess of £300,000 (2020).

Successful settlement of catastrophic brain injury case led by Stephen Killalea QC (2020).

Successful settlement of a Fatal Accident claim in excess of £200,000 (2020).

Successful settlement of a complex employer's liability claim led by Robert Weir QC (2020).

Wing (Inquest 2020): instructed by Irwin Mitchell London to represent the family in a two-day inquest into failures to properly treat the deceased who had suffered from an aortic dissection.

M v East Sussex (2019): secured £12,964 in damages (beating our Part 36 Offer) for a cyclist who had hit a pothole.

Schofield (Inquest 2019): represented the family in a two-day inquest into the deceased's accident at work.

Brook v Wallis: secured 100% liability and £19,625 in damages (beating our Part 36 Offer) for a motorcyclist involved in an RTA whilst filtering on a motorway.

At an appellate level, John has provided research support for Robert Weir QC in *Dryden & Ors v Johnson Matthey* [2018] UKSC 18. He also shadowed Robert Weir QC, again appearing in the Supreme Court, in *X v Kuoni*.

Tax

John is currently instructed as junior in a number of anti-avoidance cases, encompassing the notice provisions (FNs, APNs and PPNs) contained in the Finance Act 2014. He has also been instructed on behalf of the taxpayer in an IR35 matter.

John has also been instructed on a number of matters concerning domicile and residency from an advisory perspective, he has a particular interest in developing his practice in this area.

As a pupil John gained substantial experience in tax litigation as well as a range of advisory matters from a taxpayer perspective, including: inheritance tax and liability for failure to comply with follower notices (*Benton v*

HMRC). He also appeared in the Masters' Corridor of the Royal Courts of Justice in applying to rectify a deed of variation.

John welcomes instructions from both taxpayers and the revenue.

Insurance & Reinsurance

John is regularly instructed on a range of Insurance and Reinsurance disputes. He is currently assisting Colin Edelman QC and Andrew Burns QC draft the Third Edition of the Law of Reinsurance.

Recent highlights include:

Currently instructed on a series of advisory briefs, led by Richard Harrison, in relation to issues arising from the Covid-19 pandemic and business interruption.

External advisor to the FCA team in the Business Interruption test case litigation.

Being led by Richard Harrison in a complex High Court product liability dispute.

Assisting Andrew Burns QC in drafting an advice in relation to an aggregation clause.

Assisting Colin Edelman QC and Richard Harrison, albeit at a late stage, in the preparation for the Supreme Court hearing in *R & S Pilling t/a Phoenix Engineering Limited v UK Insurance Limited* [2019] UKSC 16.

Successfully claiming against an insurer, in circumstances where the insured taxi driver, who had not been negligent but whose passenger had negligently opened the door of the taxi and knocked a passing cyclist off of his bike.

Junior to Richard Harrison in an arbitration under the 1996 Act, concerning an insured's attempt to recover on a policy of legal expenses coverage.

During pupillage John gained substantial experience of a number of issues including: qualification of arbitrators for reinsurance disputes (*Allianz Insurance Plc v Tonicstar Ltd* [2018] 1 Lloyd's Rep 389) and construction of clauses in an insurance policy purporting to exclude liability in relation to pollution.

He also provided research support to Richard Harrison in *Catlin Syndicate Ltd v Weyerhaeuser Co* [2018] EWHC 3609 (Comm) a case concerning anti-suit injunctions, incorporation of an arbitration clause and construction of an excess layer insurance policy. Under Weyerhaeuser's Lead Underlying Policy: disputes were to be resolved in London by arbitration; the interpretation and construction of the policy were subject to the laws of the State of Washington; and, solely for the purpose of effectuating arbitration, in the event of the failure by the insurer to pay any amount claimed to be due, the insurer was at the request of the assured to submit to the jurisdiction of any court of competent jurisdiction within the United States.

Commercial Litigation and Disputes

Building on his experience as a member of the Shell Global Litigation team, John has experience of litigation in both the courts and arbitration. He regularly accepts instructions in respect of a wide range of contractual disputes.

Recent highlights include:

Currently being led by Richard Harrison in a complex High Court product liability dispute.

Assisting Andrew Burns QC in drafting an advice in relation to an aggregation clause.

Currently being led by Alice Mayhew in a High Court dispute concerning breach of restrictive covenants and breach of confidence.

Assisting Colin Edelman QC and Richard Harrison, albeit at a late stage, in the preparation for the Supreme Court hearing in R & S Pilling t/a Phoenix Engineering Limited v UK Insurance Limited [2019] UKSC 16.

Successfully establishing the validity of a settlement agreement in a two-day trial of a preliminary issue.

Advising a client alongside Andrew Burns QC as to the prospect of pursuing the executor of a deceased defendant.

Clinical Negligence

John accepts instruction across the full range of medical disciplines. John is currently instructed to represent the family in an inquest into the death of a patient who suffered an aortic dissection.

Academic

BPP University London, Bar Professional Training Course (Outstanding)

City University London, Graduate Diploma in Law (Distinction)

University of Oxford, St Cross College, MSc Latin American Studies

University of Oxford, University College, BA (Hons) Philosophy, Politics and Economics

Awards & scholarships

Lincoln's Inn, Buchanan Prize

Lincoln's Inn, Lord Denning Scholarship

Lincoln's Inn, Hardwicke Entrance Award

Memberships & Associations

COMBAR; ELA; PIBA