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King's Bench Walk

Joel C. T. Kendall



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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Employment & Discrimination, International & Travel, Insurance, Product Liability, Inquests, Aviation

Joel specialises in high value and complex personal injury work and clinical negligence. He also practises in the field of discrimination in the provision of services and education. He has extensive experience of catastrophic brain injury, spinal injuries and chronic pain. He is adept at working at the interface of personal injury and employment, in particular in the areas of workplace stress and harassment. He is regularly instructed by some of the leading claimant and defendant solicitors. In addition he is instructed by public authorities and Trade Unions.

He is listed as a Leading Junior in Personal Injury in both The Legal 500 (band 3) and Chambers and Partners (band 4). He is recognised as being "*efficient, quick and very good at setting expectations*" and as having "*a fantastic legal mind and client manner*" as well as "*a very incisive approach providing clear, concise, robust advice*".

Outside the law Joel's interests include classical music, cinema and Wycombe Wanderers FC.

Personal Injury

Joel specialises in high-value and complex personal injury work, acting for both Claimant and Defendant.

Brain injury (both traumatic and subtle) – Joel has acted for a number of clients over the past year where capacity was in issue. When acting on behalf of Claimants significant settlements have been achieved at JSMs including settlements into seven figures. At the approval hearing in relation to a substantial settlement for a brain-injured client, the DCJ approving the settlement described Joel's advice as one of the clearest and most helpful that he had ever seen.

Other catastrophic injury and fatal accidents – Joel is currently involved in tetraplegia and other spinal injury cases, and has settled a number of fatal accident claims at JSMs over the past year. Joel recently acted for the family of one of the victims of the Croydon tram crash. A substantial settlement was obtained at JSM.

Workplace stress and harassment – Joel continued to receive instructions to act for and against high-profile institutions and companies. He has achieved significant settlements for Claimants at JSMs and in mediation, including cases involving concurrent employment tribunal and personal injuries litigation. Over the past year he has regularly been instructed by Defendant public bodies at all stages of the litigation up to and including JSMs.

Chronic pain/complex regional pain syndrome – Joel continues to be regularly instructed in chronic pain cases by both Claimant and Defendant solicitors.

In addition Joel does of course continue to practice in employers' liability and public liability work generally as well as in RTAs; he has appeared at all levels from county court to Court of Appeal. He is experienced in costs management and is happy to accept instructions from both Claimant and Defendant solicitors to undertake all aspects of CCMCs.

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Clinical Negligence

Joel has undertaken a wide range of clinical negligence work, including claims against cosmetic surgeons, physiotherapists and dentists as well as GPs and NHS hospital trusts. His experience in this area extends to inquests. Recent successes include obtaining a seven figure settlement sum in a catastrophic above-knee amputation case where liability and causation were in dispute (on his own account) and an eight figure settlement sum in a tetraplegia claim (led by William Featherby KC).

He is currently instructed in a substantial seven figure claim arising out of the alleged negligent administration of anaesthesia-related drugs during surgery.

Discrimination

Having spent many years regularly appearing in the Employment Tribunal and Employment Appeal Tribunal, Joel continues to act for Claimants and Defendants in discrimination claims brought under Parts 3 (Services), 4 (Premises) and 6 (Education) of the Equality Act 2010. He acts for major educational institutions and service providers including Universities and nationwide hospitality providers.

International & Travel

Joel acts frequently for cabin crew in personal injury claims against UK-based international airlines. In addition he has experience of passenger claims for personal injury under the Montreal Convention. In the last year he acted for the successful Claimant, a member of cabin crew, in the trial of a personal injuries claim against a well-known airline arising out of the negligent piloting of the plane on landing.

Insurance

Joel's experience in this area includes:

- Motor insurance – declaration proceedings and related litigation
- Permanent health insurance – policy wording disputes

Product Liability

Joel has represented Claimants in product liability personal injury litigation, including in recent years claims arising out of defective fireworks, ladders and bicycles

Inquests

Joel appears regularly on multi-day inquests in the fields of both personal injury and clinical negligence

Aviation

Joel frequently acts in cabin crew and passenger claims for personal injury under the Montreal Convention.

Qualifications & Awards

Astbury Scholar of the Middle Temple (1993)

BA (Hons) Jurisprudence, Exeter College Oxford (1992)

Memberships

Personal Injuries Bar Association

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Employment Law Bar Association

Directories

He is efficient, quick and very good at setting expectations so you know exactly where you are with him. He is knowledgeable and good with clients. He is a good advocate. – Chambers & Partners, 2026

Joel offers a Rolls-Royce service for bullying at work. He has a fantastic legal mind and client manner as well. – Chambers & Partners, 2026

He is able to quickly assimilate and distill all the key issues in a case and provide clear,comprehensive and robust advice. His drafting skills are first rate and he is an excellent advocate. – Legal 500, 2026

Joel has a very incisive approach providing clear, concise, robust advice. He is a tenacious but pragmatic litigator has a first rate technical understanding of the law and is highly regarded by both clients and instructing solicitors – Legal 500, 2025

Rapidly identifies the key issues in the case – Legal 500, 2014

Cases

Oxford Said Business School Ltd v Heslop EA-2021-00268-VP (EAT), [2021] 11 WLUK 179 – an emphasis on the principles enunciated in *DPP Law Ltd v Greenberg*, that appellate tribunals should be slow to conclude that an employment tribunal has not applied applicable legal principles when they have been correctly stated

H v M (2021) – acted for Defendant at the JSM of a severe brain and orthopaedic injury case. Settlement achieved (led by Paul Russell QC)

R v MML (2021) – acting for the Claimant in a severe brain injury case. A substantial six figure sum was obtained at a JSM

L v S NHS Trust (2020) – acting for the Claimant in a catastrophic injury clinical negligence case. Following resolution of liability an eight figure sum was obtained at JSM (led by William Featherby QC)

Re PH (deceased) (2019) – acting for the family at the JSM and subsequent approval hearing in respect of a fatal accidents claim arising out of the Croydon tram crash in 2016

N v SMH NHS Trust (2019) – acting for the Claimant in a catastrophic above-knee amputation case where liability and causation were in dispute. A substantial seven figure sum was obtained at a JSM

G4S Cash Solutions (UK) Ltd v Powell UKEAT/0243/15 – guidance on whether the duty to make reasonable adjustments encompassed pay protection when the employee is moved to a lesser role

Enamejewa v British Gas Trading Ltd UKEAT/0347/14 – the first authority on the proper interpretation and application of r.38 of the 2013 ET Rules relating to reinstatement of cases that have been struck out for non-compliance with unless orders

Olulana v LB Southwark [2014] EWHC 2707(QB) – workplace stress claim. Considered the jurisdiction of the High Court in relation to claims under the Equality Act 2010

Boylin v The Christie Hospital [2014] EWHC 3363 (QB) – workplace stress claim. Considered the principles underlying the Protection from Harassment Act 1997 and common law negligence in relation to psychiatric injury of employees

Hodgson v Carr November 2014 – 2 day High Court trial (Newcastle DR) on liability only in catastrophic injuries road traffic accident claim

Burden v Stevenage Borough Council UKEAT/0587/10/ZT – guidance on affirmation in constructive dismissal cases and drawing inferences of discrimination

Veakins v Kier Islington Ltd [2009] EWCA Civ 1288 – Guidance on the proper interpretation of the Protection of Harassment Act 1997.

Sayers -v- Cambridgeshire CC [2006] EWHC 2029 (QB), [2007] IRLR 29 – no justification for imposing cause of action for breach of statutory duty in respect of regulation 4 of the Working Time Regulations 1998.

G4S Justice Services (UK) Ltd -v- Anstey & others [2006] IRLR 588, EAT: retrospective operation of TUPE after transfer.

Securicor Security Ltd -v- Toujani [2005] All ER (D) 240 (Jull) – reverse burden of proof in discrimination cases.

Pitt -v- Industrial Roofing Ltd [2005] All ER (D) 392 (Apr) – interpretation of s.1(3)(b) of the Fatal Accidents Act 1976.

Laing O'Rourke Group Services v Woolf & Jones UKEAT/0038/05: strike out for non-compliance with tribunal orders.

Securicor Custodial Services Ltd v Williams UKEAT/0042/02: causation in discrimination case, race specific discrimination.

Hockney & Marshall v DW Bennett & Sons (1), Johnson (2), Barton (3) CA 19.10.00, Lawtel AC9900060: apportionment of liability in road traffic accidents