

# NIAZI FETTO

Call 1999

## Get in touch

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+44 (0)20 7822 1200



*"He's everything  
you'd want in a  
barrister"*  
(Chambers UK)

## Practice Overview

Niazi specialises in personal injury and employment

Niazi is a member of the Treasury 'A' Panel, and was the lead junior in the recent successful defence by the Foreign and Commonwealth Office of the **Kenyan Emergency Group Litigation**, the largest group action ever brought against the UK Government.

He is currently instructed in, among other matters, the **Seroxat Group Litigation**, and important litigation arising out of the alleged abuse of child migrants during the 1950s and 1960s.

His expertise lends itself particularly well to claims for stress-related and other injuries and diseases in an occupational or institutional context. He is regularly instructed in claims alleging discrimination/harassment/bullying, and in industrial disease claims, including occupational exposure to asbestos, other hazardous substances and noise.

He has a broad employment practice. His notable reported cases include **Naeem v SoS for Justice** [2016] ICR 289 (indirect discrimination – race and religion – disparate impact and justification).

Niazi has co-edited the 2 Temple Gardens personal injury and clinical negligence journal "Injury Times" as well as contributed to "The Law of Human Rights" (Clayton & Tomlinson, Oxford) and "The Law of Motor Insurance" (Merkin & Stuart-Smith, Sweet & Maxwell). He is an accredited advocacy trainer at New Practitioner level for the Inner Temple.

## Practice areas

Personal Injury  
Employment  
Professional Negligence & Product Liability  
Professional Regulation

## Memberships

PIBA  
ELBA  
LCLCBA

## Qualifications

MA Law (Hons) (1st: Law of Tort, Constitutional Law, Administrative Law (best performance in university), European Law, European Human Rights Law, Law and Philosophy)

## Education

Jesus College, Cambridge  
Inns of Court School of Law



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## Personal Injury

Extensive experience in substantial claims in all areas, with particular emphasis upon employer's liability for accidents and stress at work and industrial injury and illness litigation.

Niazi is regularly instructed in claims valued in excess of £1m.

## Notable Cases

**Child migration claims** (Ongoing. Representing the Department for Health and Social Care in claims alleging abuse of migrated children during the 1950s and 1960s)

**Kenyan Emergency Group Litigation** 2016-2018 (group action by 40,000 "Mau Mau" and related claimants alleging UK Government responsibility for alleged mistreatment during the Kenyan Emergency in the 1950s)

**Pascoe v MoD** LTL 5.6.13 (noise-induced hearing loss – hearing loss at 6KHz not noise-induced despite meeting Coles criteria)

**Drysdale v Hedges** [2012] 3 EGLR 105 (landlord's liability for personal injury to tenant; ambit of Defective Premises Act; scope of "immunity" derived from *Cavalier v Pope*)

## Employment

Niazi acts for and advises claimants and respondents in all areas of employment law, including unfair dismissal, discrimination, harassment, redundancy, ill-health retirement, flexible working, transfer of undertakings, pensions, and human rights issues.

Highly experienced in employment-related personal injury litigation, particularly cases concerning health and safety at work, stress, bullying and harassment.

## Notable Cases

**Naeem v Secretary of State for Justice** [2016] ICR 289 (whether pay scheme for prison chaplains indirectly discriminatory on grounds of race or religion)

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*Fanis & Ricciardi v DWP* (2013) London South ET (lead claims addressing reason for dismissal at conclusion of civil service fixed-term contracts – whether entitled to redundancy payment)

## Professional Negligence & Product Liability

Particular experience of clinical negligence claims, including those with a product liability aspect.

### Notable Cases

*The Seroxat Group Litigation* (Ongoing. Product liability action relating to the safety of the SSRI antidepressant Seroxat (paroxetine).)

*Kistensamy v Leech & Lewisham & Greenwich NHS Trust* 2017 (Claim arising from Stevens-Johnson Syndrome suffered due to allergy to allopurinol – alleged inadequate warning by prescriber and negligent treatment of reaction at hospital.)

*Trans-vaginal mesh claims* 2015-2017 (Various cases addressing the safety of trans-vaginal “mesh” products and associated treatment concerns.)

*Pratt v MoD & Rogers* 2016 (Whether MoD and/or locum practitioner at military medical centre liable for alleged catastrophic renal failure of officer deployed in Germany.)

## Professional Regulation

Considerable experience in professional regulation, a feature of which has been lengthy and complex inquiries before the General Medical Council.

Notable cases include *GMC v Onen & Onyango*, 2001, *GMC v Brewer et al*, 2003–6 (serious professional misconduct – irresponsible and inappropriate prescribing), and *GMC v Van Velzen*, 2005 (“Alder Hey babies” case).

### Significant Cases

*Sandra Bailey & Ors v Glaxosmithkline (UK) Ltd* [2016] EWHC 178 (QB)

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*Kieran Murphy v Ministry of Defence* [2016] EWHC 3 (QB)

*Gillian Drysdale v Joanne Hedges* [2012] EWHC 4131 (QB) [2012] 3 EGLR 105 : (2012) 162 NLJ 1056

*Ann Brazier v Wolverhampton City Council* [2007] EWCA Civ 1479

Plus various decisions in the **Kenyan Emergency Group Litigation** as follows:

*Kimathi & Ors v Foreign & Commonwealth Office* [2017] EWHC 203 (QB)

*Kimathi & Ors v Foreign & Commonwealth Office* [2017] EWHC 938 (QB)

*Kimathi & Ors v Foreign & Commonwealth Office* [2017] EWHC 2145 (QB)

*Kimathi & Ors v Foreign & Commonwealth Office* [2015] EWHC 3432 (QB)

## Recommendations

*"He's brilliant; he has an excellent combination of personal charm and good judgement." "He has a measured but persistently persuasive delivery at hearings and responds to enquiries promptly and helpfully."*

**Chambers UK 2019**

*"Excellent, through and has a great client manner"*

**Chambers UK 2018**

*"He is everything you'd want in a barrister; sensible, bright, hard-working and thoughtful"*

**Chambers UK 2018**

*"A very able barrister, capable of grasping difficult issues and presenting them clearly and with conviction."*

**Legal 500 2017**

*"He has a very calm, reassuring and pleasant manner which makes him very easy to work with"*

**Legal 500 2016**

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