

How can an Expert Witness help your business?

Over the years, I have been involved in a variety of legal cases where an expert witness was required. Some of these for business to business issues, others where someone had food poisoning. I have worked for claimant and defendant, and in each case, I was required to apply independent analysis to ensure that the information or questions asked was fairly applied.

For example, a complex business to business case involved a food ingredient supplier and a food manufacturer, where growth of a spoilage microorganism had occurred in a finished product. I was required to review the evidence from both sides, visit both factories to review their operational practices, and to then draw conclusions as to the degree of fault on both sides. On the one hand, an ingredient was contaminated with low levels of the spoilage microbe, on the other hand, operational practices at the manufacturer were such that growth of the microorganism was likely to occur. The case was settled out of court, with a satisfactory outcome for the side with whom I was asked to work.

In one case, for example, a caterer had purportedly caused food poisoning to guests at a wedding party, due to consumption of under cooked chicken liver pate, made onsite. I was the witness for the defence, the caterer. I reviewed the evidence, agreed that this was the case, and so recommended to the barrister that they accepted the plea. Other charges were also put against the defendants; one of which was that the kitchen was unhygienic. Investigation of the evidence showed that this was not the case, and so this charge was dropped.

In another case, the local authority found significant allergen cross-contamination in a takeaway food business, after taking samples. The business pleaded guilty to the charges. In this case, I was asked by the local authority to identify any potential sources of cross-contamination, and to recommend control measures that should ensure that the risk of this happening again was minimised.

In a third case, I was the expert witness for local authority, where a woman had died after consumption of a Christmas meal at a hotel. She died from *Clostridium perfringens* food poisoning, from a rolled turkey roast. My role here was to (a) determine if her symptoms were consistent with *Clostridium perfringens* food poisoning, (b) identify the reasons why this could have happened, reviewing the on the day food handling practices, as well as the Food Safety Management Systems in place. It was a complex case, with three defendants: chef, hotel landlady and restaurant franchisee.

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