hailshamchambers

Clerks: **020 7643 5000**

Dominic Nolan KC

Call: 1985 | Silk: 2006



Overview

Dominic has specialised in clinical negligence and personal injury claims for more than 35 years and for 20 of those as a silk. He now deals exclusively with the most complex and serious claims in these fields. Having joined Hailsham Chambers in January 2015 Dominic is now well established in the London rankings as a leading silk in both of his areas of work.

He has vast experience and particular expertise in cases involving serious brain or spinal injury, and in cases involving complex issues of factual and legal causation. He prides himself on being approachable and sensitive when dealing with all parties. Dominic's current practice is 50% complex clinical negligence and 50% catastrophic personal injury, evenly balanced between claimant and defendant work.

Dominic has always been an active proponent of all forms of ADR. From Autumn 2026 having qualified as a CEDR accredited mediator Dominic is accepting instructions to act as mediator in his specialist areas of work.

Clinical negligence

Dominic acts for both claimants and defendants. He is an established panel silk for the Medical Defence Union and NHS Resolution and is frequently instructed on behalf of large private healthcare providers.

Recent clinical negligence claims in which Dominic has been instructed include:

Acting for claimant

- claimant suffering profound hypoxic brain injury at birth but claim only litigated many years later when parents realised need to provide for care beyond their lifespan. Complex causation issue with period of negligent delay

in dispute. Liability compromised at 90% (approved). Complex quantum issues subsequently. Compromise approved (net of approved liability discount) on lump sum plus PPO basis – capitalised value £11.5m
- instructed on behalf of claimant suffering severe hypoxic brain injury at birth in Guernsey - liability now conceded in full - quantum claim current
- severe brain injury from neonatal kernicterus. Complex potential issues of medical causation. After initial resistance on behalf of Trust liability conceded in full on service of Particulars of Claim
- complex claim from neonatal brain injury - contested issues as to fact breach of duty and causation. Liability issue compromised at mediation 2020. Contested quantum issues resolved at JSM autumn 2022. Capitalised value of compromise settlement (after agreed reduction) £14 million
- child suffering hypoxic brain injury at birth – settlement (under PPO) approved at capitalised value of £10 million (at 67% under liability compromise)
- child suffering severe brain damage from undiagnosed neonatal hypoglycaemia – settlement (under PPO) approved at capitalised value of £16 million
- child suffering hypoxic brain injury at birth – settlement (under PPO) approved at capitalised value of £26 million
- child suffering hypoxic brain injury at birth – settlement (under PPO) approved at capitalised value of £22 million
- young man suffering brain injury from mistreatment of diabetic ketoacidosis – settlement (under PPO) approved at£10.5 million
- child suffering severe brain injury from undiagnosed postnatal hyperbilirubinaemia – settlement approved (under PPO) at £15 million

Acting for defendant(s)

- claim against private hospital for alleged severe permanent genital injury – complex issues of medical causation – issues as to credibility of complaints and claimed loss – resolved by negotiation at small proportion of claimed value
- claim from severe brain injury at birth. Complex issues of breach of duty and causation (liability trial February 2020) - claimant successful but with finding that only part of acute hypoxic injury caused by negligence. Complex quantum phase resolved on eve of quantum trial January 2023 at capitalised value £21m
- acting for medical defence organisation of one GP in potential contribution claim against different MDO representing GP’s colleague. MDOs had jointly reached terms with claimant paying 50% each (without prejudice) – DN KC instructed in claim for more equitable distribution of settlement burden between MDU to reflect GPs’ differing responsibilities for claimant’s injury. Procedural issues as to nature and basis of contribution claim as well as issues of breach of duty and causation within issue of responsibility. Claim successful - MDO of fellow GP agreed to increase its contribution so as to bear majority of settlement figure
- liability phase of claim from severe brain injury at birth. Complex issues of fact, breach of duty and causation. Claim resolved after mediation with claimant to recover 75% of value of claim – settlement approved by court
- liability phase of claim by mother and child after traumatic birth (long delay

between delivery of head and body) complex issues of breach of duty and factual causation - liability issue resolved at mediation - court approved recovery of 50% of damages to be assessed (both claims)
- child suffering combination of severe RTA head injury and brain damage from undiagnosed blockage of shunt subsequently inserted (instructed by both medical defence organisation and RTA insurers) – settlement approved at£10 million
- young man suffering hypoxic birth injury as a child leaving mild hemiplegia and some mild cognitive deficit – settlement at £3.75 million
- child with disputed claim for alleged negligent failure to diagnose diabetic ketoacidosis – causation extremely complex and in issue – negotiated settlement agreed at £1 million
- child suffering hypoxic brain injury at birth – settlement (under PPO) approved at capitalised value of £16 million
- young woman with severe pre-existing learning difficulty suffering paraplegia from complications of spinal surgery as teenager – highly complex issues of causation and of quantification of loss (requiring reflection of pre-existing condition) – settlement approved (under PPO) at £5.6 million
- claim by surgeon for injury from alleged clinical negligence in radiology reporting – complex issues of breach of duty, causation and valuation – £1.2m claimed
- high value claim on behalf of child alleging permanent brain injury from late diagnosis and treatment of hydrocephalus – claim discontinued after protocol response drafted
- claim against GP for allegedly negligent failure of referral in complex case of developing brain tumour – claim fully pleaded and evidence exchanged but eventually discontinued against GP
- claim against out of hours GP (since deceased) alleging negligent failure to refer feverish child to hospital - claim fully pleaded and evidence exchanged but eventually discontinued against GP
- claim against hospital alleging negligently missed intracranial infection leaving lasting brain damage – breach of duty admitted in part – complex issues of causation and quantum – claim put at £10m – settlement approved at £2m.

Personal injury

Dominic acts for both claimants and defendants. Throughout his career he has acted for the leading insurers in RTA, employers' liability and public liability claims.

Recent personal injury claims in which Dominic has been instructed include:

Acting for claimant

- acted for two successful Australian claimants (one a protected party) who had each suffered very severe injury as a consequence of a road accident occurring in England. Claims factually and legally extremely complex (over 30

experts) including issues of law and practice in high value claims in the relevant state in Australia. Both cases concluded in very high value settlements. Settlement for the protected party at sterling equivalent of £24 million approved by English High Court
- claim by 28-year-old man suffering severe brain injury in fall from moving van – issues as to contributory negligence and as to extent of long-term effect of injury - liability compromised and settlement approved at £3.65m
- 62-year-old claimant pedestrian seriously injured by speeding car on Euston Road. Compromise at modest discount for small risk of contributory negligence. Compromise reached on lump sum plus PPO basis at capitalised value of £5.2 million
- young man suffering catastrophic brain injury in RTA – settlement approved at £8.25 million
- young man suffering serious brain injury in RTA – settlement approved at £2 million
- claim by man in his 50s arising from traumatic amputation of both arms in accident at work – settlement agreed at £5.75m

Acting for defendant

- for EL insurer of refuse contractor in claim arising from traumatic amputation of leg of loader alighting vehicle
- for RTA insurer in claim for catastrophic brain injury suffered by pedestrian - complex issues as to appropriate means/venue for attempted rehabilitation from minimally conscious state (claim current)
- for EL insurer in claim arising from tetraplegia suffered in industrial accident - rehabilitation complicated by claimant's pre-existing limited intellect and language skills (claim current)
- for PL insurer resisting claim by kidney donor (daughter of woman suffering food poisoning leading to kidney failure) that she was entitled to damages as a "rescuer" in tort - claim defeated at trial of preliminary issue of law
- for EL insurer in claim by ground worker in late 30s suffering severe lower limb injury (agreed unable to return to work). Claim put in excess of £5 million (with 43 statements from 39 supportive witnesses) alleging claimant was just about to commence lucrative international tunnel mining work - claim settled for £900,000
- for RTA insurers in claim by engineering entrepreneur for loss of earnings from business said to result from RTA when knocked from bicycle. Complex claim put at almost £14 million with forensic accountants both sides. Challenged in principle by insurers – claimant accepted £125,000 offer late (on eve of trial) and ordered to pay costs accordingly
- for PL insurer of police force in claim for catastrophic brain injury suffered by a child pedestrian hit by police vehicle – complex claim requiring delay before damages could be assessed and agreed
- for RTA insurer in claim for catastrophic brain injury to pedestrian hit on crossing by speeding driver who fled scene – liability issues complex as lights against pedestrian – settlement approved at £5m lump sum
- for EL insurer in claim from traumatic amputation of employee's dominant hand in circular saw

- for EL insurer in claim for catastrophic brain injury in construction site accident – settlement at £8m lump sum approved by court
- for EL insurer in claim by man in 40s suffering severe brain injury in fall – settlement approved at £2.4 million
- for EL insurer in claim by investment bank employee alleging psychiatric injury from bullying – complex issues of breach of duty, causation and quantification – claimed at £5 million+, resolved after mediation
- instructed on behalf of estate of deceased medical practitioner in claims of sexual assault by 9 former patients (some historic) – complex negotiations to reach overall comprehensive settlement
- for PL insurer in claim arising from severe head injury from gas cylinder explosion – complex scientific issues and as to extent of defendant's duty.

Mediation

In the Summer of 2026 Dominic underwent the intensive Mediator Skills Training Course run by CEDR and duly achieved accreditation.

In the Autumn of 2026 he commenced a mediation practice, in which he will bring to bear his wealth of experience in the most complex and sensitive cases, his empathy with litigants on both sides, and his preparedness to work hard to help the parties achieve mutually acceptable resolution.

Notable cases

NKX v Bart's Health NHS Trust Liability trial in case of acute hypoxic birth injury following uterine rupture in VBAC case. Complex medical issues of causation in timing of acute hypoxic brain damage – successful challenge to applicability of "standard model" to facts of instant case [2020] EWHC 828 (QB) [2020] Med LR 298.

JMX v. Norfolk and Norwich Hospitals Liability trial in case of birth injury from prolonged partial hypoxia [2017] EWHC 3082 (QB) Recovery of additional liabilities after Part 36 offer to accept 90% shortly before trial [2018] EWHC 185 (QB).

AB v. Chief Constable of X Constabulary [2015] EWHC 13 (QB) Claim by former undercover police officer alleging his psychiatric condition and misuse of Class A drugs was attributable to Chief Constable's breach of duty of care defeated on breach of duty, causation and under doctrine of ex turpi causa. Issues of security necessitating trial in private and limited public judgment.

Laughton v Shalaby [2014] EWCA Civ 1450 [2015] Med LR 1 requirement to establish negligence even where unsatisfactory outcome of surgery a rare result.

McDonald v National Grid Electricity Transmission Plc [2014] UKSC 53 [2014] 3 WLR 1197 Applicability of the Asbestos Industry Regulations 1931 to factories not engaged in the manufacture of asbestos products and the statutory duty owed under

s 47Factories Act 1937.

Wright v Cambridge Medical Group Ltd [2011] EWCA Civ 669; [2013] QB 312 Issues of extent of primary duty, causation andremoteness in delayed medical referral.

Baker v Quantum Clothing Group Ltd [2011] UKSC 17; [2011] 1W.L.R. 1003; [2011] 4 All E.R. 223; [2011] I.C.R. 523 Deafness test cases in Supreme Court – Issue of extent of employer's common law duty in context of developing industrial knowledge standards and government guidance.

Spencer v Wincanton Holdings Ltd [2009] EWCA Civ 1404 [2010] P.I.Q.R. P8 Issue of remoteness of damage where second accident for which Claimant at least partly to blame.

What others say

"Dominic brings a calm, personable manner while maintaining a robust strategic lead, ensuring the case moves in the right direction at pivotal moments." *Chambers UK, 2027*

"He has got exquisite people skills, fantastic attention to detail and an ability to spot what is important." *Chambers UK, 2027*

"Dominic is extremely user-friendly from a solicitor's point of view; he is a superb negotiator and has exquisite people skills, so he manages to get counsel on the other side around his way of thinking." *Chambers UK, 2027*

"The experience and value that Dominic brings to a case is phenomenal. He is user-friendly and down to earth yet is simply brilliant in his approach and the calm reassurance he brings." *Chambers UK, 2027*

"Dominic's advice is clear and concise and his attention to detail stands out above others. He puts clients at ease and gives them comfort that they are in safe hands." *Chambers UK, 2027*

"Dominic is always a pleasure to work with - combining gravitas with approachability, forensic attention to detail with pragmatism." *Legal 500, 2027*

"Dominic's preparation and attention to detail are second to none. He is able to grasp the issues and focus on the pertinent points very quickly. Dominic's written advice is incredibly impressive." *Legal 500, 2027*

"He is fantastic." *Chambers UK, 2026*

"Dominic is superb on his feet and a brilliant negotiator. Has very sound judgement in the most taxing cases. He is excellent with clients and great on detail." *Chambers UK, 2026*

"He is very good." *Chambers UK, 2026*

"He is a very competent barrister with a good practice. Dominic is self-effacing but extremely competent." *Chambers UK, 2026*

"Dominic has so much experience. There is nothing he hasn't seen." *Chambers UK, 2026*

"Dominic is an exceptional lawyer and a brilliant advocate." *Legal 500, 2026*

"He is a superb advocate with the commercial awareness and ability to get to the crux of complex matters." *Chambers UK, 2025*

"Dominic is very down to earth and pragmatic. He has a balanced view on cases because he has worked on both sides." *Chambers UK, 2025*

"He has a very forthright approach to problem solving which is often disarming to his opponent but which invariably brings strong results, and he is respected for it by clients and opponents alike." *Chambers UK, 2025*

"Dominic is a very good negotiator. He is very good in settlement meetings and is very firm with opponents. He has great results and is very helpful and easy to deal with." *Chambers UK, 2025*

"He understands the issues in a case and takes a good commercial view. A fierce negotiator who gets the best for clients ." *Legal 500, 2025*

"Pleasure to work with, great negotiator and team player." *Legal 500, 2025*

"He has one of the sharpest minds and deepest tactical awareness and commerciality I have encountered at the Bar." *Chambers UK, 2024*

"He can weigh up huge volumes of evidence and analyse it effectively." *Chambers UK, 2024*

"His analysis of quantum is excellent as is his dealing with witnesses and experts in conference." *Chambers UK, 2024*

"He provides excellent client service and has a high level of commercial awareness at all times." *Chambers UK, 2024*

"Dominic provides top-rate strategic advice and cuts to the heart of the matter quickly." *Chambers UK, 2024*

"He is a fantastic negotiator, second to none in settlement meetings and mediations." *Chambers UK, 2024*

"Dominic is a fierce advocate with a talent for cutting through the issues and focusing on the salient legal points." *Legal 500, 2024*

"He provides sound and knowledgeable advice, is good with clients, is approachable and most of all tenacious." *Legal 500, 2024*

"Dominic is pragmatic." *Chambers UK, 2023*

"He has an unerring ability to quickly assess the strengths and weaknesses of a case and define a case-specific strategy which produces exceptional results." *Chambers UK, 2023*

"Dominic is unrivalled in his field. From the first meeting with an anxious client, to the forensic advocacy at trial, he is the optimum choice for the most challenging case. Dominic demonstrates a depth of empathy to his clients whilst delivering transparent, realistic advice." *Legal 500, 2023*

"Dominic's ability to direct all parties in settlement meetings is noteworthy and, similarly, he is a very persuasive advocate in court." *Legal 500, 2023*

"He is hugely experienced, very insightful and has a great eye for detail." *Chambers UK, 2022*

"He's very well prepared and his judgement is always spot on." *Chambers UK, 2022*

"He has an incredible eye for the medicine as well as the law." *Chambers UK, 2022*

"What sets Dominic apart is his ability as a negotiator. He combines dogged determination with first-class people skills to achieve excellent results." *Legal 500, 2022*

"Always excellent, thorough, practical, easy to deal with, very much part of a team effort- one of our first choice QCs for this work especially for high value/difficult cases." *Legal 500, 2022*

"Has a calm and confident approach which is often disarming to an opponent, but is tenacious and steadfast when under attack." *Legal 500, 2021*

"Represents a supreme choice who is at the top of his game." *Legal 500, 2021*

"He is always incredibly well prepared and has a very strong understanding of medical issues. He's also very precise, his arguments are well thought out and he provides very good strategic advice." *Chambers UK, 2021*

"A very experienced and tough negotiator who always has a good grasp of detail." "He has excellent judgement and cuts to the chase very quickly." "Alongside his excellent legal knowledge and insight, he has the rare ability to be able to talk to clients and witnesses at a level that everyone can follow and understand. He is a pleasure to work with." *Chambers UK, 2021*

"He's tactically very good and really knows his stuff. He's also very approachable and has a good manner with clients." *Chambers UK 2020*

"He's technically brilliant as well as very practical and pragmatic. He's good at working as part of the team as well as being a leader." *Chambers UK 2020*

"He is incredibly supportive, attentive to detail and his client service is second to none." *Chambers UK 2020*

“He is meticulous and has a great depth of knowledge of serious personal injury work” *Legal 500, 2020*

“Analytically sound with excellent people skills” *Legal 500, 2020*

“He’s very, very good and doesn’t mind getting his hands dirty” “He has very good judgement; his gut reaction is usually the right one” *Chambers UK 2019*

“Always phenomenally well prepared . He really does go the extra mile to look at things closely” *Chambers UK 2019*

“He is a go to leader for complex cases as he cuts to the chase to get the best deal for the client” *Legal 500, 2019*

“He masters issues of great complexity, providing measured and objective advice and advocacy” *Legal 500, 2019*

“Standout silk who is always proactive in the way he deals with instructions” “Very good at getting to the nub of the issues and very good at dealing with causation” “He is fantastic with clients in conference and is extremely professional, thorough and on time with his written work” *Chambers UK 2018*

“Incisive, tactical and down to earth, and has a wealth of knowledge and experience” *Legal 500, 2017*

“He’s super-bright and very at home tackling medical and legal issues. He really makes it his business to understand the science behind the medicine.” “He has a very brilliant brain. He prepares extremely thorough advice and takes a highly pragmatic approach.” *Chambers UK 2017*

Dominic was shortlisted in the *Legal 500 2017 Bar Awards* for Personal Injury and Clinical Negligence Silk of the Year

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Further information

Education: LLB, University of Nottingham 1984

Appointed by University of Nottingham School of Law Honorary Lecturer in 2003 and Honorary Professor in 2009

Recorder on the Midland Circuit 2005 - 2022

Head of Ropewalk Chambers Nottingham 2009 – 2012

Bencher of Lincoln’s Inn 2013

President of Nottinghamshire Medico-Legal Society 2014

Personal: Dominic’s interests away from the Bar include family, friends, music,

singing with Bar Choral Society, walking, watching National Hunt racing and trying to get to Pub Quiz.

ICO Data protection registration number: **Z4744489.**

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