hailshamchambers

Clerks: **020 7643 5000**

Nicholas Peacock

Call: 1992



Overview

Nick specialises in clinical negligence work, regulatory and professional disciplinary work (particularly GDC, MPTS/GMC and GOC) and general healthcare law (particularly inquests). Clients who instruct Nick include patients and their families, as well as NHS Trusts (via NHS Resolution) and healthcare professionals (via their defence organisations or professional indemnity providers). Most of Nick's claims work is high value, often against KCs. He has a particular interest in professional negligence cases involving undersettlement of personal injury or clinical negligence claims.

Nick is particularly experienced in clinical negligence claims involving GPs and has lectured extensively on how to approach such claims. He also has an interest in cases involving dental practice and has advised commercial dental organisations as well as undertaking dental disciplinary work and claims. He is recommended in the areas of clinical negligence and professional discipline in both Chambers UK and The Legal 500, being described as "very thorough in conference in teasing out the issues but with sensitivity to the clinician. Tenacious in settlement meetings and gives pragmatic advice." in Legal 500, 2022

Nick was Chair of the Bar Council's Wellbeing at the Bar Working Group in 2019 and has a longstanding interest in wellbeing.

Medical law

Clinical negligence

Nick undertakes clinical negligence claims at all levels for patients, healthcare professionals via their defence organisations or professional indemnity providers and NHS Trusts. His main focus in his current practice is on High Court claims of high value or where there is particular medical complexity. He is particularly experienced in claims involving GPs.

Inquests

Nick is regularly instructed to appear at inquests, either on behalf of healthcare professionals/institutions or for families of the deceased, where death occurs in hospital or where healthcare professionals are Interested Persons. His background of undertaking criminal cases in his early practice, together with his current clinical negligence and regulatory/disciplinary practice, make him well aware of the competing pressures and issues arising out of such inquests.

Regulatory and disciplinary

Nick has a substantial regulatory and disciplinary practice. He represents healthcare professionals, principally at the General Dental Council, Medical Practitioners Tribunal Service (formerly GMC) and General Optical Council.

He has also appeared at the Nursing & Midwifery Council, Health Professions Council and the Family Health Services Appeal Authority (now First Tier Tribunal, where he has also been instructed on behalf of Primary Care Trusts).

He advises on and appears in applications for JR and appeals to the Administrative Court arising out of professional disciplinary proceedings.

From 2006 to 2016, Nick was a Legal Adviser to the General Pharmaceutical Council.

Nick’s longstanding interest in dental work has led to him advising several dental corporate bodies in a regulatory context. He has been involved in advising and representing national optical chains in the most important cases at the GOC in recent years.

‘He is an outstanding advocate. He is dedicated to obtaining the best possible results for the client and has a huge work ethic.' *Legal 500, 2025*

“A very user-friendly barrister, and always top of my list for a difficult case.” *Chambers UK, 2022*

“Extremely experienced and well regarded with particular expertise in General Dental Council proceedings.” *The Legal 500, 2017*

Professional Negligence

Nick has a particular interest in and experience of professional negligence claims arising out of alleged undersettlement of personal injury or clinical negligence claims. His substantial clinical negligence and quantum practice means he is particularly well placed to take on such cases.

Notable cases

HM Coroner's Investigations and Inquests into the Deaths of the Patients of Ian Paterson (2025 before HH Richard Foster, continuing): Nick represents one of the Interested Persons in a long-running series of inquests into deaths following breast surgery by disgraced surgeon.

MB v Dr SD (2026) Nick represented a GP via NHSR in a claim concerning delayed diagnosis of a brain tumour. The claim was pleaded at £10.3m and settled at RTM for £3.35m.

GMC v Dr ST (MPTS, 2025) Nick represented a trainee neurosurgeon on allegations of marital rape, assault and dishonesty.

GMC v Dr SA-H (MPTS, 2025) Nick represented a GP on allegations of a sexual relationship with an elderly female patient.

Dr RS v GMC [2024] EWHC 1741 (Admin). Nick represented the appellant GP in a successful appeal against a finding of impairment. He had advised and represented the GP during her initial MPT hearing, fending off an allegation of dishonesty arising out of the maladministration of NHS pensions. On appeal, Nick successfully argued that a finding of impairment of FTP was not appropriate. A warning was substituted.

PWB v Royal Free Hospital NHSFT (2024) Nick secured settlement on behalf of a claimant in a claim following negligent treatment of a hiatus hernia leading to gastric perforation and total gastrectomy. The claim settled for £2.75m.

LP v Dr SW (2023) Nick represented the defendant GP in a high-value claim arising out of the delayed diagnosis of a brain tumour. Settlement was approved at £3.2m plus Periodical Payments.

Graham v Dr SA [2023] EWHC 156 (KB) Nick successfully represented a GP in a claim arising out of the alleged failure to refer to hospital for suspected meningitis. The Court found that there was no breach of duty.

Inquest touching the death of JH (2022) Nick represented Doncaster & Bassetlaw NHSFT as junior counsel at a lengthy inquest following a maternal death from Post Partum Haemorrhage.

KSY v Camden & Islington NHSFT (2021) Nick represented the Trust in a catastrophic injury claim following attempted suicide. The claim settled for £1m.

Inquest touching the death of NA (2019) Nick represented a junior psychiatrist at a lengthy inquest where a passerby was killed by a psychiatric patient.

Inquest touching the death of Dr SG (2019) Nick represented Cambridgeshire & Peterborough NHSFT at an inquest arising out of the death by suicide of a GP. Nick also represented the Trust in a subsequent claim, which was eventually discontinued.

Professor NP v GMC (Court of Appeal, 2018) represented a former maxillofacial surgeon at permission to appeal hearing in Court of Appeal. The surgeon was struck off by the MPTS, which was relied on by the GDC in their own decision to erase.

Inquest re Poppy Rushton, deceased (Cockermouth Coroner's Court, 2018) advised and represented the parents of a baby who died aged 5 days. The Inquest attracted significant local news coverage, in light of the Morecambe Bay Investigation by Dr Kirkup in 2015.

L v Dr NJ & others (2018, settlement) advised and represented a GP in a high-value claim arising out of the delayed diagnosis of cancer. Claim settled at RTM.

GOC v Boots Opticians (GOC, 2017) advised and represented Boots Opticians in the most high-profile optical disciplinary case in recent years, arising out of an advertisement in a Sunday colour supplement for blue-light filtering lenses which was found by the ASA to have been misleading.

GMC v Dr MY (MPTS, 2017) advised and represented a hospital doctor accused of sexually motivated behaviour towards two junior nursing colleagues. The case attracted significant national news coverage.

Thefaut v Johnston [2017] EHWC 497 (QB) represented the successful Claimant at liability trial before Green J, who found that the claimant had not given her informed consent to discectomy surgery and that she would otherwise have declined to undergo surgery. The claim settled at RTM in 2018, shortly before the quantum trial was listed.

S v RUH Bath NHS Trust (2016; settlement) advised and represented Claimant in claim for delayed diagnosis of cervical cancer. Claim pleaded at £4m+, with substantial loss of earnings claim. Settled.

Hague v Dalzell [2016] EWHC 2753 (QB) represented the successful defendant GPs at trial before Lewis J, who found that their admitted breach of duty (delayed diagnosis of cervical cancer) had not caused the deceased's death. Small award of damages for PSLA by agreement.

P v Dr S (2016; settlement) advised and represented at RTM a GP whose negligence was said to have caused delayed diagnosis of prostate cancer leading to substantial damages. Claim pleaded at £1.25m.

GDC v JA (GDC, 2016) represented a general dental practitioner whose website references to homeopathy were criticised; facts not proved.

GDC v CSR (GDC, 2016) represented a general dental practitioner whose website references to homeopathy were criticised, no impairment.

Sims v MacLennan [2015] EWHC 2739 (QB) represented the successful defendant GP at trial in a claim alleging that the GP's failure to refer the deceased to have his blood pressure checked led to his subsequent stroke and death some years later. Claim dismissed on breach of duty and causation. Provisional finding of contributory

negligence.

Phillips v Coles (QBD, 2015; unreported) represented the successful claimant whose GP negligently failed to consider a cardiac cause for his presentation and to refer him to hospital. Trial on breach of duty; causation conceded at trial.

Re AG deceased (Sheffield Coroner's Court, 2013; unreported) advised and represented NHS Trust at inquest following hospital death of patient after retroperitoneal bleeding post discectomy.

Hope v Thomas (Central London County Court, 2013; unreported) successfully represented GP at trial on causation following delayed referral in case of suspected malaria.

Hunter v Newcastle Hospitals NHS Foundation Trust (Newcastle County Court, 2013; unreported) successfully represented NHS Trust at trial on liability following failed discectomy.

Kumar v GMC [2012] EWHC 2688 (Admin); represented consultant psychiatrist on appeal to High Court (Ouseley J) against finding of impairment and suspension following written and oral expert evidence in murder trial.

Martin v GMC [2011] EWHC 3204 (Amin); represented GP on appeal to High Court (Lang J) against erasure following sexual relationship with patient.

GOC v Boots Opticians Ltd (unreported, 2009); FTP; advised and represented (led by David Pittaway KC) Boots Opticians in an important disciplinary case concerning supervision arrangements for trainees and the sale of spectacles to minors.

R (Kohn) v GDC; application for JR against GDC following finding of SPM against dentist. Permission granted; GDC then agreed no SPM – order by consent.

GDC v Kotzenberg & others (unreported, 2008); PCC; advised and represented one of four dentists at the then longest running case at the General Dental Council; the dentists faced allegations of serious professional misconduct in respect of excessive dental radiographs. SPM – reprimand only.

Banerjee v General Medical Council (unreported 2007); FTPP; regulatory/disciplinary; consultant surgeon successfully applied for restoration to the medical register following erasure for misconduct involving dishonesty.

Gray v Oldham Primary Care Trust (unreported, May 2007); FHSAA; regulatory/disciplinary; advising and representing a PCT on a doctor's appeal against removal from the performers' list.

Kyriakou v Barnet & Chase Farm Hospitals NHS Trust (unreported, May 2006); QBD; successfully defended NHS Trust at trial in respect of clinical negligence claim for damages by former patient who suffered from Ascherman's Syndrome following dilation and curettage procedure.

GMC v Drs Brown & Husaini (unreported, 2005); FTPP; regulatory/disciplinary;

advising and representing at the GMC (as junior counsel to David Pittaway KC) two consultants who had been criticised at the Shipman Inquiry. The doctors faced allegations that they had failed to act upon concerns in respect of one of Shipman's victims and, more seriously, that they had dishonestly misled the Shipman Inquiry.

What others say

"He combines a friendly, team approach with incisive advice and he is a good advocate too." *Chambers UK, 2027*

"He provides excellent, timely advice on tricky issues like it's water off a duck's back." *Chambers UK, 2027*

"Nick is so experienced at dealing with clinical negligence claims." *Chambers UK, 2027*

"He is highly knowledgeable and his drafting is consistently precise. There are only positive things to say about him." *Chambers UK, 2027*

"Highly competent. Good attention to detail. Among the best of junior counsel." *Legal 500, 2027*

"He is very practical and persuasive. The advice he gives is always realistic." *Legal 500, 2026*

"Nicholas is very reassuring and a safe pair of hands. He is easy to deal with and a good barrister for tricky cases." *Chambers UK, 2025*

"Nicholas is highly knowledgeable. People are happy being represented by him." *Chambers UK, 2025*

"Nicholas is a safe pair of hands with superb attention to detail. He is really good in court and very knowledgeable." *Chambers UK, 2025*

"Nicholas is a fantastic and incredibly helpful counsel who provides clear and concise advice on very complicated issues. Nicholas is a joy to work with." *Chambers UK, 2025*

"Nicholas is an incredibly personable and detail-focused individual. He has excellent client care and tactical judgement." *Chambers UK, 2025*

"He is an outstanding advocate. He is dedicated to obtaining the best possible results for the client and has a huge work ethic." *Legal 500, 2025*

"Nick is a pleasure to work with: straight talking and a true team player with an excellent grasp of the strengths and weaknesses of a case." *Legal 500, 2025*

"Nicholas is always fully prepared with a grasp of all issues." *Chambers UK, 2023*

"He is very much a team player in achieving the client's desired outcomes." *Chambers UK, 2023*

"Nicholas is always well prepared and always aware of the fine detail. He is very good at tactical decision making." *Chambers UK, 2023*

"Nick is very easy to work with and has extensive experience in representing individual GPs and Trusts." *Legal 500, 2023*

"Nick is a meticulous preparer of a case.He is well organised and always instils confidence in his instructing solicitor and the client. His advocacy is exceptional as is his legal knowledge and its application in the course of submissions." *Legal 500, 2023*

“A very user-friendly barrister, and always top of my list for a difficult case.” *Chambers UK, 2022*

“He has a keen eye for detail and is rock-solid on quantum. He has an astute nose for strategy and tactics.” “He is a good, skilled negotiator and is very experienced in this field.” *Chambers UK, 2022*

“Very thorough in conference in teasing out the issues but with sensitivity to the clinician. Tenacious in settlement meetings and gives pragmatic advice.” *Legal 500, 2022*

“Nick is analytic, strategic and a robust advocate. He is extremely hard working and meticulous.” *Legal 500, 2021*

“Brings a calmness and balance to cases.” *Legal 500, 2021*

“A very thoughtful barrister who is near the top of the discipline tree.” *Chambers UK, 2021*

“He is always extremely well prepared, pragmatic and responsive.” *Chambers UK, 2021*

“Technically brilliant, one step ahead of his opponent in the pleadings” *Legal 500, 2020*

“He is always thoroughly prepared and grasps complex matters with ease” *Legal 500, 2020*

“He is extremely well prepared and knows his material. He is a good, sensible advocate” “His legal knowledge is excellent. He is very easy to work with and very responsive” *Chambers UK, 2019*

” Very experienced” “He’s got good judgement and really good attention to detail” *Chambers UK, 2019*

“At the top of his game – corporate and professional clients love him” *Legal 500, 2019*

“Inspires confidence and gets to grips with difficult concepts quickly” *Legal 500, 2019*

“Very personable and approachable. He produces work on time and is tenacious in court. He has excellent advocacy skills at trial and good attention to detail. He is also extremely good at working as part of a team and very good with clients” *Chambers UK, 2018*

“Very thorough and analytical. No stone is left unturned when looking at a case. He puts in a huge amount of effort” *Chambers UK, 2018*

“Extremely experienced and well regarded” *Legal 500, 2017*

“Superb at what he does” *Legal 500, 2017*

“He really knows the law inside out, he has an encyclopaedic knowledge and he’s very hard-working. His robust advocacy style is also something panels really appreciate, and he goes above and beyond in his preparation.” *Chambers UK, 2017*

“He has tremendous clarity of thought and is able to explain complex arguments so that they are readily understood” *Legal 500, 2016*

“Fiercely clever and able to assimilate a complex factual matrix.” “He is favoured for his experience and dedicated approach to the professional discipline arena.” *Chambers UK, 2016*

“He is one of those barristers that thinks outside the box.” “He did a very good job. He was meticulous and had a good judgement and feel for the case.” *Chambers UK, 2016*

“He has a good rapport with clients, and is willing to fight cases hard.” *Legal 500, 2015*

"a well-regarded junior. Particularly admired for his easy-going nature with clients. He is a tough but fair litigator. What we look for when dealing with these claims is someone constructive in a settlement meeting, rather than destructive and point-scoring – he is very much a constructive barrister.” *Chambers UK, 2014*

Further information

Education: Trinity Hall, Cambridge

Bar Vocational Course, Inns of Court School of Law

Appointments: Legal Adviser to the Statutory Committee of the Royal Pharmaceutical Society of Great Britain (from 2006)

Committees

- Professional Negligence Bar Association Executive Committee (2007- date); Co-organiser of Clinical Negligence Weekend (2016 – date)
- Bar Council, Wellbeing at the Bar Working Group (2015 – date)
- Bar Council, Training for the Bar Committee (2008)
- Bar Council, Professional Practice Committee (2006- 2008)
- Bar Council, Law Reform Committee (2006-2008)

Publications

Chapter on *Clinical Confidentiality in Medical Law; Precedents for Lawyers* (Wildy, Simmonds & Hill, 2010; ed Charles Foster) Chapter (with David Pittaway KC): Governance in Critical Care, 2010; (ed Chris Newdick)

Chapter: *Clinical Confientiality in precedents* (ed Charles Foster; Wildy Simonds & Hill, 2010)).

Part-Chapter: *Medicolegal Considerations: the British and US Perspective in Perineal and Anal Sphincter Trauma* (Springer, 2007; ed Sultan, Thakar & Fenner).

Chapter: *Clinical Guidelines & Human Rights in Clinical Guidelines: law, policy & practice* (Cavendish Publishing Ltd, 2002).

Operating Within The Law – a practical guide for surgeons and lawyers (tfm publishing, April 2001) with Professor Bruce Campbell and Mr Ken Callum, Consultant Vascular Surgeons.

Clinical Confidentiality (Monitor Press, August 2000) with Charles Foster.

Lectures

- Provisional damages awards, Spring 2016 – to healthcare solicitors
- Clinical Negligence update, 2015 – to medical defence organisation
- Judicial Review in Healthcare, Spring 2009 – to healthcare solicitors
- New Aspects of Controlled Drugs, June 2007 – to medical defence organisation
- Professional negligence cases arising out of Personal injury Litigation, September 2006 – to solicitors' firm
- GDC new rules, Summer 2006 – to Dental law & Ethics Forum and solicitors' firms
- Clinical Negligence Update, May 2006 – to solicitors' firm
- Inquests – where are we and where are we going? 2006 – to solicitors' firms

Personal: Nick lives in central London and relishes being able to walk to work.

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