



# Jack Nicholls

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**Year of call: 1991**

## **Areas of Practice**

Construction, Professional Negligence & Liability, Personal Injury, Direct Public Access Barristers, Clinical Negligence

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## EDUCATION

Certificate de Langue Francaise (Elementaire III 1er degre), Universite Libre de la Cote D'Azur (1987).

B.A. Hons (Dunelm)

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## PRACTICE PROFILE

Principal areas of practice:

(1) Personal injury and fatal accidents, predominantly employers' liability and public liability, in particular building site claims. CRU appeals.

Panel Counsel to a major chain of fast food restaurants in relation to employers' and public liability claims.

(2) Railway claims: PL / EL personal injury claims; pursuing recovery claims for collision damage to trains; bridge strikes and 'Schedule 8' claims; detailed knowledge of CAHA and proceedings before the Rail Industry Dispute Resolution (RIDR) Committee (now subject to mediation).

(3) Public transport passenger claims.

(4) Road traffic: in particular low velocity collisions, staged accidents and other fraudulent claims; MIB claims.

Jack Nicholls has spoken at a number of seminars on topics such as CRU, limitation and recently upon occupiers' liability in the railway industry

Other areas of practice:

General common law including Health & Safety prosecutions, neighbour and boundary disputes, professional negligence and contract.

Qualified under the [Direct Public Access to Barristers](#) scheme.

## LANGUAGES

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French

## NOTABLE CASES

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Bridge v. Halton Borough Transport Ltd (2015), Chester C.C. (bus company not liable for injuries caused to elderly passenger in fall as bus pulled away after boarding)

Reynolds v. Pontypool & Blaenavon Railway Company Limited (2015), Blackwood C.C. (liability of heritage railway for burns suffered by pedestrian due to emission of sparks and embers by passing steam locomotive)

Walls v. London Eastern Railway Limited [2014] EWCA 4724 (QB). (causation and extent of spinal injury; role of medical expert)

Butcher v. Southend on Sea Borough Council [2014] EWCA Civ 1556. (occupiers' liability – system of inspection – relevant factors in Clerk & Lindsell on Torts “not a checklist”)

Bartlett v. Cleveland Bridge Limited (2007), HHJ Wulwik (lifting of stay and strike out of proceedings where Claimant believed to have subsequently committed suicide but not proved or presumed)

Ferron v. Metroline Travel Limited [2002] EWCA Civ 385. (no contributory negligence in pedestrian running into path of bus)

Tengerakis v. Haringey L.B.C. LTL 13.06.00, C.A. (no evidence of fraud in consideration of planning permission application)

Stroh v. Haringey L.B.C. LTL 13.07.99, C.A. (circumstances in which appropriate to refuse permission to call any evidence)

Oakley v. Rawlinson (1998) P.I.Q.R. P161, C.A. (relevance of admission of liability to automatic directions)

Gibson v. Paynter C.L.W. 10/96 (entitlement to interim payment)

## MEMBERSHIPS AND AFFILIATIONS

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[Personal Injury Bar Association](#)

South Eastern Circuit



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