



PUMP COURT

CHAMBERS

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JACK NICHOLLS

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Jack specialises in complex and high value personal injury and clinical negligence cases with a particular focus on public transport, logistics and rail claims. He acts for many train operating companies including claims for collision damage, level crossing accidents and bridge strikes as well as for injuries and disability discrimination under the Equality Act 2010. He represents claimants and defendants in multi-track claims in the County Court, High Court and the Court of Appeal.

He also acts in regulatory matters and tribunals associated with his main areas of practice, such as Health and Safety prosecutions, disciplinary hearings and professional negligence claims. Jack is able to manage cases where there are connected proceedings in more than one tribunal which run concurrently or consecutively. He is greatly experienced at representing families and other interested persons at inquests. He has a straightforward but empathetic approach and is often instructed in any legal claims which arise out of the inquest conclusion (for example for clinical negligence).

Jack's clear and considered advice and effective advocacy means that he is often reinstructed by solicitors. He is approachable and supportive, and is frequently sought out to provide a sounding board or second opinion in particularly difficult matters. Solicitors say "*he is awesome and tackles complex issues like cutting cake*".

Notable cases:

- **Popovici v. MacDuff Shellfish (Scotland) Limited (*The Vertrouwen*) (2020)**: Acted in Admiralty Court fatal accident claim for family of one of the three men killed in a fishing boat collision off Shoreham, securing a (confidential) settlement.
- **Bridge v. Halton Borough Transport Ltd (2015)**: Pinpointed ambiguity in application of law, acting for bus company which was not liable for injuries caused to elderly passenger, as vehicle pulled away after boarding.
- **Reynolds v. Pontypool & Blaenavon Railway Company Limited (2015)**: Acted for successful Claimant on 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): Navigated complex issues of causation and extent of spinal injury, as well as role of medical expert. Acted on three-day High Court hearing on quantum before Nigel Wilkinson QC, cross examining Claimant and medical expert, limiting Claimant to minimal damages and securing costs order in favour of Defendant.
- **Butcher v. Southend on Sea Borough Council** [2014] EWCA Civ 1556: Occupiers' liability claim, which reiterated that each case turns on its facts. Addressed system of inspection and won for Claimant at first instance, upheld at CoA the Court noting that relevant factors in Clerk & Lindsell on Torts were 'not a checklist'.
- **Bartlett v. Cleveland Bridge Limited** (2007): Acted for Defendant on application to lift stay and strike out claim where Claimant believed to have subsequently committed suicide but neither proved nor 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 where 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.

Personal Injury

Jack specialises in personal injury and fatal accident claims, predominantly employers' liability and public liability, and in particular construction and building site claims. He is sought out for high value, highly complex claims.

He has a particular specialism in public transport, logistics and railway claims, ranging from burn injuries caused by a passing steam train, to injury caused when a Formula 1 driver ran over the 'lollipop man' to fatal collisions at sea; pursuing recovery claims for collision damage to trains; bridge strikes and 'Schedule 8' claims. Jack has detailed knowledge of CAHA and proceedings before the Rail Industry Dispute Resolution (RIDR) Committee (now subject to mediation). He also has extensive experience of CRU appeals.

Jack also deals with other public transport passenger claims, e.g. buses, and road traffic claims in particular low velocity collisions; staged accidents and other fraudulent claims; claims where there is an allegation of fundamental dishonesty and MIB claims his extensive experience in the criminal courts at the beginning of his career providing valuable insight and technique.

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

Inquests & Inquiries

Jack has a wealth of experience in representing families and other interested persons at inquests including those under ECHR Article 2 and/or with juries, in a wide range of settings including cases of death resulting from RTA's, transport depot pedestrian route conflict, railway level crossing collisions, suicides, building site accidents, infected bed sores in the elderly / bed-ridden, dementia, multiple perforation of internal organs and cardiac arrest during surgery, and a 7½ hour wait for an emergency ambulance to attend.

Inquests are extremely stressful for the families, colleagues or professionals involved, and Jack is able to clearly explain the process and the relevant law in order to put parties at ease as far as possible.

Jack often goes on to advise on the legal implications of the findings of an inquest – such as whether there is a potential clinical negligence liability – and to represent parties in that case. He is very good at building and maintaining effective working relationships in cases which might go on for a long period of time.

Clinical Negligence

Jack acts in clinical negligence cases for claimants dealing with physical and mental injuries in cases ranging from unwarranted discectomy and synthetic disc replacement, to postsurgical infertility to complications arising from gender reassignment.

He is experienced in analysing and understanding complex medical evidence, as well as appearing in cases where there are proceedings ongoing in several tribunals concurrently. Jack is also very experienced in cases which are document heavy. He is skilled at analysing expert reports and in cross-examining experts in an effective manner.

Qualifications

Education

- Certificate de Langue Francais (Elementaire III 1er degre), University Libre de la Cote D'Azur
- B.A. (Hons) University of Durham

Languages

French

Professional associations

Personal Injury Bar Association