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Nicholas Baldock

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Area of expertise

Arbitration

Civil & Commercial

Personal Injury

Planning & Environmental

Regulatory & Competition

Professional memberships

Anglers' Trust Legal Sub-Committee

Health and Safety Lawyers

Association

UK Environmental Law

Association

## Profile

### Recommendations

"A phenomenal practitioner and a very good mediator."

"We are always delighted by the clarity and sensibleness of the advice we receive."

Chambers UK Bar Guide [2018]

"He is a first-class advocate, who can deal with the highest level of claims."

Legal 500 [2017]

"Handles work for both claimants and defendants in cases involving life-changing brain injuries, amputations and chronic pain syndromes...and has a particular interest in sports accidents."

"He is very level-headed and pragmatic, measured and thoughtful."

Chambers UK Bar Guide [2017]

"Extremely thorough and methodical, he takes a common-sense approach and is able to speak to clients almost irrespective of who they are. He's a very good advocate who is not easily riled."

Chambers UK Bar Guide [2015]

Appointments

CEDR Accredited Mediator; Legal Assessor to the General Medical Council.

## Practice

Nicholas Baldock was called to the Bar in 1983 and joined Six Pump Court in April 1985. He regularly appears in the High Court, County Courts, Tribunals and also the Court of Appeal. He sits as a Legal Assessor to the Medical Practitioners' Tribunal Service. He is recommended in the Chambers UK Bar Directory 2015 and in the Legal 500 2014 for Personal Injury Law.

Claimant and Defendant insurance and insurance related work forms a large part of Nicholas Baldock's practice. He is currently instructed by a number of firms who handle insurers' work in various fields covering personal injuries, health and safety at work and fire and flood damage. These claims include those for substantial building and other property damage such as a recent action arising out of the flooding of a newly constructed city office building.

His personal injury practice includes many catastrophic brain injury cases. One settlement was achieved for a Claimant which included periodical payments of almost £190,000 per annum with a seven figure lump sum. Other recent cases have included a claim for a highly qualified scientist who suffered a modest brain injury but with a significant effect on his ability to work. Nicholas Baldock also recently conducted a High Court application to determine the capacity of the claimant. He is also currently advising on a number of catastrophic brain injury cases in Jersey, in one case achieving over £1.75 million for a badly brain damaged Claimant.

Nicholas Baldock also undertakes a significant number of clinical negligence cases. He recently achieved a settlement for a patient who threw herself from the balcony of a psychiatric hospital. He is currently advising in a number of high value claims.

Other work covered includes employers' liability, local authority liability and professional negligence. He has a particular interest in sports litigation and cases of interest include football "bad tackle" claims, gymnastics accident claims and a fatal accident claim against a speedway referee for the failure to stop a race. His practice extends to advising professional sportsmen on commercial affairs.

Wider commercial work includes contractual and similar claims on behalf of companies, local authorities and individuals.

Nicholas Baldock also deals with tortious claims for environmental damage. Recently he acted for a farmer in a claim arising from water run off from a maize field. He is also instructed by angling clubs through the ACA and others. Nicholas Baldock recently represented the Pride of Derby Angling Association and secured a final injunction at trial to prevent the multi million pound development at Sawley Weir at which it had fishing rights. The developers wished to install a hydro turbine and were represented by Leading Counsel. Other recent cases include representing a fishing club whose waters were polluted by a local farmer causing a catastrophic fish kill. The matter settled in mediation. Currently Nicholas Baldock is representing a fishery owner whose waters have been polluted by the alteration of local train lines. He is also advising in a case where an upstream dam burst and caused significant damage to downstream properties including a valuable fishery

Nicholas Baldock has lectured on such topics as brain injury litigation/capacity, sports law, local authority liability, indemnity clauses, ADR/mediation, health and safety claims and civil procedure.

Other work includes appearances in Magistrates' and Crown Courts on Health and Safety and similar prosecutions together with inquests. Inquests include deaths arising out of accidents at work, road traffic accidents and accidents on public transport. Regulatory work includes health and safety prosecutions, environmental prosecutions and matters such as the application of the Regulatory Reform (Fire Safety) Order 2005. Recent health and safety cases include representing a scaffolding company who were prosecuted when a third party employee fell through a guard rail and died, a waste firm whose employee lost a leg when struck by an excavator and a scaffolding company whose employee fell from height suffering life changing injuries.

Nicholas Baldock also undertakes employment work and has conducted claims for both employees and employers in Employment Tribunals and the EAT. He has represented the Royal Berkshire Fire & Rescue Service and represented Kent County Council in a long running employment dispute. He also advises on matters such as restrictive covenants in employment contracts.

Further, Nicholas Baldock is regularly involved in matters where settlement is achieved by Alternative Dispute Resolution whether by formal mediation or round table meetings.

## Cases

1. Terry Simou v (1) Michael Saliss (2) Hazel Saliss: Christie Greenfield v (1) Michael Saliss (2) Hazel Saliss (2017) EWCA Civ 312 (Adjournment/Case Management/Ill Health/Litigants in Person/Medical Evidence/Neighbour Disputes).
2. Starks v Chief Constable of Hertfordshire [2013] EWCA Civ 782 (Contributory Negligence/Road Traffic Accident Involving Police Vehicle at Mini Roundabout).
3. Jason Sharp (by his brother & litigation friend John Sharp) v Top Flight Scaffolding Ltd [2013] EWHC 479 (QB) (Personal Injury/Health & Safety at Work/Contributory Negligence/Scaffolder Falling from Scaffolding/Lack of Adequate Training).
4. XVW & YZA v Gravesend Grammar School for Girls and Adventure Life Signs [2012] ELR 417 (Education/Negligence/Personal Injury).
5. Amy Verlander v Mohammed Khalilur Rahman [2012] EWHC 1026 (QB) (Damages/Personal Injury/Brain Damage/Incapacity for Work/Future Employment Prospects).
6. V v R [2011] EWHC 822 (QB) (Mental Health/Personal Injury/Litigation Friends/Capacity to

Conduct Litigation/Civil Procedure/Road Traffic Accidents).

7. Storm Personnel Services -v- David West (2011) LTL 22/2/11 (Insolvency).
8. Abbycars -v- Ford EAT 28/5/08 (Constructive Dismissal).
9. Jennifer Jane Dashwood -v- Fleurets Ltd [2007] 34 EG 84 (QB) (Estate Agents Commission).
10. Home from Home Ltd -v- Home [2006] EWCA Civ 1053 (Court of Appeal)(Procedure).
11. Polestar Jowetts Ltd -v- (1) Komori UK Ltd (2) Spectral Technology Ltd [2006] 1 WLR 2472 (CA) (Health and Safety at Work).
12. (1) David Roy Howells and (2) James Kelly (on behalf of themselves and the members of the Hemel Hempstead Football and Sports Club) -v- the Dominion Insurance Co [2005] EWHC 552 (QB) (Unincorporated Associations).
13. Margaret Anne Brown (Widow and Executrix of Peter Brown) -v- (1) Drake International Ltd and (2) Southampton Container Terminals [2004] EWCA Civ 1629 (Contracts/Health and Safety at Work/Personal Injury).
14. Kent County Council -v- Mother and Father of B (Re B) [2004] EWHC 411 (Publication).
15. Raji -v- GMC [2003] 1 WLR 1052 (Natural Justice).
16. Binks -v- Securicor Omega Express Ltd [2003] 1 WLR 2557 (Statements of Truth).
17. Afzal -v- Chubb Guarding Services (2003) QBD (TCC) (Wasted Costs).
18. Alderson -v- Stillorgan Sales Ltd (2001) Court of Appeal (Single Joint Experts).
19. Steeds -v- Peverel Management Services Ltd (Times 16.5.01) Court of Appeal (Limitation).
20. Steele -v- Milbrook Proving Ground Ltd (1999) Court of Appeal (Treatment of General Practitioner's notes in Personal Injury Claims).
21. R -v- National Rivers Authority ex parte Moreton: [1996] ENV LR 234.

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