



Nathan Tavares QC

Year of call	Silk	Email
1992	2018	nathan.tavares@outertemple.com

Nathan Tavares QC specialises in clinical negligence, catastrophic personal injury claims, product liability, and professional negligence. He is regarded by solicitors and opponents interviewed by the legal directories for having "sound judgment", "an industrious approach", "a measured and independent perspective", and "a good approachable manner". He is noted to be "a versatile and quick-thinking communicator". "He is very hard-working, conscientious and intellectually very strong." "He is very good on the mechanics of an accident and he is very experienced on brain and spinal injury cases."

Over recent years Nathan has acted in some of the highest value actions in his field, for example *Collier v Norton* where he represented a tetraplegic teenager whose claim is currently believed to be the largest approved settlement of its kind (in excess of £20 million – see the introduction to Facts & Figure 2016/17 for comment on this case). Also *Williams v Brown* with damages agreed in excess of £10 million.

Other areas of injury litigation in which Nathan has special expertise include travel law, aviation accidents (his first degree was in Aeronautical Engineering and he has acted in a number of claims with significant liability issues), claims involving the MoD, and industrial disease litigation. Nathan is an experienced horse rider and has acted predominantly for riding institutions in many horse-related claims. In the leading case of *Mirvahedy v Henley* he acted alone for the defendant at the quantum trial.

Nathan has sat as a judge of the Mental Health Tribunal since 2004. He also sits on the Editorial Board of the *Journal of Personal Injury Law* to which he is a regular contributor. He is also a contributory author to the legal chapters in *Brain Injury Claims*, a new practitioner text published by [Sweet & Maxwell](#).

Nathan has also provided comments on a number of clinical negligence and personal injury cases which are listed at the bottom of this page with links to .pdfs of the comments.

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Outside of work, Nathan is a keen sportsman and cyclist. In November 2010 he ran the New York Marathon to raise money for the Spinal Injuries Association.

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Personal Injury

Nathan is a respected practitioner in complex or catastrophic personal injury claims. He has particular expertise in: traumatic brain injury, spinal cord injury, aviation accidents, equestrian accidents, and industrial disease claims.

He carries out both claimant and defendant work. Instructing solicitors include: Stewarts Law, Irwin Mitchell, Slater & Gordon, Royds Withy King, Hodge Jones & Allen, Bird & Bird, Bevan Brittan, Clyde & Co., BLM, Weightmans, Bond Pearce, and Foot Anstey.

He has been involved in some of the largest individual personal injury claims including several with values in excess of £10 million and one in excess of £20 million, and a number of significant multi-party actions (mass tort claims).

Nathan often writes on personal injury topics and is an editor of the *Journal of Personal Injury Law* (Sweet & Maxwell).

Important cases include:

Freeman v Lockett [2006] PIQR P.23

Represented Claimant in a leading case involving state funding of care issues for a claimant with tetraplegia.

Kotula v EDF Energy

Important claim with separate reported judgments dealing with (1) liability of cyclist using pavement rather than road, 15/6/10, Simon Brown QC; (2) provisional damages for syringomyelia, [2011] EWHC 1546 QB, Irwin J.; (3) security of funding for periodical payments from a foreign insurer with an indemnity limit in euros, 9/11/12 Irwin J.

Edwards v London Borough of Sutton [2014] EWHC 4378 (QB), [2016] EWCA Civ 1005, [2017] PIQR P2

Claim for spinally injured individual concerning extent of occupier's liability for historic structures (the claimant fell from a bridge with a low parapet wall whilst pushing a bicycle).

Sobolowska v Threlfall [2014] EWHC 4219 (QB) (Foskett J)

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Successfully claimed for a claimant who sustained a significant traumatic brain injury in a car park where the circumstantial evidence suggested she had been knocked down by the defendant's car, though there were no independent witnesses and the claimant had no knowledge of what happened to her.

Bryant & Others v High Places Limited

Acted alone for claimants in a multi-party action arising out of a coach crash in Argentina. Recovered in excess of £900,000 for the claimants in various round table meetings.

S v MoD

Acting for 'Britain's Strongest Disabled Man' who had suffered an above-knee amputation when shot during a negligently run operation on the life-firing military range in Canada. Recovered greater than £4 million on full liability.

Lear v Hickstead Limited [2016] EWHC 528 QB

Acting for Hickstead International show ground (the defendant) at a trial where the claimant who sustained paraplegia in an accident at the site alleged that the accident was caused by negligence and/or breach of the Occupier's Liability Act 1957. Nathan was successful in having the claim dismissed.

Rankin & others v (1) MANX2 Ltd; (2) Flightline BCN; (3) Lineas Aereas de Andalucia; (4) La Reunion Aerienne

Acted for the first defendant (instructed by Bird & Bird on behalf of the French insurer) in relation to multiple claimants injured (some fatally) in an air crash that occurred in Cork in 2011. Quantum greater than £2 million.

Hickman, Cervi, Udoaka & others v (1) London Borough of Southwark, (2) London Fire and Emergency Planning Authority, (3) Apollo Property & Building Services Ltd

Acted for one of the defendants in a multi-party action arising out of the Lakanal House fire which was responsible for the deaths of six residents. Also acted for the contractor in a related professional negligence matter.

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Clinical Negligence

Nathan has a wide ranging clinical negligence practice with particular emphasis on claims involving spinal cord injury (from spinal surgery, spinal abscess or discitis), birth injuries, and claims arising out of psychiatric negligence. He is ranked as a leader in the field in both *Legal 500* and *Chambers & Partners*:

"He is as good with the numbers as he is on his feet in court." "He always adds value to any case." Legal 500, 2015

"He is very thorough, excellent on quantum and extremely bright." "His client care is excellent. Nathan is super at quantum and very calm." C&P 2015

Important cases include:

Barnett v Medway University Hospitals Trust [2015] EWHC 440 (QB), [2017] EWCA Civ 235

Acted for the claimant (led by [Christopher Wilson-Smith QC](#)) in spinal abscess case involving difficult causation issues, and an appeal regarding when a judge may resort to the burden of proof.

AB v Royal Devon and Exeter NHS Trust [2016] EWHC 1024 QB

Successfully acting for claimant in action for delayed diagnosis of a spinal abscess leading to paraplegia. Quantum issues included interesting application of *ex turpi causa* as the claimant was a drug-abuser.

Hofer v The Bermuda Hospitals Board

Acting for claimant, a German national, who sustained tetraplegia when detained (whilst on holiday) by mental health services in Bermuda. The Hospital sought permission to appeal to the Privy Council in relation to a strike out application. I drafted the documents which were adopted by the Privy Council in refusing permission.

Szatmari -v- Oxford University Hospitals NHS Trust

Acted for the claimant in a claim for delayed diagnosis of spinal abscess. The assessment of quantum has been complicated by pre-existing morbidity including pancreas transplant and uncontrolled diabetes.

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Caton v Epsom and St Helier University Hospitals NHS Trust

Acted for claimant in a hugely complex causation claim involving unexplained neurological symptoms following prolapsed disc and cauda equina syndrome. Numerous interlocutory hearings regarding failure by the defendant to make admissions.

Turnbull -v- South London & Maudsley NHS Foundation Trust

Instructed for the defendant hospital in a difficult claim arising out of an attempted suicide by a psychiatric patient. Interesting issues involving the duty owed to prevent an individual with a personality disorder from making self harm attempts when there is nothing that can be done to keep them completely safe, and when they need to be encouraged to take responsibility for their own actions.

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Product Liability

Nathan has many years of experience in product liability claims involving personal injury. His expertise includes medical device litigation through to defective consumer products such as vehicles and machine tools (see more particularly below). His instructions have been broadly balanced between claimants and defendants and many claims have involved a foreign element.

Consumer Products

Nathan was retained for a number of years by a foreign consumer machine tool manufacturer (GMC Tools) in relation to all of the English product liability claims brought against it, of which there were numerous claims often with B&Q or Homebase co-defending.

Kadlec v ECM Limited & Lhor Industrie

Acted for defendant French-based manufacturer (instructed by Clyde & Co) of a car transporter in relation to a significant claim brought by a driver who sustained injury after the vehicle allegedly became uncontrollable and over-turned. There were many technical issues regarding the auto-stabilisation system of the vehicle. The claim was compromised.

Harding v Compact Tractors Ltd

Acted for spinally injured claimant for defectively designed and/or marketed small tractor which rolled and crushed the claimant. Instructed by Stewarts Law.

Harris v Collingwood & Kent High Performance Cars LLP

The claimant sustained tetraplegia after the Ferrari car he was test driving crashed. Nathan acted for the claimant who was suing his employer in relation to the defective vehicle and/or unsafe systems of work. Instructed by Stewarts Law.

Daborn v CT Staddon Limited

Product liability claim against supplier of a Rover MGF sports car for defective vehicle where the wheel disintegrated causing the claimant to suffer very severe injury. Claim settled. Instructed by Stones Solicitors.

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Medical Devices

Instructed by American manufacturer of mesh products in relation to multiple claims in England & Wales arising out of alleged defects in the products. Claims on-going.

Instructed by numerous claimants in metal on metal hip product liability claims predominantly involving De Puy devices, but also other manufacturers. Instructed by Leigh Day, Pryers, Foot Anstey, and Thompsons.

Instructed for claimant in a claim arising out of defective implanted cardiac defibrillator (ICD).
Instructed by Leigh Day.

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International Injury & Travel

Nathan has considerable experience of claims from accidents abroad. He was recently instructed to advise an Australian insurance company and re-insurer on jurisdiction and choice of law issues in relation to an English woman seriously injured in an RTA in the New Territories. Another recent Australian case involved advising on security of funding of periodical payments in a personal injury action where the insurance was underwritten by the Government of Western Australia.

He is retained by a large multinational pharmaceutical company to represent it in English product liability claims and to advise it on jurisdictional issues.

Important cases include:

Qureshi v Liverpool Victoria Insurance Company

Acted for a British national very seriously injured in an RTA on the highway in Spain. The vehicle was registered in the UK, and the driver was an Indian man who was living in Morocco. Liability for the accident was disputed as the cause of loss of control of the vehicle was uncertain. Case settled for £1.5m + PPs of £370,000 per annum. Instructed by Stewarts Law

Rankine & Others v Manx2 Ltd & Others

Acted for Manx2, the airline responsible for a crash at Cork Airport in February 2011, in respect of two fatal accident claims and one personal injury claim. The claims involved the Warsaw and Montreal Convention, and there were jurisdictional issues as well as significant quantum issues. Instructed by Bird & Bird.

Menendez v Metal Processing Limited

Acting for a Spanish national who was injured in an accident whilst at work in England. During the accident both hands were traumatically amputated. There are no jurisdictional issues, but there are issues regarding assessment of quantum and application of multipliers for someone residing in Spain. Instructed by Coles Miller.

Bryant and Others v High Places Limited

Acted for three claimants who were seriously injured in a coach crash in Argentina after returning from a walking expedition in Patagonia.

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Wetherall v Gan Assurances IARD

Acting for a member of the RAF who was knocked off his bicycle and seriously injured whilst on a charity cycle ride in southern France. The car which hit him was being driven by French national. There are on-going issues regarding quantification of the damages under French law.

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Court of Protection

Regularly advising on mental capacity issues and on Deputyship matters including the use of Personal Injury Trusts or other vehicles to avoid the need for Deputyship.

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Appointments & Memberships

- Professional Negligence Bar Association
- Personal Injury Bar Association
- Pan European Organisation of Personal Injury Lawyers
- Product Liability Forum

Please see below Nathan's comments on some clinical negligence and personal injury cases:

[Shaw v Kovac \[2017\] EWCA Civ 1028](#)

[Cavanagh v Witley Parish Council, 14/2/17 unreported](#)

[Webster \(a child\) v Burton Hospitals NHS Foundation Trust \[2017\] EWCA Civ 62](#)

[Harris v Miller \[2016\] EWHC 2438 \(QB\)](#)

[Beaumont v Ferrer \[2016\] EWCA Civ 768](#)

[Wright v Barts Health NHS Trust \[2016\] EWHC 1834 \(QB\)](#)

[English Heritage v Taylor \[2016\] EWCA Civ 448](#)

[Atkins v Co-operative Group Ltd \[2016\] EWHC 80 \(QB\)](#)

[Baxter v Barnes \[2015\] EWHC 54 \(QB\)](#)

[Jackson v Murray \[2015\] UKSC 5](#)

[Brown \(Widow and Executrix\) v Hamid \[2013\] EWHC 4067 \(QB\)](#)

[Leigh v London Ambulance Service NHS Trust \[2014\] EWHC 286 \(QB\)](#)

[Robinson v Chief Constable of West Yorkshire \[2014\] EWCA Civ 15\)](#)

[Japp v Virgin Holidays Ltd \[2013\] EWCA Civ 1371\)](#)

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Recommendations



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LEADING SET



LEADING SET



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Testimonials

“His attention to detail is brilliant and he is very good at providing realistic advice.” **Personal Injury, Chambers & Partners 2021**

“He is exceptional with clients and has a very good bedside manner.” **Personal Injury, Chambers & Partners 2021**

“He goes above and beyond for his clients and his written work is very, very good. A very impressive barrister.” **Clinical Negligence, Chambers & Partners 2021**

“He is firm and unflinching in his dealings with opponents, and very committed to fighting for the best possible outcomes for his clients.” **Product Liability, Legal 500 2021**

“Meticulously well prepared, on top of the detail, builds a great rapport with professional and lay clients alike, and matches good judgement with a healthy dose of pragmatism.” **Clinical Negligence, Legal 500 2021**

“He is an experienced new silk.” **Travel, Legal 500 2020**

“He is reliable, precise and well organised.” **Product Liability, Legal 500 2020**

“Extremely effective advocate in utmost severity cases.” **Personal Injury & Industrial Disease, Legal 500 2020**

“He pays excellent attention to detail and is approachable and good with clients” **Clinical Negligence, Legal 500 2020**

“An insightful and practical adviser.” **Clinical Negligence, Chambers & Partners 2019**

“He’s good with clients, thinks outside of the box, is very experienced and is always on the ball.” “His advocacy is very persuasive; you can see the points hitting home from the back of the courtroom.” **Personal Injury, Chambers & Partners 2019**

“His strengths are client care, negotiation skills and great knowledge.” **Travel, Legal 500 2019**

“A good negotiator with great client care and knowledge on traumatic brain injury cases.” **Personal Injury, Legal 500 2019**

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"Analytical with a fast turnaround of instructions and in depth knowledge of quantum issues." **Legal 500 2019**

"He delivers quick advice and is good at getting to the issues in a case." **Clinical Negligence, Chambers & Partners 2018**

"Very thorough, excellent on quantum and extremely bright." **Clinical Negligence, Chambers & Partners 2018**

"Highly capable and competent in all areas of personal injury law." **Personal Injury, Chambers & Partners 2018**

"Intelligent, hard-working junior with sound judgement." **Personal Injury, Chambers & Partners 2018**

"Undoubtedly one of the brightest juniors at the personal injury Bar." **Personal Injury, Legal 500 2017**

"He has impressive knowledge of the law and good judgement." **Clinical Negligence, Legal 500 2017**

"He's got real gravitas and is clearly a silk in the making. He's a real technician, a real brain." **Personal Injury, Chambers & Partners 2017**

"He's approachable, thorough and detailed. He gives good, in-depth advice on how to pursue a claim." **Personal Injury, Chambers & Partners 2017**

"He has a lightning-fast grasp of issues and is always ready to assist." **Clinical Negligence, Chambers & Partners 2017**

"He is industrious and a very capable advocate." **Legal 500 2016**

"He is very thorough, excellent on quantum and extremely bright." **Clinical Negligence, Chambers & Partners 2016**

"His client care is excellent. Nathan is super at quantum and very calm." **Clinical Negligence, Chambers & Partners 2016**

"He is very hard-working, conscientious and intellectually very strong." **Personal Injury, Chambers & Partners 2016**

"He is very good on the mechanics of an accident and he is very experienced on brain and spinal injury cases." **Personal Injury, Chambers & Partners 2016**

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“He is a very methodical and incredibly hard-working advocate. Very good with clients, he’s excellent at fielding questions.” **Clinical Negligence, Chambers & Partners 2015**

“His judgement is sound, he is hard-working, has a good brain and is a safe pair of hands.” “He is a pleasure to work with as he is very good with clients and excellent at analysing medical reports and numbers.” **Personal Injury, Chambers & Partners 2015**

“He is as good with the numbers as he is on his feet in court.” **Clinical Negligence, Legal 500 2015**

“He always adds value to any case.” **Personal Injury, Legal 500 2015**

“He’s good forensically and on technical points.” “He’s brave – he stands his ground and has the courage of his convictions.” **Personal Injury, Chambers & Partners 2014**

“He has a wealth of experience, together with a solid work ethic that gets results.” **Clinical Negligence, Legal 500 2014**

“Excellent at case preparation.” **Personal Injury, Legal 500 2014**

“A well-respected claimant junior working on the highest value cases,” who is appreciated by legal teams for his no-nonsense approach to issues. His practice consists of a mix of spinal cord and brain injury work and he “never fails to add value to a case.” **Personal Injury, Chambers & Partners 2013**

Nathan Tavares is praised as a “versatile and quick-thinking communicator.” Tavares handles a wide range of severe brain injury cases and has a particular grasp of claims with a psychiatric element. **Personal Injury, Chambers & Partners 2012**

Nathan Tavares, is “destined to take silk.” **Personal Injury, Chambers & Partners 2012**

The “talented” Nathan Tavares is a sound choice for high-value brain and spinal injury cases, and is noted for his particular expertise on cases involving military and aviation aspects. Solicitors rate him for his “industrious approach, measured advice and independent perspective.” **Personal Injury, Chambers & Partners 2011**

Nathan Tavares, for his ability to “tackle difficult issues head on.” **Clinical Negligence, Legal 500 2011**

Nathan Tavares, is “destined for silk”. **Personal Injury, Legal 500 2011**

“Nathan Tavares has built his reputation on having “sound judgment and a good, approachable manner”. A good choice for managing difficult clients, he represents both claimants and defendants.

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His expertise covers many bases, including equestrian and aviation claims, as well as cases with a mental health element." **Personal Injury, Chambers & Partners 2010**

"Nathan Tavares judgement is invariably sound." **Personal Injury, Legal 500 2010**

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