

## Alice Nash

**Call year: 2006**

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Alice studied History at Balliol College, Oxford and then spent three years in the civil service before coming to the Bar.



Alice is developing her practice in all areas of Chambers' work, with a particular interest in professional negligence, medical law, personal injury and contractual disputes. She has represented both claimants and defendants in fast track and multi track trials in the High Court and the County Court. She also regularly appears in procedural and interlocutory hearings, and has appeared at inquests representing both families and other interested parties.

Alice is developing particular experience of advising in disputes involving allegations of negligence against architects, surveyors, estate agents and solicitors. As an advisor, she strives to provide a prompt and commercially realistic assessment of the problem. Recognising that swift extrication from litigation will often be the most desirable and cost effective outcome for the client, Alice is not afraid to advise settlement where necessary, but has also had a number of successes in achieving an early resolution using the strike out and summary judgment jurisdictions.

Alice contributes to the Lloyd's Law Reports (Professional Negligence) and (with Spike Charlwood) provides a regular update on developments in the field of professional negligence law for the *Solicitors' Journal*.

## Practice Profile

### Professional Negligence

Alice is regularly instructed to advise and draft pleadings and pre-action protocol correspondence for both claimants and defendants in claims relating to solicitors, surveyors, valuers, architects and estate agents. She has particular experience of advising on loss of a chance in the context of negligently conducted litigation and/or negotiations, and has been instructed by solicitors, borrowers and lenders in relation to conveyancing disputes.

### Clinical Negligence

Alice advises both claimants and defendants on liability, evidence and quantum in litigation arising out of the alleged negligence of medical practitioners. She drafts pleadings on behalf of claimants and defendants and has appeared at interlocutory hearings and trials in fast and multi-track clinical negligence matters. She has represented families at a number of inquests in which the possibility of negligent medical treatment was a feature.

### Personal Injury

Alice regularly advises on the quantum of general damages in personal injury claims and appears in contested liability and/or quantum trials on behalf of claimants and defendants.

### Regulatory and disciplinary

Alice is regularly instructed to represent nurses and midwives before the various disciplinary committees of the Nursing and Midwifery Council, and has assisted in formulating a claim for judicial review of a decision of the NMC in interim suspension proceedings.

### Commercial Litigation

Alice has appeared on behalf of both claimants and defendants in applications, case management conferences and directions hearings in small claims, fast track and multi-track matters arising from a broad range of contractual disputes.

Alice has also advised and provided representation in landlord and tenant, holiday law and banking and consumer credit disputes, and has experience of advising on breach of confidence and communications law issues, both in the commercial context and in the

context of personal privacy and the application of relevant human rights law.

## Further Information

**Year of call:** 2006

**Specialist areas:** medical law, personal injury and commercial litigation

**Education:** BA (Hons) Modern History (Balliol College, Oxford): 2:1; GDL (BPP Law School): Commendation; BVC (BPP Law School): Very Competent

## Recent cases

*Mathew Buxton v Abertawe Bro Morgannwg University Local Health Board* [2010] EWHC 1197 (QB): acted for the successful defendant in a clinical negligence claim arising out of allegedly negligent ophthalmology treatment. The claimant's case on both breach of duty and causation was rejected by the High Court (HHJ Seymour QC).

*London Borough of Wandsworth v Nicholson*: successfully resisting a challenge under Article 8 of the European Convention on Human Rights to the local authority's claim for possession against squatters. HHJ Knowles accepted the Claimant's arguments that such a challenge was impermissible and would circumvent the statutory scheme for homelessness provision laid down by Parliament.

*Ryan St George v Home Office* (December 2007). David Pittaway QC and Jane Tracy Forster acted for the successful claimant in a clinical negligence action brought on behalf of a prisoner who suffered catastrophic brain damage after falling from a bunk in Brixton Prison and suffering an epileptic fit. Assisted as a pupil to Jane Tracy Forster.

## Publications and lectures

Alice is a contributor to the online Lloyd's Professional Negligence Law Reports and recently published an article about abuse of process arguments in solicitors' negligence cases ("Forms of abuse", *New Law Journal*, 18 April 2008), with Dan Stacey.

## Personal info

In her free time, Alice enjoys cooking, eating out (not at the same time), the cinema, and binge-viewing HBO television series on DVD. In order to counteract the effects of all that, she has also been known to participate in the occasional fun run, usually wondering all the while who came up with such inappropriate terminology.

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