

Nicholas Peacock

Call year: 1992

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Nick specialises in clinical negligence work, regulatory/disciplinary work (including GMC, GDC, NMC, HPC and FHSAA) and general healthcare law (including coroners' inquests, clinical confidentiality and consent to treatment cases). He has a particular interest in dental work, both claims and disciplinary. He is instructed by patients, healthcare professionals via their defence organisations or professional indemnity providers and NHS Trusts/Primary Care Trusts. He is recommended by Chambers & Partners (clinical negligence; professional discipline) and Legal 500 (clinical negligence).



Practice Profile

Clinical Negligence

Nick undertakes clinical negligence claims at all levels for patients, healthcare professionals via their defence organisations or professional indemnity providers and NHS Trusts. He has a particular interest in dental work.

Nick also undertakes professional negligence work in claims against or on behalf of lawyers which arise out of clinical negligence claims.

Regulatory & Disciplinary

Nick has a substantial regulatory and disciplinary practice. He represents healthcare professionals at the General Medical Council, General Dental Council, General Optical Council, Nursing & Midwifery Council, Health Professions Council and the Family Health Services Appeal Authority (where he is also instructed on behalf of Primary Care Trusts).

Nick is regularly instructed to appear at coroners' inquests, either for the family of the deceased or on behalf of healthcare professionals/institutions.

Nick also undertakes consent to treatment work as well as advisory work concerning clinical confidentiality.

Personal injury

Nick undertakes personal injury cases for claimants and defendants.

Nick also undertakes professional negligence work in claims against or on behalf of lawyers which arise out of personal injury claims.

Further Information

Year of call: 1992

Specialist areas: clinical negligence, regulatory & disciplinary, personal injury, professional negligence

Education: Trinity Hall, Cambridge; Bar Vocational Course, Inns of Court School of Law

Appointments: Legal Adviser to the Statutory Committee of the Royal Pharmaceutical Society of Great Britain (from 2006)

Committees: Bar Council, Professional Practice Committee (2006-); Bar Council, Law Reform Committee (2006-8); Bar Council, Training for the Bar Committee (2008-); Professional Negligence Bar Association Executive Committee (2007-)

Recent cases

GOC v Boots Opticians Ltd (unreported, 2009); FTP; advising and representing (led by David Pittaway QC) Boots in an important disciplinary case concerning supervision arrangements for trainees and the sale of spectacles to minors.

R (Kohn) v GDC; pending application for JR against GDC following finding of SPM against dentist

GDC v Kotzenberg & others (unreported, 2008); PCC; advising and representing one of four dentists at the longest running case at the General Dental Council; the dentists face allegations of serious professional misconduct in respect of excessive dental radiographs. The case continues.

Banerjee v General Medical Council (unreported, 2007); FTTP; regulatory/disciplinary; consultant surgeon successfully applied for restoration to the medical register following erasure for misconduct involving dishonesty.

Gray v Oldham Primary Care Trust (unreported, May 2007); FHSAA; regulatory/disciplinary; advising and representing a PCT on a doctor's appeal against removal from the performers' list.

Kyriakou v Barnet & Chase Farm Hospitals NHS Trust (unreported, May 2006); QBD; successfully defended NHS Trust at trial in respect of clinical negligence claim for damages by former patient who suffered from Ascherman's Syndrome following dilatation and curettage procedure.

GMC v Drs Brown & Husaini (unreported, 2005); FTTP; regulatory/disciplinary; advising and representing at the GMC (as junior counsel to David Pittaway QC) two consultants who had been criticised at the Shipman Inquiry. The doctors faced allegations that they had failed to act upon concerns in respect of one of Shipman's victims and, more seriously, that they had dishonestly misled the Shipman Inquiry.

Publications and lectures

Publications

Chapter (with David Pittaway QC): *Governance in Critical Care*; (ed Chris Newdick); forthcoming

Chapter: *Clinical Confidentiality* in precedents (ed Charles Foster); forthcoming

Part-Chapter: *Medicolegal Considerations: the British and US Perspective* in *Perineal and Anal Sphincter Trauma* (Springer, 2007; ed Sultan, Thakar & Fenner)

Chapter: *Clinical Guidelines & Human Rights* in *Clinical Guidelines: law, policy & practice* (Cavendish Publishing Ltd, 2002)

Operating Within The Law - a practical guide for surgeons and lawyers (tfm publishing, April 2001) with Professor Bruce Campbell and Mr Ken Callum, Consultant Vascular Surgeons

Clinical Confidentiality (Monitor Press, August 2000) with Charles Foster

Lectures

Judicial Review in Healthcare; Spring 2009; to healthcare solicitors

New Aspects of Controlled Drugs June 2007; to medical defence organisation

Professional negligence cases arising out of Personal injury Litigation; September 2006; to solicitors' firm

GDC new rules Summer 2006; to Dental law & Ethics Forum and solicitors' firms

Clinical Negligence Update May 2006; to solicitors' firm

Inquests - where are we and where are we going? 2006; to solicitors' firms

What others say

"Nicholas Peacock was dubbed 'a very switched-on performer' by sources." *Chambers UK 2010*

"Nicholas Peacock's 'withering cross-examination technique and punchy pleadings' win him backing. A lawyer who 'takes a sympathetic approach to his clients,' he represents clients in GMC and GDC proceedings." *Chambers UK 2010*

"With broad experience in the dental as well as medical fields, Nicholas Peacock is 'obliging, puts clients at their ease, and always goes the extra mile'." *Chambers UK 2009*

Chambers UK 2008 (clinical negligence) states that Nick "offers a 'crisp, clear style of advocacy'."

Chambers UK 2008 (professional discipline) states that: "Clients are in consensus that 'he is enthusiastic, has excellent preparation skills and is one of the more modern barristers'."

Chambers UK 2007 (professional discipline) stated that Nick "is a well-regarded barrister in the medical disciplinary field and is 'tried, tested and trusted' by leading clients. 'He is technically excellent and very well organised,' say sources. He...was involved in the GMC hearings of the 'Shipman Doctors' and is a regular face in the medical and dental fields."

Chambers UK 2006 (professional discipline) stated that Nick "gained universal praise from peers and leading clients in the field for being 'an effective operator' and 'a really excellent addition to the team'."

In *Dr N M Rao v GMC* [2002] UKPC 65 at para 8, Nick was commended by Sir Phillip Otton for his "impressive submission".

Personal info

Nick is married with two children and lives in rural Oxfordshire. He enjoys discovering wine in the South of France and likes listening to guitar music on his iPod.
