

# Dr Nicholas Braslavsky KC

Year of call 1983 | Year of silk 1999

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A leading practitioner in **catastrophic injury** and **clinical negligence** cases. Nick acts for both claimants and defendants in cases involving traumatic injury of the utmost severity (principally neurological injury to the brain, spinal injuries and amputations) and for claimants in a wide range of clinical negligence cases (birth damage, failed/delayed diagnoses, emergency medicine, neurological/vascular accidents etc). Also, regulatory and allied clinical litigation arising from cosmetic surgery etc.

Nick has extensive experience in all aspects of catastrophic injury cases arising from a road traffic accident, aviation and shipping accidents, recreational activities (roller coaster and fairground rides, mountaineering, jet-skiing accidents, construction and building site as well as military accidents.

He has recently been involved in cases of aviation accidents in Antarctica, RAF aerobatic accidents and claims arising from terrorist attacks.

One of Nick's special interests (both in practice and as an academic) is biotechnology and development particularly in respect of prosthetics and advanced biomedical responses to acquired injury.

Nick has extensive experience of fatal accident cases, appearing at inquests and acting for both claimants and defendants in high profile cases.

Nick's military caseload has included mountaineering training accidents in Africa, catastrophic accidents during SAS training exercises on the Brecon Beacons, Snowdonia and elsewhere and fatal accident claims arising from accidents causing injuries of the utmost severity in the UK, Bosnia, Iraq, Afghanistan, Africa and Europe.

Nick is an expert practitioner on specific issues within utmost severity injury litigation including expert medical issues, capacity, quantification of losses together with form of award issues.

He practises throughout the UK from his Manchester chambers and will travel to meet clients in all parts of the UK and Ireland.

## Expertise

### Clinical Negligence and Healthcare

Clinical Negligence work of severity and/or complexity including cases involving injuries of max severity.

#### Notable Clinical Negligence and Healthcare cases

Wiszniewski v Central Manchester HA, Court of Appeal (Civil Division)

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Clough v Tameside and Glossop HA Queen's Bench Division

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Walkin v South Manchester HA Court of Appeal (Civil Division)

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Tetraplegia claim following roller-coaster ride

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Severe lower limb injuries following jet ski accident

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Representing families at Shoreham air disaster inquest

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Successful Court of Appeal Judgment acting for 30+ claimants in cosmetic surgery/misrepresentation claim

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Numerous catastrophic vehicle/motorcycle claims causing tetraplegia, paraplegia, PVS, MCS and other maximum severity brain damage cases.

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## Mediation

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## Serious Injury

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Serious/catastrophic injury work including brain/spinal injuries, military accidents in training and abroad (Iraq, Bosnia, Europe, Afghanistan) and all forms of outdoor recreation and adventure sports including both mainstream sport (rugby, cricket, football, skiing) and others (leisure parks, roller-coasters, jet skiing, potholing, scouting etc)

### Notable Serious Injury cases

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Webster v Liddington Court of Appeal (Civil Division)

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Farrugia v Burtenshaw Queen's Bench Division

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Smith v Fordyce Court of Appeal (Civil Division)

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Davies v Global Strategies Group (Hong Kong) Ltd Court of Appeal (Civil Division),

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Ministry of Defence v Radclyffe Court of Appeal (Civil Division)

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Lambert v Clayton Court of Appeal (Civil Division)

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Jennings v Forestry Commission Court of Appeal (Civil Division)

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McIntyre v Harland & Wolff PLC Court of Appeal (Civil Division)

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Morris v KLM Royal Dutch Airlines, Court of Appeal/House of Lords

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Cox v Transco PLC Court of Appeal (Civil Division)

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## Memberships

- PIBA
- Inner Temple

## Qualifications

- LL.B (Hons) Ph.D

## Appointments

- Qualified Mediator
- King's Counsel
- Recorder (Crime & Civil)
- Deputy High Court Judge
- Professor of Law, University of Birmingham
- Head of Chambers (2010-2017)

## Publications

- Various in journals and books

## Awards

### Chambers UK 2023

"Nicholas is a true heavyweight in personal injury matters."

"He is someone you want in your corner when it comes to trial in very complex catastrophic injury claims."

"Nicholas is excellent with clients."

### Legal 500 2023

'Despite dealing with the most complex and valuable claims, Nicholas makes it look easy, which puts the clients at ease. He is unflappable and simply brilliant on his feet. He always has a keen eye for a commercial outcome without shying away from complex and often uncertain litigation.'

'Nick is enormously experienced. He is authoritative but approachable. Clients love him and always feel that they are in the best possible hands. He gets amazing results and will only accept settlement on the best possible terms. He commands respect from judges, barristers and clients.'

### Chambers UK 2021

"Technically sound, practical and thinks outside of the box." "He is very experienced and brings a calming influence." "He is outstanding on his feet and second to

none when it comes to high-stakes liability trials.”

“Approachable and easy to deal with.” “He’s client-focused at all times and shows genuine empathy. He gets straight to the heart of cases and he’s immediately able to identify the core issues.”

#### **Legal 500, 2021**

“A very safe pair of hands with the most complex catastrophic personal injury claims. He always prepares meticulously and is someone you want on your side in very high value claims where there are tricky liability or causation issues in particular. He is also very down-to-earth and great with clients.”

“Approachable and straight-talking – exactly what I want and what I expect from a heavy weight Silk”

#### **Legal 500, 2020**

“Good with clients, as well as being analytically and tactically strong.”

#### **Chambers UK 2020:**

“Very experienced in handling claims of the utmost severity. He has excellent legal skills and employs a very practical approach to claims.” “He’s always reassuring and well prepared, and has an excellent manner with clients.” “A true heavyweight in the field of catastrophic personal injury work. He always prepares meticulously and is someone you want on your side in high-value claims involving tricky causation or liability issues.”

“He is always reassuring and well prepared, and has an excellent manner with clients. He’s courteous to all parties but will fight tenaciously for his client.”

#### **Chambers UK 2018:**

“He is always very well prepared and is great with clients. He puts them at ease and has great empathy. He leaves no stone unturned to get the best result for clients.” “He has a caring and gentle manner with clients but can be an aggressive advocate when necessary.”

“An excellent KC who is very meticulous and good on medical evidence. He thrives on complexity and is excellent with clients.” “Hugely experienced and a very smooth, reassuring presence. He is good at assimilating large documents and paring down the issues to get to the nitty-gritty.”

#### **Legal 500 2018:**

‘Very intelligent with tactical flair.’

#### **Chambers UK 2017:**

“He combines everything you want in a KC, he’s clever, a good advocate, tactical and easy to work with.” “He is forensic in his attention to detail, he will know a case inside-out.”

“He makes the client feel central to everything so they don’t feel like they are sidelined at all. He ensures that everything is explained to them in a way they understand and is very respectful.” “What stands out, really, is his technical ability; he can go beyond what we usually find in cases and is not fazed by dealing with difficult issues.”

#### **Legal 500 2017:**

‘He has brilliant analytical skills and is great at handling sensitive issues.’

#### **Chambers UK 2016:**

“A standout performer; a very robust and skilful advocate”

“He is wise and experienced; great to have on your team”

#### **Legal 500 2015:**

“Excellent with clients, analytical, yet still practical in his approach”

## Accreditations

