

## 3PB Barrister Profile



### Mark Stephen Lomas

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#### Academic Qualifications

BA (Keele)

#### Personal Injury & Clinical Negligence

Mark Lomas is a member of the Personal Injury Bar Association and the Professional Negligence Bar Association, acting for both Claimants and Defendants and specialising in personal injury and clinical negligence (medical and dental) actions with related experience at inquests and GMC disciplinary proceedings.

He practises in all types of injury claims including: road traffic accidents; air, sea and rail transport accidents; employers liability (railways, docks, offices, industrial and construction); industrial disease claims (including a regular practice in asbestos related disease); claims against the MOD; occupiers liability; leisure/sporting accidents; injury by animals; highways claims; assault/homicide; actions involving the police; injury at school and sexual abuse claims.

He is experienced at all levels of claim, including fatal accidents and catastrophic injury.

Clinical negligence experience includes claims against GPs, GDPs, and hospital staff to consultant level, from minor injury to fatality.

#### Professional Qualifications and Appointments

- Accredited Mediation Advocate

#### Professional Bodies

- Personal Injury Bar Association
- Professional Negligence Bar Association (PNBA)

#### Notable Cases

*F v S* [2007] -

Acting for the claimant widow and other minor dependents following the death of her husband in a road accident. The claim was complicated by related nervous shock claims for the widow and another dependant and the fact that the widow suffered significant disability in respect of which the husband had been her main carer. The claim was compromised prior to trial in a seven figure sum.

*G v C* [2009] -

Acting (as junior counsel) for the claimant crew member of a passenger liner in relation to personal injury (principally psychiatric) sustained in an attack by Somali pirates off the east coast of Africa. The claim gave rise to difficult issues of breach of duty, causation and quantum and was successfully compromised in advance of trial.

*Harland & Woolf plc and Another v McIntyre* [2006] 1 WLR 2577 -

A claim for damages on behalf of the estate and dependent wife of a husband who died from mesothelioma. Damages at 98% of the scheduled claims were recovered at trial. The defendant's appeal as to the entitlement to a dependency upon a savings/pension fund paid out to the deceased very shortly before his death was successfully opposed. The Court of Appeal considered the effect of Section 4 of the Fatal Accidents Act 1976 in detail. Acting as sole counsel at trial and junior counsel in the Court of Appeal.

*Langley v Harvey* [2006] -

Acting for the claimant ground worker, who injured his wrist in a motorcycle accident. A late, post-issue application by the defendant to withdraw an earlier admission of liability for the accident was successfully defended. The claimant sought substantial damages for loss of earnings from the wrist injury, through inability to carry out manual ground works. Issue arose as to the need for him to undertake manual work as he had become the proprietor of a successful civil engineering company and as to the correct assessment of his loss of earnings, taking into account operation of his business through a limited company and the fact that the majority of company profit was reinvested. The claimant was successful at trial. The defendant's appeal was successfully compromised through Court of Appeal directed mediation.

*Linton v Ayton* [2009] -

Acting for the claimant dependents and estate of a deceased mother of three daughters, coupled with claims for nervous shock by two of the daughters. The claim was complicated by uncertainty over the mother's separation from her husband and the fact that she was not working, leading to claims for dependency based upon state benefit entitlement. Substantial damages were recovered at trial, in excess of an earlier offer made by the defendant.

*S v W* [2009] -

Acting for the claimant construction worker, who suffered a through knee amputation following a construction site accident. The claim was complicated by a significant psychiatric injury. The claim was compromised prior to trial in a seven figure sum.