



Dominic Adamson QC

Year of Call: 1997
Year of Silk: 2020

Practice Areas

- Health & Safety
- Inquests
- Insurance
- Personal Injury
- Product Liability

Email:

da@tgchambers.com

Awards



Experience

Dominic has been in practice at Temple Garden Chambers since 1997 and has developed a broad regulatory health and safety criminal and civil practice. He specializes in health and safety.

Dominic has a well-established health safety practice which has seen his involvement in some of the most of high profile and significant health & safety cases. He has been shortlisted in the Chambers Bar Awards in the category of Health of Safety Junior of the Year.

Dominic regularly appears in the Court of Appeal and Crown Court representing duty-holders in prosecutions under the HSWA 1974 following both fatal and non-fatal accidents. Dominic was successful in the two most significant Court of Appeal decisions involving the sentencing very large organisations under the Sentencing Guidelines for Health and Safety Offences. In fatal industrial accidents he also acts for duty-holders in related coroner's inquests. He has experience representing individuals as well as companies of all sizes (including some of the largest operating in the United Kingdom). He has worked on cases across a wide range of industries/sectors including: steel manufacturing, rail, construction, security, waste management, healthcare, residential care, education, sports and leisure. He has particular interest in cases involving explosions and fires.



Dominic also represents duty-holders in other regulatory matters under the HSWA 1974 (e.g. appeals against prohibition and improvement notices) and environmental and food safety prosecutions. He has acted in public inquiries following public disasters (e.g. Southall and Ladbroke Grove rail crashes). He represented the Independent Police Complaints Commission in the Inquest into the Hillsborough Stadium Disaster. He has acted for two of the victims of the Westminster Terrorist attacks. This has involved consideration of the security arrangements at the Palace of Westminster.

Dominic has a niche product liability practice. Typically, though not exclusively, he represents large scale manufacturers, producers and distributors. He has advised companies based in the UK, the EU and beyond. He has considerable experience of civil litigation concerning a wide variety of products including domestic appliances (e.g. televisions, white goods, heating systems), industrial equipment, vehicle/motorcycle/cycle manufacturing and medical components. He has advised on a wide range of issues including duties and liabilities under consumer protection and product safety legislation including product recalls, insurance coverage disputes, inquests related to product safety and regulatory prosecutions.

In the field of personal injury he has experience of catastrophic injury claims (e.g. brain damage, paraplegia and amputee claims) as well as claims arising out of less serious injuries. He has a particular interest in fraudulent or exaggerated claims. Dominic has been involved in a significant number of group litigation cases including cases where a Group Litigation Order (GLO) has been issued (e.g. Scania Series 4, Powertrain) as well as large multi-Claimant non-GLO cases relating to domestic products and foodstuffs.

Directories

Health and Safety

Dominic has been recommended as a Leading Junior for Health & Safety, in Chambers & Partners in every year from 2006 until 2018. The current edition describes him as *"very sound, solid junior who is hard-working, good on his feet and excellent with clients."* Earlier editions suggest he is *"keen and good with clients"* and *"easy-going advocate with an attractive style."* Solicitors have noted that he *"involves himself closely with cases from an early stage and is very approachable and good with clients."*

He has also been recommended as a Leading Junior for Health & Safety in the Legal 500 every year from 2005 until 2018.

The 2018 edition of Legal 500 stated that Dominic is an *'excellent jury advocate, who goes the extra mile to achieve the right result.'* Earlier editions described him as having *"a charismatic aura"* and *"an excellent health and safety lawyer who possesses a keen understanding of the arguments that are likely to appeal to a particular court."* In one edition he was said to have *"a brilliant sense of humour and carries clients through the difficult times"*.

Inquests and Inquiries

The 2018 edition of Legal 500 recommends Dominic as a Leading Junior for Inquests and Inquiries. The current edition states that he is *'client-focused and recommended for heavyweight industrial accidents.'* Earlier editions have suggested that *"He is a marvellously safe pair of hands and instils confidence in both lay and professional clients."*

Personal Injury

Dominic is recommended as a Leading Junior for Personal Injury in the 2016 edition of Chambers & Partners. He is described as taking *"a very pragmatic approach to litigation and offers sound, sensible advice."* It adds that *"He understands the commercial sensitivities for insurers in large loss cases."* In earlier editions he has been described as being *"very astute, methodical and organised in his approach, he's a heavyweight junior who is very capable of taking the lead in cases"* and as a *"really approachable, nice chap who is very clear in his advice."*

Dominic currently recommend as a Leading Junior for Personal Injury in Legal 500. In the field of personal injury in the 2018 edition he is described as *"extremely thorough and has an excellent legal mind."* Earlier editions have stated that he *"always goes the extra mile for clients."*

Product Liability

Dominic has been recommended as a Leading Junior for Product Liability. He is described as *"client focused and highly recommended."*

Education

University of Newcastle-upon-Tyne

Memberships

PIBA
HSLA

Cases

Inquest into the deaths of the Westminster Terrorist Attack on 22 March 2017

10.09.18

Barristers involved: Dominic Adamson QC

Dominic Adamson is acting for the widows of two of the victims of the attack, namely the widow of Kurt Cochran who died on the Westminster Bridge and the widow of PC Keith Palmer who died within the grounds of the Palace of Westminster.

The case has involved exploration of the security arrangements on the bridge. It has also involved examined the security and safety arrangements at the Palace of Westminster.

The case continues.

R v Southern Co-Operative Limited

13.08.2018

Barristers involved: Dominic Adamson QC

Dominic Adamson acted for Southern Co-Operative Limited in a successful appeal against sentence to the Lewes Crown Court. The case arose out of an incident which resulted in an employee suffering a serious leg fracture. At first instance the Defendant was fined £334,000. This was reduced on appeal to £20,000 (i.e. a 94% reduction in the penalty. The Defendant company had a turnover in the region of £400m.

The appellate Court accepted that the correct characterization of the offence was that it was one of both low culpability and low likelihood of harm (the original decision had medium on both counts) and made a substantial reduction to the fine as a result.

R v Whirlpool UK Appliances Limited

[2017] EWCA Crim 2186

20.12.2017

Barristers involved: Dominic Adamson QC

Dominic Adamson acted for Whirlpool UK Appliances Limited in the Court of Appeal in a successful appeal against sentence. Lord Chief Justice Burnett delivered the judgment of the Court on 20 December 2017. The fine was reduced from £700,000 to £300,000. The case concerned a breach of section 3(1) of the Health and Safety at Work etc Act 1974.

The case is of significance in that the Court of Appeal grapples with two important issues on the level of the fine (i) the impact of very large organisation status and (ii) the impact of death. Whirlpool UK Appliances had a turnover of approximately £700m. The original fine had been based on a starting point of £1.2 m thereafter reduced for mitigation and guilty plea. In reducing the fine Lord Burnett indicated that the fact of death 'would justify not only a move into the next category but to the top of the next category range'. However, Lord Burnett emphasised that the case was unusual in that it was an offence of both low culpability and low likelihood of harm arising stating that 'a fine of the order imposed by the judge in this case [i.e. £700,000] would only have been appropriate if the factors weighing in the balance for the purposes of the Guideline had been different.' He concluded his judgment stating that nothing in the judgment is intended to alter the policy of ensuring that organisations are made to pay fines that are properly proportionate.

R (HSE) V Tata Steel UK Limited

[2017] EWCA Crim 704

07.06.2017

Barristers involved: Keith Morton QC Dominic Adamson QC

In what is believed to be the first successful appeal against sentence for a very large organisation sentenced for health and safety offences under the Definitive Guidelines, Keith Morton QC and Dominic Adamson secured a substantial reduction in a fine imposed

on Tata Steel UK following its guilty plea to two health and safety offences.

The Court of Appeal has given guidance in relation to the approach judges should adopt when sentencing very large organisations under the Guidelines and when it is appropriate to take into account the resources of a linked organisation.

Inquest into the death of Adrian Plummer

2015

Barristers involved: Dominic Adamson QC

Inquest into the death of a person who accessed railway infrastructure operated by TfL. The issues in the case included consideration of the response of line controllers to the knowledge that a person had accessed the infrastructure.

Cardarello v John Atwell Transport & Others

2015

Barristers involved: Dominic Adamson QC

Dominic Adamson acted for the 3 Defendants who faced a claim for £5.7 million following 3 road traffic accidents. The Claimant alleged that as a result of accident related symptoms he had failed to conclude a contract for the sale of wine to the USA. The Claimant recovered nothing in relation to the wine contract. The total award to the Claimant in respect of the 3 accidents was less than £40,000.

R v Tata Steel UK Ltd

2015

Barristers involved: Dominic Adamson QC

Prosecution concerning an explosion at a steel works when water was being used to cool a spillage of molten material. The case considered the engineering issues which gave rise to the spillage and operational issues which resulted in the explosion. Fine of £180,000 imposed.

Re: Rachel Anne Burke

2014

Barristers involved: Dominic Adamson QC

Inquest into the death of a trekker in the Himalayas who died as a result of altitude sickness.

R v Tata Steel UK Ltd & Vesuvius Ltd

2014

Barristers involved: Dominic Adamson QC

Prosecution arising out of a death during a steel-making vessel relining operation. Court accepted the defendant's argument that death was not caused by admitted breach. Fine of £120,000 imposed. Also appeared at the earlier inquest into the death.

Office of the Rail Regulator v Amey Rail Ltd and Colas Ltd

2014

Barristers involved: Dominic Adamson QC

Appeals against prohibition notices issued in relation to the use of certain plant whilst working under live electrical Overhead Line Equipment.

The prohibition notices were cancelled on appeal. Issues under consideration in the case included the correct approach to the law in relation to Appeals against Prohibition Notices and whether the proportionality of the decision to impose the Notice could be considered in determining whether the prohibition notices should have been issued.

Inquest into the 96 deaths in the Hillsborough Stadium Disaster

17/02/2014

Barristers involved: Dominic Adamson QC Andrew O'Connor QC Matthew Waszak Piers Taylor

Inquest into the deaths of 96 football supporters at the Hillsborough Football Stadium in 1989. Acted for the Independent Police Complaints Commission.

HSE v Tyne Slipway Engineering Limited

2013

Barristers involved: Dominic Adamson QC

Case involved a fatality when an employee of the Defendant was killed when a ship thruster on which he was working on toppled on him.

M v A

2013

Barristers involved: Dominic Adamson QC

Commercial litigation following an explosion in a piece of industrial equipment. The amount in dispute was £10 million. Case was concluded with a favourable settlement .

Inquest into the death of Thomas Challs (Deceased)

2013

Barristers involved: Dominic Adamson QC

Acted on behalf of Securitas Security Services Limited who provide a replacement fire rescue service. The deceased died in a residential fire whilst the London Fire Brigade were taking industrial action.

HSE v Richard Parker & Allied Domecq

2013

Barristers involved: Dominic Adamson QC

Case involved a fatal accident where an employee of the RP fell through a perspex roof light which formed part of a corrugated asbestos roof. RP was fined £26,667. AD fined £276,000. Issues in the case involved safe working procedures and lack of work equipment.

HSE v Balfour Beatty Rail Track Systems

2013

Barristers involved: Dominic Adamson QC

Acted for Defendant in trial arising out of a series of incidents where employees suffered injuries whilst operating the press which was used to bend rails. Numerous risks assessments performed in relation to the operation. After the final incident the process eliminated the risk. Argument over whether Defendant had done all that was reasonably practicable.

A v B

2012

Barristers involved: Dominic Adamson QC

Personal injury case arising out of road traffic accident. Acted for the Claimant. The Claimant had sustained a brain injury. Claim settled for a sum in excess of £1million.

Powertrain Group Litigation

2010

Barristers involved: Dominic Adamson QC

Employees of Powertrain at the Longbridge claimed damages in relation to respiratory illness arising out of exposure to contaminated metal working fluid. They commenced group litigation. There were related Third Party proceedings.

Publications

TGC Podcast: Avoiding Criminal Enforcement Action & Civil Claims in the Shadow of Covid-19

26/05/2020

Authors: Keith Morton QC Dominic Adamson QC Lionel Stride David R. White James Yapp

Members of the Health & Safety team at Temple Garden Chambers intend to inform and assist in a topical podcast on the implications to employers on workers returning to the workplace in the shadow of Covid 19. Please join ranked leaders in the field Keith Morton QC, Dominic Adamson QC along with Lionel Stride, David White and James Yapp via the link below. More information on the speakers and the areas in which TGC can assist can be found at: www.tgchambers.com Or by contacting the clerks: 0207 583 1315 or clerks@tgchambers.com

You can view the publication at

<https://anchor.fm/tgc3/episodes/AVOIDING-CRIMINAL-ENFORCEMENT-ACTION--CIVIL-CLAIMS-IN-THE-SHADOW-OF-COVID-19-eeggih>

Prosecuting and Defending Health and Safety Cases

30/04/2007

Authors: Dominic Adamson QC Benjamin Casey Fiona Canby Tim Sharpe Tim Kevan

Co-author of book written with the intention of highlighting the various areas of law associated with prosecuting and defending health and safety cases

News

TGC Podcast: Avoiding Criminal Enforcement Action & Civil Claims in the Shadow of Covid-19

26/05/2020

Barristers involved: Keith Morton QC Dominic Adamson QC Lionel Stride David R. White James Yapp
Please join ranked leaders in the field Keith Morton QC, Dominic Adamson QC along with Lionel Stride, David White and James Yapp via the link below.

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New Silk for Temple Garden Chambers

16/01/2020

Barristers involved: Dominic Adamson QC

This prestigious accolade is an outstanding achievement and Dominic's appointment as Queen's Counsel evidences the strength and depth of his practice.

The Ceremony will take place in Westminster Hall on Monday 16 March 2020.

London Bridge Inquests

08/05/2019

Barristers involved: Dominic Adamson QC Fiona Canby David R. White Piers Taylor Ellen Robertson
Fiona Canby is instructed by TfL Legal and appears on behalf of Transport for London.

The inquests have a time estimate of two months. Further details can be found at the link below.

You can view the publication at <https://londonbridgeinquests.independent.gov.uk/>

Third Pre-Inquest Hearing in London Bridge Inquests

11/01/2019

Barristers involved: Dominic Adamson QC Fiona Canby

The Inquests will commence on 7 May 2019 in Court 1 at the Central Criminal Court with a time estimate of two months. Further details can be found at the link below.

You can view the publication at <https://londonbridgeinquests.independent.gov.uk/>

Health and Safety Junior of the Year !

26/10/2018

Barristers involved: Dominic Adamson QC



Westminster Bridge Inquest

04/10/2018

Barristers involved: Dominic Adamson QC

In the inquest into PC Palmer's death, the Chief Coroner ruled that before the start of the attack, the armed officers stationed at New Palace Yard had not been in close proximity to the Carriage Gates entrance to New Palace Yard. They had been some distance away and out of view of the entrance because they had understood their duty to involve a roving patrol around the yard. In fact, tactical advice and written instructions stated that armed officers should be stationed close to the Carriage Gates entrance so as to protect those in the estate and their unarmed colleagues who were at the gates.

The Chief Coroner accepted the submission advanced on behalf of PC Palmer's widow that Article 2 ECHR was engaged. He concluded that due to shortcomings in the security system at New Palace Yard, including the supervision of those engaged in such duties, the armed officers were not aware of a requirement to remain in close proximity to the gates. He concluded that had they been stationed there they may have been able to prevent PC Palmer suffering fatal injuries.

Inquest in to the Death of the Westminster Terror Attack Victims

10/09/2018

Barristers involved: Nicholas Moss Dominic Adamson QC Fiona Canby

Nicholas Moss is acting for the Corporate Officer of the House of Commons and the Corporate Officer of the House of Lords.

Dominic Adamson is acting for the widow of Kurt Cochran, and the widow of PC Keith Palmer.

Fiona Canby is acting for Transport for London.

The Chief Coroner of England and Wales, Mark Lucraft QC, will hold the inquest at The Old Bailey which is expected to last 5 weeks.

Dominic Adamson shortlisted for Health & Safety Junior of the Year

06/09/2018

Barristers involved: Dominic Adamson QC

TGC are delighted to announce that Dominic Adamson has been shortlisted for the Health & Safety Junior of the Year award. The 2018 Chambers Bar Awards will be held at The London Hilton on Park Lane on Thursday, 25th October 2018.

Third Pre-Inquest Review Hearing in Westminster Bridge Inquests

02/07/2018

Barristers involved: Nicholas Moss Dominic Adamson QC Fiona Canby Matthew Waszak

Nicholas Moss (instructed by Speaker's Counsel) appeared on behalf of the Parliamentary Authorities. Fiona Canby (instructed by TfL Legal) appeared on behalf of Transport for London. The Inquests will commence on 10 September 2018 in Court 1 at the Central Criminal Court with a time estimate of four weeks. Further details can be found at the link below.

You can view the publication at <https://westminsterbridgeinquests.independent.gov.uk/>

Dominic Adamson acts for Whirlpool UK Appliances Limited in the Court of Appeal in a successful appeal against sentence

20/12/2017

Barristers involved: Dominic Adamson QC

The case is of significance in that the Court of Appeal grapples with two important issues on the level of the fine (i) the impact of very large organisation status and (ii) the impact of death. Whirlpool UK Appliances had a turnover of approximately £700m. The original fine had been based on a starting point of £1.2 m thereafter reduced for mitigation and guilty plea. In overturning the fine Lord Burnett indicated that the fact of death 'would justify not only a move into the next category but to the top of the next category range'. Lord Burnett emphasised that the case was unusual in that it was an offence of both low culpability and low likelihood of harm arising. He stated that nothing in the judgment is intended to alter the policy of ensuring that organisations are made to pay fines that are properly proportionate. However, he concluded by stating that 'a fine of the order imposed by the judge

in his case [i.e. £700,000] would only have been appropriate if the factors weighing in the balance for the purposes of the Guideline had been different.'

Full copy of judgment can be seen [here](#).

Court of Appeal success

09/06/2017

Barristers involved: Keith Morton QC Dominic Adamson QC

In what is believed to be the first successful appeal against sentence for a very large organisation sentenced for health and safety offences under the Definitive Guidelines, Keith Morton QC and Dominic Adamson (instructed by Damon Burt of Plexus) secured a substantial reduction in a fine imposed on Tata Steel UK following its guilty plea to two health and safety offences. The Court of Appeal has given guidance in relation to the approach judges should adopt when sentencing very large organisations under the Guidelines and when it is appropriate to take into account the resources of a linked organisation.

Please click on link below for judgment of the Court of Appeal.

You can view the publication at

[http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Crim/2017/704.html&query=\(tata\)+AND+\(steel\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Crim/2017/704.html&query=(tata)+AND+(steel))

TGC Health and Safety Conference 2017

25/04/2017

Barristers involved: Keith Morton QC Dominic Adamson QC Fiona Canby Charles Curtis

The aim of the seminar is to bring together solicitors, in-house lawyers, insurers, directors and senior managers concerned with health and safety to inform and excite debate on a variety of topical issues in Health & Safety law.

The inquests into the deaths resulting from the Hillsborough Stadium Disaster have concluded

27/04/2016

Barristers involved: Andrew O'Connor QC Dominic Adamson QC William Irwin Anthony Lenanton Piers Taylor Matthew Waszak
Andrew O'Connor QC, Dominic Adamson, William Irwin, Anthony Lenanton, Piers Taylor and Matthew Waszak represented the Independent Police Complaints Commission at the inquests. The IPCC's investigation continues.