



## Dominic Adamson KC

Call 1997 | Silk 2020

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

Dominic specialises in health & safety, inquests, personal injury and product liability and related insurance matters. He was appointed a silk in 2020.

He has been instructed in some of the most high profile regulatory criminal cases, public inquiries and inquests. He appeared in the landmark health and cases R v Tata Steel UK Limited, R v Whirlpool UK Appliances Limited. He represented the victims of the Westminster and London Bridge terrorist attacks. He is acting for a core participant in the Grenfell Tower Inquiry. He regularly acts for Claimants and Defendants in catastrophic injury cases.

Dominic has been appointed to the Football Associations Judicial Panel. He has lectured in each of his specialist areas and has participated in numerous TGC podcasts on topical issues.

## Expertise

### Health & Safety

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Dominic is recognised as a Leading Silk in the field of health & safety. He defends corporations and individuals in relation to health & safety and environmental prosecutions.

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. He has appeared in some of the most high profile cases in recent years.

Dominic also represents duty-holders in other regulatory matters under the HSWA 1974 (e.g. appeals against prohibition and improvement notices).

Shortly before taking silk in 2020, Dominic was the Chambers UK 'Health & Safety Junior of the Year' in 2018.



## Notable Health & Safety cases

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### R v X & Onr

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Dominic secured acquittals of two organisations, a parent and a subsidiary, charged with breaches of s.3 of the Health & Safety at Work etc Act 1974 (the duty to ensure safety of non-employees). The subsidiary was also charged with a breach of s. 2 of the Act (the duty in respect of employees).

The parent was contracted to operate and manage leisure centres on behalf of a local authority. It delivered that service through its subsidiaries. An incident which resulted in injury to a member of the public occurred at one of the centres.

The case hinged on whether the parent and relevant subsidiary could establish that they had taken all reasonably practicable steps to ensure the safety of non-employees and, with respect to the subsidiary, employees. It was not in dispute that local management, employed by the subsidiary, had not complied with group safety and waste management policy. The parent and subsidiary argued that:

the group safety and waste management policy and procedure were appropriate and adequate; they arranged for and provided suitable and sufficient training to the experienced local management who had been transferred into the subsidiary's employment when the parent entered the contract just over a year before the incident; and they implemented an adequate system of regional management supervision and oversight which covered the location. Regional management were not aware of the non-compliance with group policy. Accordingly the parent and subsidiary contended that they had done all that was reasonably practicable to ensure safety. Reliance was placed on the reasoning in R v Nelson Group Services Limited [1999] 1 WLR 1526 and related authorities. The parent and subsidiary were found not guilty of all charges.

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### R v Modus Workspace Limited 2021 [2021] EWCA Crim 1728

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Dominic appeared in the Court of Appeal on an appeal against sentence which considered the issue of reduced turnover due to the Covid-19 pandemic and the relevance of turnover projections in setting the penalty.

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### R v NMC Surfacing Limited & Others [2021] Southwark Crown Court

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Dominic secured the acquittal of a roofing company (X) following a two week trial at Southwark Crown Court (sitting in the Nightingale Court at Prospero House). The jury reached their decision unanimously. The Health & Safety Executive alleged that the roofing company X failed to ensure the health, safety and welfare of its employees during the course of a construction project in Bromley and had thus breached section 2 of the Health & Safety at Work etc Act 1974 when a piece of redundant equipment fell when being lowered from a roof.

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### R v Whirlpool UK Appliances [2017] EWCA Crim 2186

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Dominic 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 leading case addressing the issues of the very large organisation status and the impact of death on penalty.

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R v Tata Steel UK Limited [2017] EWCA Crim 704

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Dominic acted for Tata Steel UK Limited in what was the first successful appeal against sentence for a very large organisation. The Court gave guidance in relation to the approach to adopt when sentencing very large organisations and the assessment of likelihood of harm. The fine was reduced from £1.985m to £1.5m.

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## Inquests

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Dominic is recognised as a Leading silk in the field of inquests. He has acted in some of the most high-profile inquests in recent years. He acted for the families of two of the victims of the Westminster Terrorist attacks. He also acted for the family of one of the victims in the London Bridge Terrorist Attack. He is currently representing three of the families of victims of the Plymouth shooting. He represented the Independent Police Complaints Commission in the Inquest into the Hillsborough Stadium Disaster.

As a result of Dominic's health safety expertise, he regularly acts for corporations with interested person status in inquests following workplace deaths. He also has particular experience of acting in inquests where the death has occurred abroad.

## Notable Inquests cases

### [Inquest into the death of PS Matt Ratana](#)

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Dominic acted on behalf of Su Bushby in the inquest into the death of her partner, Sergeant Matt Ratana, who was murdered by Louis De Soysa in a holding cell at Croydon Custody Centre following his arrest in the early hours of 25 September 2020. De Soysa was handcuffed and searched on his arrest. Drugs and bullets were found during the search. De Soysa was also wearing a holster and carrying a gun which were not discovered. The inquest focussed on this issue. De Soysa was convicted of murder in June 2023.

A summary of the Senior Coroner's findings at the inquest is as follows:-

There was a failure on part of the arresting officer to carry out a 'safe, thorough and systematic' search. The cover officer, working with the arresting officer, failed to take steps to ensure that 'an effective search' was carried out.

There was a missed opportunity by the arresting officer to observe and challenge De Soysa as he was wriggling in the custody van whilst being transported to the custody centre. He was probably manoeuvring to gain access to the gun whilst handcuffed to the rear.

When De Soysa arrived at the custody centre was a failure to notice that one of his hands was concealed. He was probably holding the gun.



The Senior Coroner reached a conclusion of unlawful killing.

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### [Inquests into the mass shooting in Keyham, Plymouth](#)

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On 12 August 2021, gunman Jake Davison killed his mother and four members of the public, including a three-year-old child, in one of the worst mass shootings in British history. He used a shotgun which was licensed to him by Devon & Cornwall Police in 2017, and which was handed back to him one month before the shootings, Devon & Cornwall Police having seized it in September 2020 following a brutal and unprovoked attack on two children in a park.

Dominic Adamson KC and Juliet Wells represent the families of the members of the public killed, instructed by Patrick Maguire and Kate Daflon of Horwich Cohen Coghlan Solicitors.

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### [Royal Papworth Hospital Inquests](#)

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The inquests into two deaths following an outbreak of a waterborne pathogen at a world-leading cardiothoracic transplant centre.

The deaths, at the newly-opened Royal Papworth Hospital in Cambridge, followed infection by a form of bacteria – M.abscessus – previously unknown to have affected a UK hospital water system. The inquests heard that the bacteria are not usually harmful to humans, but can cause severe illness in some individuals, including those suffering from cystic fibrosis, the immunocompromised, and lung transplant patients. The relevant safety guidance, published by the Department for Health, failed to identify M.abscessus as a risk in healthcare settings.

The coroner, Keith Morton KC, recorded a narrative conclusion and directed a preventing future deaths report, concerning the published guidance, to the Secretary of State for Health and Social Care.

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### [Inquest into the deaths of the victims of the London Bridge Terrorist Attacks \[2019\]](#)

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Acted for the family of one of the victims of the London Bridge Terrorist attack. Central issue in the case was whether the absence of improved security measures on the Bridge amount to an arguable breach of the state's systemic duty to protect life. The Chief Coroner ruled that there was an arguable breach of the state's article 2 duty. He issued a PFD report.

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### [Inquest into the deaths of the victims of the Westminster Terrorist Attacks \[2018\]](#)

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Acted for the widows of two of the victims of the Westminster Terrorist attack including the widow of PC Keith Palmer. The Chief Coroner ruled that there was an arguable breach of article 2 as a result of the shortcomings in the security arrangements at the Palace of Westminster. He issued a PFD report.

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### [Inquest into the 96 deaths in the Hillsborough Stadium Disaster](#)

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Dominic acted for the Independent Police Complaints Commission who were in the inquests. The IPCC was investigating allegations of police misconduct and attempts to pervert the course of justice.

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## **Inquiries**

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Dominic has experience public inquiries. He is currently representing a core participant in relation in the public inquiry into the Grenfell Tower. As well as representing core participants in statutory inquiries, Dominic has experience of chairing investigations. In his early career Dominic also acted as junior counsel to the inquiry in three public inquiries.

### **Notable Inquiries cases**

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#### **Grenfell Tower Inquiry [2022]**

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Dominic is acting for a core participant in the Grenfell Tower Inquiry. He has a particular interest in Module 6 Testing, Government and FRA.

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#### **The Grampound Review [2021]**

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Dominic was appointed by the Cornwall Council and Corserv Limited to chair a review.

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## **Personal Injury**

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Dominic has a balanced practice acting for claimants and defendants in personal injury claims. He has a broad experience of catastrophic injury claims including serious brain injuries, paraplegia/tetraplegia, amputees, catastrophic burns. He has also acted in group litigation cases involving Group Litigation Orders. Dominic also acts in fatal accidents act claims including claims were involving article 2 ECHR. He advises in cases where there are allegations of fundamental dishonesty. He advises on insurance coverage issues.

As well as appearing in Court, Dominic regularly appears in mediations, JSMs and other forms of evaluative ADR.

Dominic's significant cases on behalf of claimants are confidential. Cases where Dominic has acted on behalf of defendants names have been anonymised.

### **Notable Personal Injury cases**

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#### **X v Y [2021]**

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Acted for Defendant in catastrophic injury claim. Claim settled for a sum in excess of £10m less than

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claimed.

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A v B [2020]

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Acted for Defendant in paraplegia claim. Claim settled for £5m when faced with a claim for £14m.

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## Product Liability

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In the field of product liability, Dominic typically, though not exclusively, represents large scale manufacturers, producers and distributors. He has advised companies based in the UK, the EU and beyond. He has 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 related regulatory prosecutions.

## Appointments

- Football Association Judicial Panel Member (2021)

## Education

- LLB, University of Newcastle-upon-Tyne

## Memberships

- HSLA
- PIBA

## Recommendations

- "He has really good client care skills." "He has a great combination of attention to detail and excellent advocacy skills." "Tactically he is spot on and brilliant, and he has a really good manner with clients." "He's very good at explaining complex things in a clear and concise way and he gets to grips with complex matters really well." **Chambers & Partners 2021**
- "Very good advocate, good tactician and great with clients." **Legal 500 2021**
- "An exceptionally good advocate – he's so impressive. He has excellent judgement and is very



empathetic." It goes on "He's extremely thorough and very trustworthy. He also has an excellent manner in court." **Chambers & Partners 2020**