

Conor Mullan

Year of Call: 2003

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Overview

Conor Mullan joined 3PB in November 2021 and has specialised in personal injury and clinical negligence claims for nearly 20 years. His practice focuses on personal injury, clinical negligence, inquests and health and safety with a background in serious criminal law. During which time he has frequently dealt with injuries up to and including those of the utmost severity. This includes being instructed in the UK Covid-19 Public Inquiry in an ongoing specialist advisory role for a number of participant NHS organisations and acting as one of the counsel to the Grenfell Tower Inquiry.

His successful practice at the Bar of Northern Ireland since 2003 was extended to England and Wales following his call to the Bar in 2012; and Conor now enjoys a well-established, dual practice in both jurisdictions. His practice in Northern Ireland is predominately High Court civil law claims and appeals.

For a number of years Conor has been panel-approved counsel for the insurance sector, conducting cases for all the major insurers and their preferred defendant law firms.

Conor recently appeared in the Court of Appeal of Saint Helena, utilising his extensive background in serious criminal trials, to represent a senior medical practitioner against the Attorney General of Saint Helena. The case follows a complex criminal investigation on the island about potential criminal charges following treatment of his client's former patients. The appeal looked at the Caribbean island's Supreme Court ruling on the arrest and subsequent bail without charge of the accused. Civil proceedings relating to an injunction arising out of allegations of clinical negligence ran parallel to the appeal case (see under Clinical Negligence tab).

Conor has lectured on wide-ranging areas of personal injury issues including credit hire disputes, employers' liability claims and litigation tactics as well as health and safety law.

Recommendations

"His knowledge of the law and analytical ability is outstanding."

Member of the Judiciary

Academic qualifications

- Institute of Professional Legal Studies, Barrister course
- LLB (Hons)

Professional qualifications & appointments

- Bar of England, Wales and Northern Ireland

Professional bodies

- Personal Injuries Bar Association
- Human Rights Lawyers Association
- Criminal Bar Association
- Inner Temple

Expertise

Personal Injury

Conor Mullan is an experienced personal injury practitioner who is instructed in a wide range of personal injury law: road traffic accidents; employers' liability; Highways Act claims; occupiers' liability; fatal accidents and clinical negligence.

He advises from the outset and helps tactically steer the claim through the entire litigation process including; drafting pleadings and advices on liability and quantum, advising in conference, liaising with liability and medical experts and drafting detailed narrative schedules of loss and position statements for settlement meetings etc. He regularly represents both Claimants and Defendants in trials, appeals, interim applications and costs and case management hearings.

Conor also has particular expertise and interest in motor insurance fraud litigation in road traffic accidents (including fraud-rings, staged, contrived and induced accidents, low velocity impact cases, phantom passenger claims, credit hire fraud, exaggeration of loss etc.) which is complimented by his extensive background as a trial advocate in criminal law, and he is instructed by both Claimants and Defendants.

Throughout his career, Conor has defended RTA claims for many of the major insurers, both on quantum and liability. His quantum experience extends across the full range of personal injury claims and related litigation including catastrophic injuries; industrial disease; chronic pain and psychiatric injuries.

Clinical Negligence

Conor Mullan is instructed in the main to act for claimants in clinical negligence claims. He offers specialist advice and advocacy in all aspects of clinical negligence claims and a wide range of healthcare issues. He has forged close links with a diverse array of specialist medical professionals.

Conor provides high quality advice and representation across the whole spectrum of clinical litigation and associated disciplinary tribunals. His experience ranges from dental negligence, and the smaller obstetric and orthopaedic claims to complex psychiatric and catastrophic injury claims.

He recently appeared in the Supreme Court of Saint Helena representing a senior medical practitioner subject to an injunction preventing him from leaving the island. He was instructed by the Public Solicitors office in Saint Helena in conjunction with the Medical Protection Society in London and the Embassy of Guatemala in London. The case involved diverse and wide-ranging issues stemming from allegations of clinical negligence. The injunction brought by the Attorney General of Saint Helena was successfully discharged by Conor, following final hearing before the Chief Justice.

He also appeared in the Court of Appeal of Saint Helena, utilising his extensive background in serious criminal trials, to represent this medical practitioner against the Attorney General of Saint Helena. The case follows a complex criminal investigation on the island about potential criminal charges following treatment of his client's former patients. The appeal looked at the Caribbean island's Supreme Court ruling on the arrest and subsequent bail without charge of the accused. The Justices of Appeal sat remotely in London with representation spread over England, Scotland and Saint Helena. The appeal tested the jurisdiction of the Court and the interpretation of amended Saint Helena legislation, specifically those on arrest, detention and release of suspects.

Inquests

Conor Mullan has substantial experience of inquests in Coroner's Courts and as counsel in wider Public Inquiries, representing the interests of families of the deceased or those of other interested parties, advising on and acting in subsequent fatal accident claims or other associated proceedings.

Conor's expertise in the fields of serious and complex criminal law as well as personal injury and clinical negligence gives him a rare combination of skills which has been invaluable in building a busy inquest and inquiry practice, including Statutory Public Inquiries.

Conor is frequently instructed in Article 2 inquests, as well as at more conventional domestic inquests (including both jury and coroner-only hearings), and in judicial reviews relating to inquests and other coronial matters, and at inquiries following fatalities.

Notable Inquiries

Conor is instructed in the **UK Covid-19 Public Inquiry** in an ongoing specialist advisory role for a number of participant NHS organisations.

Conor was also instructed as counsel in the ongoing **Grenfell Tower Inquiry**, which was created to examine the circumstances leading up to and surrounding the fire at Grenfell Tower in West London on the night of 14 June 2017.

Notable Inquests

Represented family after prison suicide: Conor represented the family of Roseanne Irvine over a number of weeks in an Article 2 jury inquest into her suicide whilst in custody at HMP Maghaberry in Northern Ireland. The inquest was monitored by the Northern Ireland Human Rights Commission and was the subject of a report "NIHRC- The prison within" into the imprisonment of women. The inquest jury came to an unprecedented verdict which then formed the backbone of civil proceedings in the High Court on behalf of the family. The inquest was widely reported and subject to extensive commentary in the media. The Coroner made representations to HM Government recommending the holding of an independent Public Inquiry arising out of this case.

Represented family after police car pursuit deaths: Conor appeared for the family of the deceased in an Article 2 jury inquest lasting a number of weeks concerning the police pursuit of a stolen vehicle. This resulted in the fatalities of a number of young occupants in the vehicle with particular focus on the actions of the police against a complex backdrop leading up to their involvement. The inquest examined all aspects of police investigation and responses, risk assessments, education and training, conduct and policy and procedure in pursuits.

Represented care home after death of resident with dementia: Appeared on behalf of a care home following the death of an elderly resident with dementia. This was an inquest described by the Coroner as "of particular legal and evidential complexity." The inquest lasted a number of weeks over the course of a year. It was initially halted following evidential challenges during the inquest to allow for a police re-investigation, such were the unique and novel issues of law that arose. The inquest recommenced to conclusion around a year after the hearing had initially opened. The inquest involved complex exploration and considerations of the conclusions of Unlawful Killing, Gross Negligence Manslaughter and Corporate Manslaughter; none of which were ultimately found against the care home in the final decision of the Coroner.

Represented a Mental Healthcare Trust after death of patient: Appeared on behalf of a Mental Healthcare Trust following the death of a patient receiving specialist treatment across a number of different services, mental health charities and NHS trusts. Specific consideration given to Article 2 ECHR and concerned inter alia the operational duties of specific mental health services, involving NHS Trusts, regarding psychiatric care of patients with mental health needs.

Represented a Local Authority after death of a vulnerable person in a house-fire: Represented a Local Authority over a week long inquest arising out of the death of a vulnerable individual in a house fire. The inquest examined in detail the role of the Fire Service, Fire investigation process and procedure, Adult Social Care, Local Authority multi-disciplinary remit,

Fire Risk Assessment process and procedures and Community Review infrastructure. The conclusion of Misadventure was explored in detail against the specific factual matrix of the case.

Represented a Local Authority after death of vulnerable person with issues of criminality/drug abuse: Inquest in which Conor appeared for a Local Authority over a number of weeks regarding the inquest to a vulnerable person who passed following the suspicion of the committing of serious criminal acts over a protracted period. The case involved the issues of inter alia; serious individual and organised crime, substance addiction misuse, addiction services, care placements, nationwide homelessness provisions, role of hostels and housing associations, NHS Trusts and General Practice health provision for the most vulnerable in society, recovery and rehabilitation services.

Health and Safety law

Conor is also often leading counsel for health and safety disputes, acting for both the Health and Safety Executive and defendant businesses and individual directors or safety officers in prosecutions.

He has contributed to many health and safety seminars for lawyers including Pinsent Masons, Health and Safety Executive for Northern Ireland (HSENI) and the Institution of Civil Engineers (ICE).

He recently presented at the Institute of Occupational Safety and Health (IOSH) in London.