

Mark Stephen Lomas

Year of Call: 1983

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Clinical Negligence

Mark acts predominantly for Claimants in a variety of claims for clinical negligence against medical, dental and other therapeutic providers extending to claims against GPs (and practice employees), GPs, and hospital staff to consultant level including cases of the utmost evidential complexity, catastrophic injury and fatality. He has a related practice at inquests and in professional negligence actions arising out of medical negligence claims and has acted in GMC disciplinary proceedings.

Recent cases:

- M - B A claim arising out of the negligent re-siting of a gastrostomy tube in a young child, leading to sepsis, cardiac arrest, brain injury and multi organ failure.
- Y - I A claim arising out of the delayed diagnosis of a knee injury, leading to the patient requiring 8 major procedures instead of a straightforward treatment.
- N - W A claim arising out of the alleged misdiagnosis and subsequent treatment of a patient with a uterine abnormality causing multiple miscarriages.
- P - S A claim arising out of the delayed treatment and inadequate care for a prisoner's tracheostomy, leading to permanent lung damage and breathing difficulties.
- B - B A claim arising out of the negligent care of a stroke patient, amidst his relative unwillingness to cooperate. The claim involved detailed review of hospital's care plans, protocols and records.
- M - N A claim arising out of the defendant's failure to diagnose a recurring brain tumour and the neurological damage resulting from delayed surgery.
- T - P A claim arising out of repeated (3 procedures) upper gastrointestinal surgery to remedy reflux, resulting in the inability to take a solid diet and chronic pain.
- W - S A claim arising out of the failure to detect and treat bowel cancer in a patient suffering from ulcerative colitis, resulting in his death, aged 30.
- P - U A claim arising out of a hospital's failure to follow up on a patient's diabetic retinopathy, resulting in the need for prolonged, invasive treatment and damage to vision.
- G - W A claim arising out of a hospital's inability to detect and treat DVT and pulmonary embolism and the resulting impact on the patient's reduced function at work.
- W - A claim arising out of the failure by an Emergency Department to diagnose and treat a *canimorsus capnocytophaga* infection, leading to near fatal sepsis, multi organ failure and limb amputation.
- S - A claim arising out of the failure by a general practitioner to investigate symptoms which would have led to diagnosis of a testicular cancer in good time, leading to the development of advanced cancer, severe illness and prolonged symptoms affecting a career as a professional racing driver.
- B - A claim arising out of spinal cord injury sustained during spinal surgery. The claim was advanced upon the basis both

of lack of informed consent to the injurious aspects of the surgery and in failing to provide prompt remedial surgery to reduce the consequences of injury.

- B – A claim arising out of the failure to investigate the claimant and detect a leak from an anastomosis formed during a laparoscopic bariatric procedure, leading to advanced sepsis and death.
- A – A claim arising out of the failure to detect and treat a bowel perforation during laparoscopic pelvic surgery, leading to severe illness, a de-functioning ileostomy, chronic pain, prescribed opiate addiction and psychiatric injury.
- A – A claim arising out of the failure by an optometrist to investigate abnormality of vision following a sight test that would have revealed the presence of, and enabled earlier treatment of, a brain tumour.
- M – A claim arising out of the failure by two consecutive general practitioners to diagnose / treat infective mastitis leading to prolonged hospitalisation for PVL-SA infection and pneumonia and requiring repeated surgery for advanced breast abscesses.
- R – A claim arising out of surgery for ectopic pregnancy in which the wrong fallopian tube was removed, causing reduced fertility and psychiatric injury.
- S – A claim arising out of the death of an unborn child following hypoxic damage suffered after the mother experienced post-operative bleeding following surgery to treat an ovarian cyst.
- C – A claim arising out of negligently conducted shoulder surgery of hemiarthroplasty.

Recommendations

Mark Lomas has a broad skill set encompassing industrial disease, occupiers' liability, historic sex abuse and employers' liability claims. He is adept at handling cases involving fatal accidents and catastrophic injuries. He represents both defendants and claimants, including children and protected parties. He is particularly skilled in the valuation of complex damages claims.

Strengths: "He is extremely knowledgeable, capable and thorough." "He has outstanding attention to detail." "Mark provides an excellent service."

Chambers UK 2024/Personal Injury/Western Bar/Band 1

Strengths: "Mark is a real expert, unfailingly dependable with outstanding attention to detail."

"He is a very strong advocate with very strong expertise, commercial awareness and excellent client care with speed of response"

"He is extremely clever but can explain the issues to clients so that they believe and trust in him from the outset. He is very strong on causation and quantum issues and his schedules of loss are always exceptional."

"He's a genuine heavyweight in personal injury. He's a very meticulous and courteous opponent."

Chambers UK 2024/Clinical Negligence/Western Bar/Band 1

Mark Lomas chiefly acts for claimants in cases of the utmost severity, including those concerning catastrophic injury and fatal accident claims. He also handles a variety of surgical negligence, dental negligence and delayed diagnosis matters, and is well regarded for his representation of vulnerable clients and minors. Claimants can further benefit from his substantial experience in the valuation of complex future loss claims as well as claims for provisional damages.

Strengths: "Mark is excellent with clients and shows real attention to detail."

"He's practical, knowledgeable and good with clients."

"Mark is a vastly experienced and excellent junior."

Chambers UK 2023/Personal Injury/Western Bar/Band 1

Mark Lomas chiefly acts for claimants in cases of the utmost severity, including those concerning catastrophic injury and fatal accident claims. He also handles a variety of surgical negligence, dental negligence and delayed diagnosis matters, and is well regarded for his representation of vulnerable clients and minors. Claimants can further benefit from his substantial experience in the valuation of complex future loss claims as well as claims for provisional damages.

Strengths: "A hugely experienced barrister, he has great knowledge and a mature feel for cases." "Mark is impressively well versed in cross-border matters. He is absolutely superb." "Mark is cool under pressure. He is extremely knowledgeable, capable and thorough. I trust his judgement implicitly and am reassured that my client is in a skilled and safe pair of hands."

Chambers UK 2023/Clinical Negligence/Western Bar/Band 1

Strengths: "A very experienced and consistently strong performer. He provides an excellent service." "He is an exceptional barrister that I would trust with any case."

Chambers UK 2022/Personal Injury/Western Bar

Strengths: "Very efficient, detailed, and he ensures that all the information required is requested and analysed." "He inspires confidence, never panics and sees trouble before it touches the horizon."

Chambers UK 2022/Clinical Negligence/Western Bar

Strengths: "He's incredibly thorough and extremely analytical. He's also excellent in court." "The standard and quality of his work and service is exemplary." "He's commercially minded, entirely approachable and a very sharp advocate."

Chambers UK 2021/Personal Injury/Western Bar

Strengths: "Very meticulous and knowledgeable. He leaves no stone unturned but he provides his advice in a concise and timely manner. He is very helpful and extremely easy to work with." "A sharp advocate who is commercially minded, entirely approachable and a force to be reckoned with."

Recent work: Represented the claimant in a claim brought against North Bristol NHS Trust concerning a delay in diagnosing a recurrent brain tumour.

Chambers UK 2021/Clinical Negligence/Western Bar

Strengths: "He's meticulous in his preparation and has the ability to immediately strike up relations with clients in very difficult situations. He's also very good in front of judges and is very thoughtful in the way he presents cases." "He is incredibly hard-working, approachable, knowledgeable and hands-on – an all-round superb barrister."

Chambers UK 2020/Personal Injury/Western Bar

Strengths: "He certainly is always very empathetic with clients and conscientious about what he's doing. It's not just 'a case' to him, it's 'their' case. He treats every case like that."

Recent work: Acted for the claimant in a case against Portsmouth Hospitals NHS Trust, in which repeated gastrointestinal surgery was alleged to have led to the claimant's chronic pain and inability to take solid food.

Chambers UK 2020/Clinical Negligence/Western Bar

"He provides practical solutions which inevitably result in sensible outcomes." "He's very, very detailed and leaves no stone unturned. He's also excellent with clients and is really able to bring things down to a level that clients can easily understand."

Recent work: Acted in Farmer v Hussain, a case in which the claimant was knocked down by a bus on a pedestrian crossing and suffered a head injury.

Chambers UK 2019/Personal Injury/Western Bar

"Very competent with technical liability issues." "His advice and guidance throughout a matter, however complex, is always superb. His attention to detail is second to none." "He has excellent judgement, superb people skills, and an air of confidence but not arrogance that sets him apart."

Chambers UK 2019/Clinical Negligence/Western Bar

Strengths: "A very good cross-examiner and a tough opponent." "He is very experienced and provides a consistently high quality of service, with sound judgement and a forensic attention to detail." "An excellent senior junior who knows exactly what is needed evidentially to win difficult cases. He has good manner with challenging clients."

Chambers UK 2018/Personal Injury/Western Bar

'Chiefly acts for claimants in cases of the utmost severity, including those concerning catastrophic injury and fatal accident claims. He also handles a variety of surgical negligence, dental negligence and delayed diagnosis matters, and is well regarded for his representation of vulnerable clients and minors.'

Strengths: "An excellent senior junior who knows exactly what is needed evidentially to win difficult cases and he has a good manner with challenging clients." "In mediation he is very calm, considered and carries a lot of kudos." "Excellent with clients and experts."

Chambers UK 2018/Clinical Negligence/Western Bar

'Focuses on representing claimants in a wide range of maximum severity cases including those relating to catastrophic injury. His practice covers the London Bar and Western Circuit. He routinely acts in surgical negligence matters and delay in diagnoses. In addition, he is adept at dental claims.'

Strengths: "Excellent with clients and experts." "He's exceptional at what he does due to his experience over the years. He instils a great deal of confidence in the clients."

Chambers UK 2017/Clinical Negligence/Western Bar

Strengths: "A superb advocate with meticulous attention to detail." "He is extremely good at analysing complex issues."

Chambers UK 2017/Personal Injury/Western Bar

'An experienced practitioner whose practice includes clinical negligence and personal injury. He practises across both the London Bar and Western Circuit on behalf of both claimants and defendants. He is frequently instructed to handle matters dealing with the most serious harm, including fatal accidents and catastrophic injury.'

Strengths: "Silk material. He is very bright, gives clear advice to his clients and in conference is very good at understanding the key issues in the case without getting bogged down. He's also very good on his feet and is a very solid advocate."

Chambers UK 2016/Clinical Negligence/Western Bar

'Represents both claimants and defendants in a wide range of personal injury cases. He is praised for his attention to detail and strong analytical skills.'

Strengths: "His strength is his analysis and judgement on how to deal with a case effectively." "He's very strong on the mathematical side of the schedules of loss."

Chambers UK 2016/Personal Injury/Western Bar

'...focuses on high-value injury claims arising from RTAs. He is widely praised for his ability to handle highly technical details in complex cases.'

Expertise: "He is extremely good and his attention to detail is second to none."

Chambers UK 2015/Personal Injury/Western Bar

'...has a broad clinical negligence practice which includes dental and therapy work. The range of his work covers minor to catastrophic injuries, and fatalities.'

Expertise: "He is extremely thorough and works very hard." "He has a very good turnaround time and is highly responsive."

Chambers UK 2015/Clinical negligence/Western Bar

'...particularly known for his deft representation of medical professionals in cases ranging from small injury claims up to catastrophic and fatal injury cases.'

Expertise: "He is excellent with clients and experts, and is a reassuring presence in a case." "He is very efficient and definitely knows his stuff."

Chambers UK 2014/Clinical Negligence/Western Bar

'...specialises in high-value claims for catastrophic injuries, including those arising from RTAs and involving employers'

liability. He has significant experience in claims involving complex jurisdictional issues, and is noted for his ability in negotiations.

Expertise: "He's experienced, dependable, has a very keen eye for detail and is always able to add value to a claim. He has a forensic knowledge of the Ogden tables – haven't come across anybody with knowledge that in-depth. He's a statistical man."

Chambers UK 2014/Personal Injury/Western Bar

Mark Lomas is 'meticulous, conscientious and approachable' and mostly acts for claimants, including children, vulnerable clients, and those who lack mental capacity, against health care professionals including, among others, dentists.

'Mark is extremely attentive to the smallest detail so you can be confident that every point will be covered so nothing can jump out and bite you in the future. His advocacy is calm and measured and produces excellent results.'

Legal 500 2024/Clinical Negligence/Leading Juniors/Western Circuit – ranked Tier 1

'Mark is extremely thorough and gets to grips with all of the issues. He is brilliant at the conference and has a calm, reassuring manner with clients.'

Legal 500 2024/Clinical Negligence/Leading Juniors/Midlands Circuit

3PB 'Mark is a leading junior who can be trusted to provide clear, accurate and detailed advice to both clients and instructing solicitors.'

Legal 500 2024/Personal Injury, Industrial Disease and Insurance Fraud/London Bar/Leading Juniors

Mark Lomas boasts 'a huge amount of experience in personal injury work'

3PB 'Mark is a senior junior with incredible knowledge and skill. He has one of the brightest minds around and is always quick to see issues.'

Legal 500 2024/ Personal Injury/ Western Circuit/ Leading Juniors – Tier 1

'A superb junior. He has a fantastic manner with clients and always provides a calm and easy reassurance. He is extremely knowledgeable and experienced in all areas of personal injury work and never phased by any complexities.'

Mark Lomas is 'a heavyweight in personal injury law' and 'a consistently high quality performer'.

Legal 500 2023/Personal Injury/Leading Juniors/Western Circuit – Ranked Tier 1

'A robust and tenacious advocate. He bring a calm clarity to the most complex of cases and he is extremely meticulous. A match for most silks.'

Mark Lomas is 'very thorough' and 'exceptionally good with clients, able to distill complex matters and provide sharp, candid advice with charm' – 'a silk in all but name', according to instructing solicitors. Lomas continues to act in a wide range of claims against dental practitioners and healthcare professionals.

Legal 500 2023/Clinical Negligence/Leading Juniors/Western Circuit– Ranked Tier 1

'Mark is quite simply a fantastic barrister.'

Legal 500 2023/Personal Injury/Leading Juniors/London Bar

'Mark is incredibly meticulous, and he has a unique attention to detail which is absolutely crucial in complicated cases. He is always easily contactable and up-to-speed with the latest developments in the law.'

Legal 500 2023/Personal Injury/Leading Juniors/Midlands Circuit

'Mark is incredibly knowledgeable, experienced, very reliable and calm under pressure. He is well liked by clients, who

appreciate the clear and timely advice he always provides.'

Legal 500 2022/Personal Injury/Leading Juniors/Western Circuit

'His attention to detail is second to none. Forensic when questioning experts. A very safe and experienced pair of hands.'

Legal 500 2022/Clinical Negligence/Leading Juniors/Western Circuit

3PB 'An exceptional barrister: meticulous and thorough, with a brilliant, agile mind.'

Legal 500 2022/Personal Injury/Leading Juniors/London Bar

'Very meticulous and knowledgeable, and leaves no stones unturned yet provides his advice in a concise and timely manner.'

"Of particular note is Lomas' representation of a claimant who suffered severe neurological injury due to a brain stem tumour which had previously been removed, where the return of the tumour was missed during routine scanning and diagnosis was delayed."

Mark Lomas is acknowledged in the **Legal 500 2022**/Personal Injury/Leading Juniors/Midlands Circuit edition.

Legal 500 2021/Clinical negligence/Leading juniors/Regional Bar/Western Circuit

'Provides high quality, well considered and cogent advice in all cases.'

Legal 500 2021/Personal injury/Leading juniors/London Bar

"A leader in his field', Mark Lomas is a key member of the personal injury team at 3PB. Lomas has a particular interest in catastrophic injury claims involving both traumatic brain injury and spinal injury and also in fatal accident claims".

'Mark is a leader in his field and excels in all aspects of personal injury law. He is the practical, extremely user friendly, bright, tactical and focussed on the job. He brings all of the qualities of a QC.'

Legal 500 2021/Personal injury/Leading juniors/Regional Bar/Western Circuit

'A very knowledgeable, robust litigator, who has a great manner with clients.'

Legal 500 2020/Clinical negligence/Leading juniors/Regional Bar/Western Circuit

'He has a very good eye for detail and is adept at schedule preparation.'

Legal 500 2020/Personal injury/Leading juniors/London Bar

'He has an excellent knowledge of all aspects of personal injury law and procedure.'

Legal 500 2020/Personal injury/Leading juniors/Regional Bar/Western Circuit

'Very consistent, high-quality performer with an eye for detail.'

Legal 500 2018/19/Personal injury/Leading juniors/London Bar

'A top-quality performer'

Legal 500 2018/19/Personal injury and clinical negligence/Leading juniors/Regional Bar/Western Circuit

'Extremely bright, professional and very good with clients'

Legal 500 2017/Personal injury/Leading juniors/London Bar

'He is meticulous and extremely knowledgeable.'

Legal 500 2017/Personal injury and clinical negligence/Leading juniors/Regional Bar/Western Circuit

'He has extraordinary attention to detail.'

Legal 500 2016/Personal injury and clinical negligence/Leading juniors/Regional Bar/Western Circuit

'Meticulous and responsive'

Legal 500 2015/Personal injury and clinical negligence/Leading juniors/Regional Bar/Western Circuit

'Pragmatic and thorough.'

Legal 500 2014/Personal Injury and Clinical Negligence expertise/South Eastern Circuit

'technical ability is excellent, and on a par with many silks'.

Legal 500 2013/Personal injury and clinical negligence expertise/Western Circuit

Academic qualifications

- BA (Keele)

Professional qualifications & appointments

- Accredited Mediation Advocate

Professional bodies

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