



Nicola Greaney KC

Year of call: 1999 | Silk: 2023

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"She's very astute and gets to the crux of even the most complicated matters." Chambers and Partners 2024

"She is intelligent, bright and brilliant with clients." Chambers and Partners 2024

Nicola is a versatile advocate with a diverse and multi-disciplinary practice encompassing clinical negligence, Court of Protection (COP), public and regulatory law, personal injury, costs and litigation funding and sports law.

She is instructed in high-value, legally and procedurally complicated cases which often have a high degree of sensitivity or novelty, and generate press and public interest.

Nicola is instructed by the NHS, central government, private health care providers, individuals, corporate bodies, regulators and other public authorities. She is frequently instructed in cases raising public and private law issues which cross-over a number of her practice areas.

Before taking silk, she served on all three Attorney General panels.

She is an experienced advocate in a variety of courts including the Court of Appeal and the High Court and has appeared before a range of regulatory tribunals.

She is experienced in group litigation, specialist group litigation costs and litigation funding.

She has an expertise in safeguarding arising from her work with vulnerable adults in the COP and in sexual abuse claims in the civil context. She sits as an arbitrator on Sports Resolution's Safeguarding Panel and has acted for governing bodies and individuals in safeguarding cases in sport.

Areas of expertise

Clinical Negligence

Personal Injury

Healthcare

Court of Protection and Medical Treatment

Civil Liberties and Human Rights

Administrative and Public

Regulatory and Disciplinary
Costs and Litigation Funding
Sport
Information and Media

Court of Protection and Medical Treatment

Nicola represents the Official Solicitor (OS), private individuals, local authorities and health bodies in a wide range of Court of Protection (COP) cases involving adult health, welfare and finances in the inherent jurisdiction. Nicola has appeared in many medical treatment cases concerning adults, children and babies, including in end of life cases, drawing up her wide-ranging expertise as a clinical negligence practitioner. She acts for hospital trusts, the OS and family members. She is very experienced in claims raising Mental Health Act issues.

She is regularly instructed in property and affairs cases including challenges to deputyship appointments and/or claims brought against deputies or attorneys and/or issues arising in the management of large personal injury funds (including social care/funding).

She is frequently instructed in cases where there are concerns about physical and financial abuse and/or associated damages claims.

"She is very thorough, experienced and incredible at drafting." "She is incredibly professional, with an abundance of integrity." Chambers and Partners, 2022

Cases of note:

- ***Gloucestershire Health and Care NHSFT v FD (by her litigation friend, the Official Solicitor) [2023] EWHC 2634 (Fam)*** - Acted for FD in an application brought by the Trust to prevent compulsory feeding or weight restoration of an anorexic woman who lacked capacity to make decisions concerning her nutrition and hydration.
- ***Re P (Discharge of a Party) [2019] - EWCOP 48, [2021] 1 WLR 3098 (CoA)*** - Nicola acted for the Mental Health Trust in long running proceedings in the High Court raising medical treatment and welfare issues in respect of a victim of sexual abuse diagnosed with atypical anorexia. The case went to the Court of Appeal following the discharge of P's mother as a party without notice.
- ***Staffordshire County Council v DD & ors [2021]*** - COP case considering the capacity test under Schedule A1 Mental Capacity Act (MCA) to consent to care and treatment arrangements in the context of fluctuating capacity.
- ***Hwyel Dda University Health Board v EW (by her litigation friend, the OS) [2022]*** - Nicola represented the health board in an extremely urgent case about whether an elderly woman should be force fed while under restraint so as to avoid imminent death.
- ***Re PH [2022]*** - Nicola represented the Public Guardian in a contested property and affairs application to revoke lasting powers of attorney and replace with a deputy. Dispute over capacity to make gifts and whether attorneys acting in P's best interests.
- ***An NHS Trust v A & B & C [2018] EWHC 2750 (Fam)*** - Nicola represented the family of an infant, C, with severe brain injury in a case about withdrawal of life-sustaining treatment.
- ***Re D (Medical Treatment) [2017] EWCOP 15*** - Nicola represented the Ministry of Defence in an unusual case concerning a former soldier who had sustained traumatic brain injury and wished to travel to Serbia to undergo experimental stem cell treatment.
- ***Re PV [2015] EWCOP 87, [2016] EWHC EWCOP 3707 (Mr Justice Charles on appeal)*** - COP case concerning trusts created for the purpose of administering awards made by the Criminal Injuries Compensation Authority. No involvement of the COP was required in the settlement of such trusts because the award was not ever P's money. Guidance given by the Court of Protection in

dealing with such cases.

Recommendations

- *"She is excellent in advisory work and on her feet, and can contend with complex facts with ease."* Chambers and Partners 2023
- *"She is very straightforward and clear in addressing judges."* Chambers and Partners 2023
- *"Nicola is incredibly diplomatic."* Chambers and Partners 2023
- *"She is able to break down complicated legal problems."* Chambers and Partners 2023
- *"She is empathetic and practical to the client's needs."* Chambers and Partners 2023
- *"Nicola is very legally and technically accomplished."* Chambers and Partners 2023
- *"Nicola has very good attention to detail and gets straight to the heart of the issue."* Chambers and Partners 2023
- *"A clever and insightful lawyer able to develop and articulate complex legal issues. A silk in waiting."* The Legal 500, 2022
- *"She is very thorough, experienced and incredible at drafting."* *"She is incredibly professional with an abundance of integrity."* Chambers and Partners, 2022
- *"Very personable and bright". "She's both good with clients and articulate on paper."* Chambers and Partners, 2022
- *"She has a really good calm manner that instils trust in the panel. Doesn't take points that are too high or impossible to back up."* *"Impressive, practical and very good with clients."* Chambers and Partners, 2022
- *"Her legal knowledge is fantastic, and she has the ability to frame submissions in an intelligent, yet easy to digest manner that the court loves."* The Legal 500, 2022
- *"A clever and insightful lawyer able to develop and articulate complex legal issues. A silk in waiting."* The Legal 500, 2022
- *"A terrific junior with good judgement, who is hard-working, knows her stuff and is good at meeting deadlines."* *"She is incredibly detailed in her approach – a spreadsheet queen."* Chambers and Partners UK 2021
- *"Extremely professional and knowledgeable. She is able to give exceptional yet compassionate advice in very complex cases."* *"She puts up a good fight for her clients."* Chambers and Partners UK 2021
- *"She is personable, calm and unflappable in court."* *"She is always extremely approachable. She gives robust and clear advice."* Chambers and Partners UK 2021
- *"Extremely bright, thorough and thoughtful."* Chambers and Partners UK 2020
- *"A robust advocate who is very down to earth. She provides very sound advice."* Chambers and Partners UK 2020

Memberships

- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Personal Injury Bar Association (PIBA)
- Court of Protection Bar Association (CPBA)
- Administrative Law Bar Association (ALBA)
- Professional Negligence Bar Association (PNBA)

- Liberty

Qualifications

Education

- BA (Hons) Law, New Hall, Cambridge, 1998
- Bar Finals, Inns of Court School of Law (1999)
- King Edward VI Grammar School, Chelmsford, Essex
- Ursuline High School, Brentwood, Essex

Scholarships and prizes

- Von Moltke Scholarship, Inns of Court
- Inner Temple Bursary (1998)
- Duke of Edinburgh Entrance Scholarship (1998)
- Cambridge European Studies Scholarship for Italian Studies in Italy (1998)

Additional Information

Appointments

- Committee member of Cambridge Medico-Legal Conference (2021 to date)
- Sport Resolution's National Safeguarding Panel, Legal member (2021 to date)
- Member of Bar Council Remuneration Committee (2018 to date)
- Equality, Diversity and Inclusion Officer, 39 Essex Chambers

Languages

- German
- French

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