

## Dominic Ruck Keene

Call: 2012



Dominic Ruck Keene has developed a varied practice in all the core areas of Chambers' work, in particular inquests, public law and human rights, personal injury and clinical negligence. He also has a growing practice in the specialist areas of child abuse compensation, cyber and data protection, as well as employment and equality law. As a member of the Attorney General's C Panel, he is instructed by a number of different Government departments in cases involving a wide spectrum of different areas of law.

As a former Regular Army officer and serving Reservist Army officer, Dominic has a particular interest and expertise in all nature of cases involving service personnel, as well as National Security more generally.

## Inquests

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Dominic represents the entire spectrum of families, prisons, GPs, and healthcare providers at inquests. He has developed a particular specialism in inquests involving mental health issues, and regularly appears at Article 2 and jury inquests into the deaths of both formally and informally admitted mental health patients, as well as those being treated in the community. He also frequently appears at prison inquests, including suicide and drugs related deaths.

## Selected Cases

- **Inquest into the death of Osman Ahmednur:** Represented NHS trusts at the inquest into the suicide of former Eritrean refugee.
- **Inquest into the death of Richard Handley:** Appeared for family in inquest into the death of a 33 year old man with Down's Syndrome and mental health issues who was living in supported housing and died from constipation.

- **Inquest into the death of Barry Tucker:** Appeared for family in inquest into death of a cancer patient who died having been discharged prematurely.
- **Inquest into the death of Daniel Chapman:** Appeared for NHS Trust in inquest into death of mental health patient who died while being treated in the community and living in supported accommodation from an overdose of legal highs.
- **Inquest into the death of George Sutcliffe:** Appeared for family in inquest into death of elderly patient where issues over whether should have been discharged earlier and avoided terminal decline while admitted.
- **Inquest into the death of Glenn Jordan:** Appeared for family in inquest into death of informal admitted mental health patient who hung himself while in hospital.
- **Inquest into the death of Davindar Lal Seth:** Appeared for family in inquest into the death of a patient who aspirated vomit while in intensive care and suffered cardiac arrest.
- **Inquest into the death of Sally Ahmed-Chamberlain:** Appeared for hospital in inquest into suicide of someone previously under care of mental health services.
- **Inquest into the death of Henry Hughes:** Appeared for hospital in inquest into death of informal admitted mental health patient who hung himself while on leave from hospital.

## Clinical Negligence

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Dominic has considerable experience of acting in clinical negligence claims for both claimants and defendants: drafting the full range of pleadings, advising on merits, quantum and settlement; successfully representing parties at RTMs and at mediation; as well as appearing in case management hearings, application hearings, and at trial in both the County and High Courts.

Cases include those involving:

- Cerebral palsy and other catastrophic birth related injuries
- Psychiatric injury (both primary and secondary victims)
- Orthopaedic injuries (in particular delayed diagnosis of fractures)
- Delayed diagnosis and treatment of cancer
- Patients detained in prison or under the mental health act
- Retained products of conception
- Injuries to reproductive organs and 'loss of a chance' claims, including vaginal mesh
- Cauda equina
- Informed consent and scope of duty

Against the background of having been led by Lizanne Gumbel QC in achieving a successful settlement for hundreds of claimants against a consultant breast surgeon ([Mr Ian Paterson](#)) for negligent treatment spanning a decade given to both NHS and private patients, Dominic has developed a particular expertise in cases involving private healthcare providers. He is currently instructed in vaginal mesh claims being brought against Ian Lindsey/ Tony Dixon and Nuffield/ Spire Health.

# Personal Injury

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Dominic represents both Claimants and Defendants across the entire spectrum of personal injury litigation, including workplace injuries (including asbestos related conditions and other Fatal Accident claims) and injuries resulting from data breaches.

## Selected Cases

- **Cyprus Emergency Litigation 2018:** Instructed on behalf of the MOD and the FCO in a significant case brought by 35 claimants alleging that they were physically abused by the Security Forces during the Cyprus Emergency.
- **Paterson Inquiry 2017:** Dominic was led by Lizanne Gumbel QC for the claimants in respect of test cases being brought on behalf of hundreds of patients against a consultant breast surgeon (Mr Ian Paterson) for negligent treatment spanning a decade given to both NHS and private patients.
- **Snatch/ Pinzgauer 2016:** Dominic was led by David Evans QC for the MOD in the lead test cases for the application of negligence to combat operations following the decision of the Supreme Court in *Smith & Ors v Ministry of Defence (No 2)* regarding the extent of the MOD's duty of care under Article 2 to soldiers on operations in Iraq and Afghanistan.

# Child Abuse Compensation Law

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Dominic represents victims of historic child abuse in actions against both local authorities and individuals. He represented a survivors' group at the Independent Inquiry into Child Abuse (IICSA).

# Human Rights

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As a former Regular Army officer he has a particular interest and expertise in cases involving the military and national security issues. Dominic is security cleared.

He has been instructed by the MOD in a number of cases brought on behalf of injured or killed servicemen alleging breach of their Article 2 rights. Dominic was led by David Evans QC in the lead test cases for the application of negligence to combat operations following the decision of the Supreme Court in *Smith & Ors v Ministry of Defence (No 2)* regarding the extent of the MOD's duty of care under Article 2 to soldiers on operations.

Dominic represents serving and former service personnel in service complaints and civil claims brought against the MOD.

Dominic has also represented individual claimants (and their families) in a number of claims brought against a variety of state bodies alleging breach of their Article 2 and Article 3 rights.

## Immigration

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Dominic is building an immigration practice, and has represented both applicants seeking leave to remain and also the Home Secretary in immigration proceedings before both the Immigration Appeal Tribunal and the Upper Tribunal.

## Data Protection & Cyber

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Dominic represents claimants in cases against local authorities and other public bodies relating to breach of confidence, misuse of private information and breach of the Data Protection Act. He also advises clients regarding the implementation of GDPR and the management of data loss incidents.

## Employment & Equality

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Dominic represents both employers and employees in disciplinary and employment proceedings, in particular in cases alleging constructive dismissal or discrimination.

As well as representing claimants and defendants at the Employment Tribunal, Dominic has appeared before the GMC, and representing a potentially affected person at an Army Board of Inquiry into alleged discrimination and mismanagement. Dominic's military experience gives him a particular insight into representing claimants and defendants in cases involving service complaints and employment claims brought against the MOD.

## Direct Access

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Dominic Ruck Keene has developed a varied practice in all the core areas of Chambers' work, in particular inquests, public law and human rights, and clinical negligence. He also has a growing practice in the specialist areas of child abuse compensation, cyber and data protection, as well as employment and equality. As a member of the Attorney General's C Panel, he is instructed by a number of different Government departments in cases involving a wide spectrum of different areas of law.

Dominic accepts direct instruction from lay clients across a range of practice areas, with a particular interest in representing families at inquests. For more information, please view his profile [here](#).

## Appointments

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- ADR Group Accredited Mediator (2012)

## Awards

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- Lord Denning Scholarship, Lincoln's Inn (2011)
- Lord Haldane Scholarship, Lincoln's Inn (2005)
- Smith Prize for History & College Scholar, St Peter's College (2002)
- British Army University Bursar (2001)
- British Army Sixth Form Scholar (1998)

## Education

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- Advanced International Advocacy Course, Keble College, Oxford (2016)
- BVC (Very Competent), BPP, London (2012)
- MA in War in the Modern World (Merit), King's College London (2011)
- Graduate Diploma in Law (Distinction), City University (2005)
- MA (Oxon) in Modern History (First Class), St Peter's College, Oxford (2004)

## Memberships

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- ALBA
- PIBA
- PNBA

## Publications

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- Seminar on 'Scope of Duty: Chester v Afshar revisited' (June 2019)  
Talk on 'Implications of the Forthcoming Discount Rate Review' Avma, (May 2019)
- 'Big Brother Watch & Others v UK' Counsel Magazine, (November 2018)
- Talk on 'The Liability of Private Hospitals and Clinics' (2018)
- Talk on 'Education and Mental Capacity Training for Local Government' with Orbis Law (2017)
- Talk on "The Stages of Clinical Negligence Litigation' (2017)
- Dominic is a regular contributor to the UK Human Rights Blog and Law Pod UK.
- Editorial Team for the 1COR Quarterly Medical Law Review (QMLR)