

Matthew Donmall

Call: 2006



Matthew Donmall has a wide-ranging public and private law practice, with particular emphasis on indirect taxation and rating, clinical negligence, personal injury, and public law, public inquiries and inquests.

Tax

Matt has expertise in matters of indirect taxation, including VAT, customs and excise duties, and rating, appearing in tribunals and courts all the way to the Supreme Court. He has particular experience of Rule 18 group litigation, single / multiple supply issues, and classification disputes in respect of technological products.

Selected Cases

- **Newbigin (Valuation Officer) v S J & J Monk (firm) [2017] UKSC 14:** Rating case concerning the meaning of the statutory repair assumption under the Local Government Finance Act 1988.
- **Airtours Holiday Transport Ltd v HMRC [2016] UKSC 21:** Relating to VAT tax treatment of supplies in a tripartite scenario.
- **General Healthcare Group v HMRC [2016] UKUT 315 (TCC):** Single / multiple supply dispute relating to provision of prostheses by hospitals.
- **Mercedes-Benz Financial Services UK Ltd v Revenue & Customs [2015] EWCA Civ 1211:** VAT treatment of a motor vehicle finance agreement.
- **Amino Communications Ltd v HMRC [2015] UKFTT 0035 (TC):** Concerning the proper classification of internet-protocol set top boxes.

Clinical Negligence

Matt has extensive experience in clinical negligence disputes, acting for both claimants and defendants, across a wide range of claims, including general practice, gastroenterology, delayed cancer diagnosis, orthopaedics and dentistry.

Personal Injury

Matt frequently undertakes advisory, written and court work in personal injury matters, often with an international element. He has particular experience of group action and limitation issues, and was instructed at all levels up to the Supreme Court in the Nuclear Test Veterans Group Litigation (led by Charles Gibson QC). He is currently instructed by the MOD in a number of personal injury claims arising out of active operations in Afghanistan and Iraq, in which the MOD relies on the doctrine of combat immunity.

Selected Cases

- **Daley v Bakiyev [2016] EWHC 1972 (QB)**: Successfully represented Maxim Bakiyev, son of the former President of Kyrgyzstan, against a claim that he had “organised and arranged” the shooting of a British businessman for reasons connected to a mining licence for a Kyrgyz goldmine.
- **A v MOD (unreported) [2015], QBD before Mitting J**: High Court trial of alleged assault of an interpreter in Afghanistan who had been considered a security risk.

Public Inquiries

Matt has considerable public inquiry experience and is currently instructed to act as Junior Counsel to the Independent Inquiry into Child Sexual Abuse (IICSA). He was previously instructed in the Kenyan Emergency Group Litigation (known as the ‘Mau Mau’ litigation) and represented over 250 MOD witnesses in the Public Inquiry into the death of Baha Mousa (led by Neil Garnham QC).

Inquests

Matt regularly appears at inquests, in particular those involving healthcare issues or deaths in custody.

Appointments

- Junior Counsel to the Crown B Panel (2015 – present)

- Junior Counsel to the Crown C Panel

Education

- Bar Vocational Course (Outstanding), Inns of Court School of Law (2006)
- Postgraduate Diploma in Law (Distinction), City University, London (2005)
- MPhil International Relations, Oxford University (2002)
- BA History (Double First), Cambridge University (2000)