

CONOR DUFFICY

Year of call
2004



Conor has a broad civil law practice and advises and acts in court for both claimants and defendants on a broad range of clinical negligence, personal injury, product liability and commercial matters.

He has been instructed in complex multi-jurisdictional and group actions. He has considerable experience in advising regarding fraudulent claims. He has contributed to relevant publications, in addition to providing seminars for solicitors and other organisations. He has sat on internet and sports bodies' regulatory panels. He has appeared as an advocate before sports regulatory panels. He qualified as an Accredited Mediator and has mediated many commercial, personal injury, probate and other disputes. He had a 16-year career in finance before qualifying as a barrister and was European Head of Foreign Exchange and Global Head of Currency Derivatives at Bank of America. He obtained his law degree in Trinity College Dublin, a PGDL in City University and the BVC (as it then was) in ICSSL. His interests include the works of Shakespeare, travel, reading, golf, rugby, football and tennis. He is a qualified private pilot.

Conor is qualified to accept instructions directly from clients and is registered under the Bar Council's Public Access Scheme, meaning that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme. For more information please visit our Direct Access page [here](#).

LEGAL EXPERTISE

Clinical Negligence

Conor acts for claimants and defendants in clinical negligence claims advising, drafting pleadings, attending settlements meetings and in court. He has advised in all areas of clinical negligence including cerebral palsy,

serious birth injury, serious brain injury, fatalities, obstetric negligence, oncology, negligent orthopaedic surgery, dentistry, ophthalmology, otology, administration of medication/pharmaceuticals, failed terminations, fatalities, negligent breast and cosmetic surgery, and failure to diagnose and consent, including in custodial and military settings. He has extensive experience in defective prosthesis litigation and related surgical issues including robotic surgery. Conor has a broad Inquests practice in clinical negligence, road traffic, accidents at work, alleged suicide and unlawful death cases.

Selected Cases

[K v P \[2023\]](#)

Fatal case of adult suicide pleaded in excess of £20 million.

[N v S \[2023\]](#)

Ongoing case, headed to trial, catastrophic brain injury in an adult.

[B v L \[2022\]](#)

Catastrophic injury case with a capitalised value in excess of £30 million.

[McKelvey v Royal Bournemouth & Christchurch NHS Foundation trust \[2022\]](#)

Consent case won at trial regarding hysterectomy and bilateral salpingo-oophorectomy.

[D v H \[2021\]](#)

Failure to diagnose hydrocephalus in a newborn.

[S v G \[2021\]](#)

Involving post-natal infection resulting in serious functional and cognitive impairment. Multi-jurisdictional aspects to quantum. Conor is representing the Defendant.

[W v S \[2021\]](#)

Claim arising from negligent hip surgery against complicated history of defective prostheses. Settled for in excess of £1million.

[B v B \[2019\]](#)

Medical negligence arising from defective hip prosthesis and failure to recall, allegations of dishonesty.

[D v MK \[2019\]](#)

Blindness caused by clinical negligence in an elderly patient.

G v H [2018]

Concerned hypoxic brain injury at birth which settled just before trial for a sum, if capitalised, in the tens of millions.

B v H [2018]

Suicide arising in circumstances of allegations of inappropriate care from the mental health authorities (leading to large settlement for surviving family).

F v G [2018]

Maternal birth injury case involving losses arising from a growing business that failed to expand after the injury. Settled at mediation £1 million.

S (A child) v Mid Yorks Hospitals NHSFT & H (A child) v Birmingham Hospitals NHSFT [2016]

Both cases concerning hypoxic brain injury at birth.

Personal Injury

Conor has been instructed in many areas of personal injury: employers' liability, military injuries, road traffic accidents; Highways Acts claims and occupiers' liability. He has advised extensively on claims with international aspects and in particular in matters dealing with jurisdiction and applicable law. He regularly advises upon and drafts complicated personal injury schedules of loss.

He advises on liability and quantum in many areas of personal injury including but not limited to, orthopaedic injuries, sensory loss, loss of limb, paresis, loss of mobility, brain damage, and psychiatric damage. He has considerable experience in somatic and functional neurological disorders (conversion disorders). These cases often involve allegations of fundamental dishonesty.

Conor has acted for defendants in fraud related personal injury matters, historical sex abuse allegations against individuals, educational and care institutions, private organisations and charitable/religious bodies. Conor has also advised extensively in cases involving the standard of social care and educational negligence and deliberate injury. He has advised extensively on quantum, vicarious liability and limitation.

Conor has direct access rights and is happy to be instructed on a CFA basis.

Selected Cases

E v P [2023]

Case involving functional neurological disorder and allegations of fundamental dishonesty arising from a brain

injury at work. Settled the month before trial.

M v L [2023]

RTA involving FND and need for lifelong care.

S v D [2022]

RTA, rear seat passenger, driver under the influence, allegations of contributory negligence, settled for £1 million.

C v P [2018]

Boating accident in a foreign country. Settled before trial.

Dunnett v Devon CC

A convicted murderer sought compensation for historic abuse. Conor was instructed for the Defence. The claim was dismissed at trial.

Bics v Nahome RTA Accident

Cyclist serious brain injuries. Conor represented the defendant. Case dismissed at trial.

Product Liability

Conor has acted for over 200 claimants in cross-border hip prosthesis claims. He appeared as junior to Hugh Preston QC in Allen v Depuy International Limited in a preliminary trial concerning applicable law under Rome II and PILA. The case also considered the territorial application of the Product Liability Directive and the Consumer Protection Act. He has also advised on other products sold and used across national frontiers. He has particular experience in hip-prostheses, cosmetic implants and pharmaceuticals office equipment and white goods.

He has acted for claimants with Depuy ASR, Corin Cormet, Wright Conserve, Smith & Nephew Mitch and Biomet prostheses in court. He was part of the team that settled the Corin Litigation within weeks of trial.

Conor has presented regularly on the law and provided in-house training for solicitors in this area.

Selected Cases

J v B 2023

Brain injury case involving allegedly defective embolisation materials (ongoing).

Various ongoing cases regarding consumer products causing person injury.

Frank Amor & Others v Corin UK Ltd

Multi Group action litigation in defective prostheses. The Corin Litigation was scheduled for trial for 18 weeks in October 2017 as part of the 'test case' GLOs in the hip prostheses litigation.

Allen & Others v DePuy International Ltd [2015] EWHC 926 (QB)

International litigation concerning hip prostheses, preliminary issue on the meaning of NZ Law.

Allen & Others v DePuy International Ltd [2014] EWHC 753 (QB)

Preliminary trial regarding applicable law under PILA and Rome II and the geographical extent of the Product Liability Directive and the CPA 1987.

Bailey & Others v GlaxoSmithKline

The case involved detailed reviews of many years of chemical clinical trials and practice and in-depth statistical analysis.

Conor was the author for the Lexis Nexis online guide to litigation in clinical negligence and product liability.

Conor was published in PI Focus [2019] in an article co-authored with a partner at an instructing firm regarding robotics in clinical negligence and product liability claims.

Inquests & Inquiries

Conor acts primarily for families in inquests, often with a clinical negligence aspect. He also acts for families and other interested parties in all other kinds of inquests arising from accidents and suicides. He appears regularly in Article 2 inquests and inquests where a jury has been impaneled. Recent cases have involved suicide in private and public facilities, death by reportable diseases and A&E and other clinical settings. He has also represented families where the deceased has been killed by a defective product.

Commercial/Contract/Offshore

Conor has advised and appeared in Court on a number of commercial cases involving contract disputes and complicated trust and company matters. Specifically, he has advised on the sale of goods, title, unfair contract terms, forced selling, agency, misrepresentation, the interpretation of Articles of Association and the allocation of profits under IFRS. Conor has an extensive background in Banking and Finance. He has advised on a number of insurance related matters, including withdrawal of indemnities, general obligations under policies and fraud.

Conor has mediated a number of commercial disputes.

Conor has extensive experience working in offshore jurisdictions in civil matters. He has advised extensively on trusts, company, fraud and commercial and regulatory matters. Cases have included disputes over the allocation of trading profits, allegations of fraud, declarations of dividends, application and interpretation of articles of association, the applicability and interpretation of IFRS, costs, tracing and negligent administration of funds and trusts structures. He has advised in losses from market trading in bonds and foreign exchange.

Selected Cases

Trilogy Management Limited v YT & Others [2012] JRC093

A dispute over the dividends declared by an investment company to its shareholder, a charitable foundation after a change in accountancy policies.

UCC v Bender

Involved allegations of civil fraud in a hedge fund setting, with a complex structure and complicated off-shore commercial issues.

A case concerning the hostile removal of a partner from a successful IT enterprise.

A claim for economic damages arising from works associated with compulsory purchase by TFL.

A claim for monies outstanding on a complex series of hotel management contracts.

Advised on the implications of money laundering legislation for a major commercial enterprise.

Sports Law

Conor has a keen interest in particular aspects of sports law including personal injury and commercial contracts. He has advised on the money laundering aspects of commercial matters in sport. He has an extensive practice in commercial and personal injury law. He has a broad background in business and was a criminal barrister for the first 4 years of his practice. He has a broad interest in sport with an emphasis on football and Rugby Union. He is an Accredited Mediator and has acted as an appeals chairman with the English Netball Disciplinary Process.

Selected Cases

British Horseracing Authority v McConville [2018]

The first case involving allegations of cobalt doping in horseracing in the UK. Conor represented the respondents.

Appointments

- Accredited Mediator

Memberships

- Action Against Medical Accidents (AVMA)
- Association of Personal Injury Lawyers (APIL)
- Personal Injury Bar Association (PIBA)
- Middle Temple

Publications

"Appropriate clinical negligence cover and problems suing private clinics and clinicians in medical negligence," by Ian Christian and Conor Dufficy in Journal of Personal Injury Law, issue 3 2023, p.163-172.

"Robotics – the future of surgery," by Conor Dufficy and Finn Stevenson in Counsel Magazine, June 2022, p.41-42.

Various chapters in Coroners' Investigations and Inquests, LexisNexis, February 2021.

"Robotic surgery from the litigator's perspective," by Conor Dufficy in Journal of Personal Injury Law, issue 4 2021, p.218-224.

"Rise of the robots," by Conor Dufficy, in PI Focus, May 2019, p.6-9.