

Jonathan Derrington

Call: 1998



Jonathan Derrington is an experienced barrister and part of the Business & Property, Clinical Negligence and Personal Injury groups.

Expertise

Clinical Negligence

Jonathan is a very experienced clinical negligence and personal injury practitioner, who practises in all areas of clinical negligence. Whilst most of his instructions are of significant financial value, every instruction is of significant value to Jonathan and each is treated accordingly.

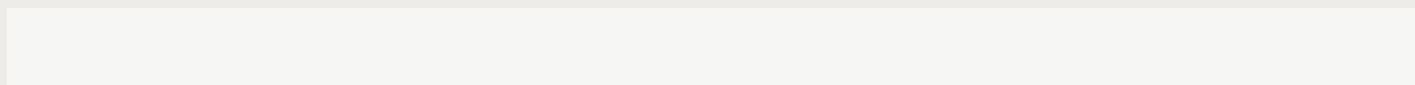
He recognises the vulnerability of clients in this area of law and is well-known for his careful and compassionate approach with them, alongside his courteous, but assertive approach with opponents, together with his excellent management/optimisation of large teams of independent experts.

Whilst some barristers practice practice solely in clinical negligence, Jonathan believes that practising in both areas ensures that expert forensic skills, kept sharp in the more frequent court hearings of a personal injury practice, are available when needed in a clinical negligence setting. He has a formidable trial record.

Jonathan's approach to his clients is best summed up in the following recent quote from a client:

"Kindness and sincerity. From the beginning of the case, I have felt listened to, believed, respected, and invested in. This has been from everybody in the legal team, including the Barrister, Mr Derrington, who I was also very impressed with, and I think has a fantastic working dynamic with [solicitors]. When pursuing a case as personal and sensitive as mine, confidence and strength to continue with the case through a protracted length of time, is borne from confidence from the legal team..."

(For further information about Jonathan's experience, please see sub-specialties.)



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Brain Injury & Cerebral Palsy

Jonathan has a reputation for his incisive but compassionate approach to clients (and their families) who are having to cope with catastrophic, traumatising and profoundly life-changing injuries, whilst travelling the often long, complex and emotionally-draining road of litigation.

The large teams of experts usually involved in such cases always require careful management and Jonathan welcomes the challenge of extracting the very best from each expert, whilst also creating a collegiate atmosphere of respect, enthusiasm, inquisitiveness and case theory development /innovation within a team of independent experts.

Jonathan's experience of such injuries includes:

- Traumatic brain injuries
- Birth brain injuries

Cancer

Jonathan is well-known for his sensitive approach to clients in very difficult predicaments. He attempts to balance clear, objective advice with empathy for the many struggles faced by clients with this terrible diagnosis, a fact which must not be lost in the cut and thrust of litigation. Building trust with clients is often vital in unlocking invaluable and detailed testimony from them.

He has a wealth of experience of cases involving different types of cancer, from failures to diagnose, through misdiagnosis, to inadequate treatment. Recent instructions have involved the following cancer/tumour types:

- Blood and bone cancers.
- Breast cancer.
- Cervical cancer.
- Colorectal cancers.
- Lung cancer.
- Liver cancer.
- Oropharyngeal cancer.
- Ovarian cancer.
- Prostate cancer.
- Spine and brain tumours.
- Skin cancers.
- Soft tissue sarcomas.
- Uterine cancer.

Some of his instructions have been high value claims and settled accordingly. Others have been settled at more moderate levels. All are treated as high value by Jonathan.

Child Brain Injury

Jonathan has a reputation for his incisive but compassionate approach to parents who are having to cope with highly traumatising and life-changing injuries to their children, whilst travelling the often long, complex and emotionally-draining road of litigation. He

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is happy to absorb their anger and to empower them beyond their habitual sense of helplessness and desperation.

The large teams of experts usually involved in such cases always require careful management and Jonathan welcomes the challenge of extracting the very best from each expert, whilst also creating a collegiate atmosphere of respect, enthusiasm, inquisitiveness and case theory development /innovation within a team of independent experts.

Gynaecology & Obstetrics

As a male barrister, Jonathan works extremely hard with clients in this area to create a respectful, safe space for them to discuss often very intimate, highly personal and invariably extremely traumatic experiences, often leading to psychiatric injury as well as physical injury. He ensures that they feel heard, supported and fought for.

Medical / Surgical

As a highly-experienced clinical negligence practitioner, Jonathan has a very wide experience of medical and surgical issues in clinical negligence. This means he is instruction-ready, does not need time to learn the issues involved and can concentrate on getting the best out of the experts, whilst helping the client tell their story.

He deals with all areas involved, including:

- GP negligence
- Paramedical negligence Emergency medicine negligence Surgical negligence
- Hospital negligence
- Nursing negligence
- Dental negligence

He has received instructions in a vast array of cases, including:

- Accidental awareness during general anaesthesia.
- Cardiological injury/issues, including undiagnosed cardiac conditions, from arrhythmias to undiagnosed endocarditis, causing embolic events/cerebral infarction (fatal/non-fatal claims).
- Compartment syndrome of:
 - limbs;
 - abdomen.
- Cosmetic surgery, including:
 - facial;
 - breast;
 - skin;
 - laser treatments;
 - varicose vein surgery.
- Criminal administration of medication (insulin).
- Dental injury (over-treatment, under-treatment).
- Diabetic injury, including amputation.
- Endocrine injury from:
 - undiagnosed massive, multi-nodular, thyroid goitres, causing life-threatening airway obstruction; and
 - adrenal adenoma (failure to diagnose); to

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- thyroid eye disease (mismanagement, causing blindness).
- ENT conditions, from:
 - infections (mismanaged); to
 - trigeminal neuralgia (misdiagnosis, involving unnecessary surgery).
- Extravasation injury.
- Gastroenterological injury, from:
 - iatrogenic intra-operative injuries (causing peritonitis/sepsis); to
 - undiagnosed conditions (from appendicitis to diverticulitis).
- Gender reassignment surgery.
- Hernias (negligent surgery, negligent management).
- Liver disease (failure to diagnose).
- Medication mismanagement from:
 - Naproxen (for OA), causing ulcer perforation; to
 - Lithium (for bipolar disorder), causing end-stage kidney disease.
- Mesh claims (female and male).
- Meningitis (failure to diagnose).
- Malaria (failure to diagnose/treat (fatal claim)).
- Neurological injury from:
 - acoustic neuroma; and
 - iatrogenic (injection) injury; to
 - nerve root compression causing foot drop; and
 - cauda equina injury
- Ophthalmic injury from:
 - infection (failure to diagnose); and
 - giant arteritis; to
 - intra-operative injury.
- Orthopaedic injury, including:
 - negligent arthrodesis;
 - negligent joint replacement;
 - negligent fracture management.
- Paediatric conditions from:
 - developmental hip dysplasia; and
 - cholesteatoma (failure to diagnose, leading to hearing loss, balance problems brow ptosis and facial palsy); to
 - Kawasaki disease (failure to diagnose); to
 - testicular torsion.
- Pressure damage cases (from diabetic to geriatric).
- Rectal injury, including negligent treatment of haemorrhoids.
- Renal injury (from permanent, significant damage to function, to nephrectomy).
- Skin injury from:
 - dermatomyositis sine myositis (failure to diagnose); to
 - iatrogenic injury.
- Stroke (failure to diagnose).
- Urological injury (involving incontinence and loss of sexual function).
- Vascular injury/issues.

Personal Injury

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Jonathan is a highly-experience personal injury practitioner, who acts for both claimants and defendants. He has an exemplary trial record.

He undertakes all forms of both claimant and defendant work, involving factory and industrial accidents and claims for employers' liability, occupiers' liability, highway accidents and road traffic accidents.

He also deals with claims for sports injuries (he has played sport to a high-level (rugby and athletics) and is a Level 2 RFU coach).

He is valued for his careful handling of clients and families at Coroner's inquests, for every type of client, from ordinary, bereaved families, to the "family" of one of Britain's "10 most wanted", who took his own life in high-security incarceration.

Jonathan is also a highly-experienced clinical negligence practitioner and so brings a wealth of experience, in terms of understanding of causation, condition and prognosis and quantum of a wide variety of injuries including:

- Brain injury.
- Spinal injury.
- Amputation.
- Serious orthopaedic injury and pain syndromes.
- Fatal accident injuries and "lost years" claims.

He is very adept at managing large teams of experts in high-value and complex cases, where he will focus on getting the best out of each expert, whilst also creating a collegiate atmosphere of respect, enthusiasm, inquisitiveness and case theory development /innovation, within a team of independent experts.

He is very comfortable with complex interlocutory hearings and procedural issues with which instructing solicitors sometimes require urgent assistance.

Catastrophic Injury

Jonathan has a reputation for his incisive but compassionate approach to clients (and their families) who are having to cope with catastrophic, traumatising and profoundly life-changing injuries, whilst travelling the often long, complex and emotionally-draining road of litigation.

The large teams of experts usually involved in such cases always require careful management and Jonathan welcomes the challenge of extracting the very best from each expert, whilst also creating a collegiate atmosphere of respect, enthusiasm, inquisitiveness and case theory development /innovation, within a team of independent experts.

Jonathan's experience of such injuries includes:

- Traumatic brain injuries
- Birth brain injuries
- Spinal cord injuries
- Amputations
- Other catastrophic injuries

Recent notable cases settled in the last 6 months include:

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Mediation

Jonathan became an accredited mediator with the London School of Mediation in 2013, achieving the highest mark ever awarded in their written examination. He is a facilitative mediator (not expressing a view, as an “evaluative” mediator would, but facilitating the parties to find their own mutually acceptable solution)

Whilst something of a sceptic prior to training as a mediator, which he undertook in light of the vision of the future of litigation portrayed by successive governments, he has become an enthusiastic supporter of this form of dispute resolution, which, he firmly believes, is frequently in the best interests of the client – if the mediation is handled with skill, tact and imagination.

Jonathan’s mediator style is based upon the simple premise of putting all participants sufficiently at their ease, so that they may plainly express themselves to each other and to him, but whilst using two main tools to unlock the key issues in the dispute: the mirror to show participants how they appear to the other side; and the telescope with which to look more closely at their counterpart’s concerns.

Jonathan accepts instructions as a mediator across a wide range of practice areas, reflecting his membership of three practice groups in chambers (commercial litigation, personal injury and clinical negligence).

Jonathan’s approach to any mediation is informed not only by over 25 years of experience at the Bar and the many mediations he has been involved in as a participant, but also by his commercial experience in publishing and music management prior to coming to the Bar.

Fraudulent Insurance Claims

Jonathan deals principally with fraud insurance claims in respect of road traffic accident cases (low velocity impact / no impact / staged accidents allegations), although he also accepts instructions on commercial cases, containing issues of fraud.

He has a very keen eye for inconsistency across the breadth of the evidence and welcomes his early involvement in a case.

Jonathan is a formidable cross-examiner and has an enviable record of obtaining “fundamental dishonesty” findings.

Business & Property

Jonathan practices the following areas:

Commercial Litigation

Jonathan has experience of a wide range of commercial disputes in contract and tort, ranging from sale of goods and supply of services (including fraud matters), bailment, restrictive covenants relating to employment, consumer protection matters, subsidence claims and commercial agency. He appears at both Multi-Track and Fast-Track levels and is known for the clarity of his advice, whether written or oral and his ability to communicate well with all types of client and to put them at their ease.

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Qualifications

- Bsc Joint Hons Economics and Philosophy, City University
- Pg Dip Law UWE
- BVC UWE

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