



## Bernard Doherty

Year of call: 1990

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*"He is simply outstanding; on paper, in person and in court."*

### The Legal 500, 2019

Bernard is a highly experienced advocate in both conflict of laws and complex personal injury claims, making him the obvious choice for the most serious cross-border personal injury litigation. He has been ranked in Band 1 for both travel law and personal injury in The Legal 500 and Chambers and Partners for several years. He is the lead author of *Accidents Abroad: International Personal Injury Claims* (Sweet & Maxwell). Bernard sits as a recorder (part-time judge) and is a qualified mediator. He is approachable and advises on complex issues in a clear, comprehensible way.

## Areas of expertise

Travel and International Injury

Clinical Negligence and Personal Injury

## Clinical Negligence and Personal Injury

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*"A cool head at all times and supreme with his knowledge and advice."* The Legal 500, 2022.

Bernard represents claimants and defendants in personal injury cases of all kinds, including injuries of the utmost severity, often catastrophic brain injury and spinal injury cases. He has experience of all types of claims, including employers' liability, occupiers' liability, motor cases, clinical negligence, and fatal accidents, as well as the insurance issues which often occur in such claims. Bernard also acts in professional negligence claims arising from the alleged mishandling of injury cases. He acts in individual claims and multi-party actions, including group litigation. He regularly lectures in the field of personal injury law.

Bernard appears in Band 1 for Personal Injury in both The Legal 500 and Chambers and Partners and has done for several years.

### Cases of note:

- **DEF v Jones (High Court, 2022)** - High Court claim concerned with a claimant suffering a catastrophic brain injury in a road traffic accident. An anonymised settlement of the claim was approved with lump sum damages at some £3m and periodical payments at some £250K pa.
- **Havard v Upright Scaffolding (High Court, 2022)** - High Court employer's liability claim arising

from a scaffolding accident leading to the claimant being rendered paraplegic. The case proceeds with liability and quantum in dispute.

- **Jagger v Holland [2020] EWHC 1197 (QB)** - Liability trial in a lower limb amputation case arising from an accident while setting up a fairground site. The claim has subsequently settled on a periodical payment basis with an overall value of some £5m.
- **Adesoro v Mr Bagels Ltd (High Court, 2021)** - An employer's liability case in which the claimant suffered an upper limb amputation. As well as ordinary liability and quantum issues, the case raised questions as to immigration status and illegality issues. Claim settled.
- **Allen v Two Four Broadcast Ltd (High Court, 2021)** - Claim arising from a ski jumping accident during the course of filming a TV programme. The claim settled on the basis of discontinuance against the defendant represented by Bernard and continues against another defendant.
- **Claims arising from accident on M1 (High Court, 2021)** - Multiple fatal accident claims arising from a collision on the M1 when a minibus was crushed between two lorries. Quantification issues were complicated by the overseas domicile of a number of victims and their dependents. Bernard represented multiple claimants, and all claims were settled and, where necessary, approved.
- **Simon v Helmot [2012] UKPC 5** - Junior counsel in Privy Council appeal relating to the correct approach to the calculation of discount rates and multipliers in the courts of Guernsey.

## Recommendations

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- *"An authority on cross-border cases, he is very astute with the technical points and excellent in the foreign courts."* Chambers and Partners, 2022
- *"Has a calm and assured air about him that is very reassuring when the pressure is on. A great pleasure to work with and he is very helpful and approachable."* Chambers and Partners, 2022
- *"A cool head at all times and supreme with his knowledge and advice. A QC in all but name."* The Legal 500, 2022
- *"Bernard is particularly well equipped to deal with cross-border disputes, especially in the field of tort claims."* The Legal 500, 2022

## Memberships

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- Personal Injuries Bar Association
- Pan European Organization of Personal Injury Lawyers

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