



Derek O'Sullivan KC

Year of call: 1990 | Silk: 2016

Email: derek.osullivan@39essex.com

Phone: +44 (0)20 7832 1111

"A standout silk who regularly appears in high-value catastrophic injury cases. He elicits stellar market praise..."

Chambers and Partners 2022

Derek O'Sullivan KC is recognised as one of the country's leading Personal Injury practitioners. His practice concentrates on very high value catastrophic injury claims.

Derek was named 'Personal Injury & Clinical Negligence Junior of the Year' at the Chambers Bar Awards 2012 and then in 2013, 2014, 2015 and 2016 he was a "Star Individual" in the Chambers Personal Injury ranking for Juniors. He took Silk in 2016 and his practice has grown whilst in Silk. He is a Band 1 Leading Personal Injury Silk in both Chambers and Partners 2021 and a Leading Silk in Legal 500 2021.

Derek's practice concentrates on cases where claimants have been catastrophically injured. He has a particular expertise in relation to brain injury cases- not only cases of severe traumatic brain injury but also "subtle" brain injury cases and cases involving cumulative causes-and spinal injury cases. He is also regularly instructed in catastrophic spinal injury and amputation cases. Derek is familiar with all elements of catastrophic injury cases and is used to leading a team (including extensive medical expert evidence) defending very high value claims.

Areas of expertise

Personal Injury

Occupiers Liability

Road Traffic

Employers' Liability

Public Liability

Sport Injury and Negligence

Travel and International Injury

Insurance Fraud

Health and Safety

Policy Coverage

Product Liability

Policy Coverage

Insurance

Derek has considerable experience in disputes arising by reason of fraud/material non-disclosure/misrepresentation in insurance claims. He has represented insurers in a number of such cases which have proceeded to trial (e.g. Savash v Co-Op General Insurance) and which have dealt with the following

- Presentation of fraudulent documents/use of fraudulent devices in support of claims.
- Presentation of fraudulent claims
- Material non-disclosure in claims
- Material non-disclosure/misrepresentation in insurance proposals.

He is currently involved (for insurers) in a number of such ongoing cases.

Derek has also been instructed in disputes involving policy coverage issues. Cases in this area include insurers refusing to provide public liability cover to a footballer who recklessly injured a fellow player, insurers refusing to provide public liability cover to an insured who injured a friend whilst engaging in horseplay with an air-rifle and insurers refusing to provide cover in respect of a fire which had been wilfully/recklessly started.

Recommendations

- *"A standout silk who regularly appears in high value catastrophic injury cases. He elicits stellar market praise for his technical ability and client care as well as his handling of fraud allegations. He is one of the few barristers to have been instructed in a corporate manslaughter case". "A very smooth advocate who wins everybody over with persuasion". "A master tactician and strategic thinker who is always on his game. The depth and breadth of knowledge across a wide range of issues is second to none".*

Chambers and Partners 2018- 2021

- *"Tenacious, thorough and an excellent advocate."*The Legal 500 2022
- *"Phenomenally good, his pleadings are a work of art." "He's completely on the ball excellent with clients and an excellent all-rounder". "Excellent relationships with the lay clients and very good at handling expert witnesses".*

Chambers and Partners 2017

- *"Excellent and charismatic; a fighter"*Legal 500 2017
- *"He never loses sight of commercial reality"*Legal 500 2017

Memberships

- Personal Injury Bar Association

Qualifications

- BA (Dunelm)
-

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

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clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com