



Derek O'Sullivan KC

Year of call: 1990 | Silk: 2016

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"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

Public Liability

Rail Claims

For many years Derek has acted for rail companies in relation to claims by passengers, trespassers and claims by injured employees. He is also instructed by Network Rail. He is familiar with the issues in rail claims (including CAHA) and has a good knowledge of the relevant Master Rule books and Railway Standards. His most recent trial acting in relation to a railway accident involved Derek acting for a train operating company being sued by a passenger after an accident in which the passenger suffered a bilateral amputation after falling between a platform and a moving train: **Robinson v Greater Anglian Railways** [2018] EWHC 272 (QB). This was an important decision as the claimant sought (unsuccessfully) to argue that the overall safety of train despatch systems on the rail network was unacceptable. Following this Derek acted for Network Rail/GWR in relation to a claim by a passenger who fell down an escalator at the newly modified Reading Station (thereby suffering a catastrophic spinal injury): **Snell v Network Rail** (2018, QBD; claim discontinued prior to trial). Currently Derek is acting for a number of rail industry parties, including being instructed in the claims arising from the New Cumnock Derailment as well as by the Defendant in **Martin-Shea v DB Cargo Limited** (QBD, Newcastle DR): a case involving a child trespasser who suffered catastrophic injury when coming into contact with the overhead electric line at the Tyne Yard (as a result of climbing onto a wagon of a train awaiting departure).

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)

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