



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

Insurance Fraud

Derek has a particular interest in fraud in personal injury cases and is instructed in cases with a (potentially) high value but where issues of fraud or fundamentally dishonest arise. The advent and consequences (in relation to QWOCS) of fundamental dishonesty under s. 57 Criminal Justice and Courts Act 2015 has changed the landscape in relation to how insurers deal with potential fraud in claims and Derek is regularly instructed in cases involving consideration of fundamental dishonesty.

Road Traffic Act and Motor Insurance issues

Derek is frequently instructing by motor insurers in relation to policy coverage issues/issues under the Road Traffic Act 1988 and potential Art 75 status. He has extensive experience of cases where insurers have Art 75 status and/or where the MIB are involved and indeed has assisted insurers on numerous occasions with submissions to the Technical Committee of the MIB.

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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