



## 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 2024

*"A true heavyweight silk. Encyclopedic knowledge of the law and procedure, yet always able to distil advice to the binary."* Legal 500 2024

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 2023 and a Leading Silk in Legal 500 2023.

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

Liability and Quantum disputes

Occupiers Liability

Employers' Liability

Public Liability

Sport Injury and Negligence

Harassment

Road Traffic Indemnity/Policy Coverage Claims/Claims involving the MIB

Cross-border claims and International Injury

Insurance Fraud

Health and Safety

Policy Coverage

Product Liability

Group Litigation

Civil Liability Group ADR Scheme

## Cross-border claims and International Injury

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### Aviation accidents

Derek is instructed in relation to personal injury claims arising from accidents aboard aircraft (both fixed wing and helicopters). Derek has dealt with Montreal convention cases together with non-Convention cases where liability for the accident is in dispute; Derek was instructed by aviation insurers for the aircraft owner in the case of *Day v Tasker et al* (2009) QBD, Leeds DR.

Derek has also acted for aviation companies and airports in relation to "airside" issues; e.g. he was previously a London airport in relation to an industrial illness claim (by an airside worker) involving alleged breaches of the Control of Substances Hazardous to Health Regulations.

### Accidents at Sea

Employer's Liability Claims involving accidents at sea or on-board ships; Derek has wide experience in this niche area and has experience of cases involving the following:-

- The Shipbuilding and Ship-Repairing Regulations 1960
- The Docks Regulations 1988
- The Merchant Shipping and Fishing Vessels (Health Safety & Welfare) Regulations 1997
- Liability generally where UK regulations do not apply

### Accidents abroad

For many years Derek has acted for insurers in relation to claims arising from personal injury accidents abroad and so conflicts of laws/Rome II issues are frequent in Derek's practice. He was previously Junior Counsel in a cross border case (involving catastrophic injury) where the damages claim was pleaded at over £40m and then subsequently as Leading Counsel for one of the parties in a cross border claim (resulting from an accident in France) where the damages were pleaded at an even higher figure. Derek has experience of foreign law claims involving: French, Spanish, German, Italian, Norwegian, Belgian, Serbian, Kuwaiti, Brazilian and Maltese law.

## Recommendations

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- *"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- 2024
- *"A true heavyweight silk. Encyclopedic knowledge of the law and procedure, yet always able to distil advice to the binary."* Legal 500 2024
- *"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

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- Personal Injury Bar Association

## Qualifications

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- BA (Dunelm)

### London

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