

Patrick Kerr

Call: 2006
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AREAS OF EXPERTISE

Personal Injury, Industrial Disease, Clinical Negligence,
International & Travel, Fraud, Sport

Patrick is consistently ranked as a Leading Junior, Tier 1 in the Legal 500 and a Leading Junior, Band 1 in Chambers & Partners. The current editions describe him as ***“warm and approachable, and his attention to detail is first class. His advocacy is eloquent, innovative and charismatic”*** and ***“an outstanding barrister who is undoubtedly destined for the top”***. Recent editions say he is ***“a superb advocate who is highly intelligent”*** and ***“definitely the counsel you want on your side”***.

Patrick has particular expertise in mesothelioma claims, clinical negligence and sporting injuries. Most of his claims involve catastrophic injuries. He also has extensive experience in defending fraudulent claims.

He is a member of the Northern Irish Bar and has provided expert evidence on English and Welsh law for other jurisdictions.

Patrick also runs a charity which funds Research Fellowships at the Royal Marsden Hospital (lecare.org).

Clinical Negligence

Patrick is recognised as a leading junior in personal injury work by the Legal 500, its most recent edition describing him as “a superb advocate who is highly intelligent”. In Chambers & Partners he is described as “definitely the counsel you want on your side”.

Patrick is part of 12 KBW's Clinical Negligence steering group; with his practice predominantly being on behalf of the victims of clinical negligence. His main areas of expertise are:

- Delayed diagnoses
- Surgical malpractice
- Causation, particularly in relation to consent and co-morbid conditions
- Neonatal fatalities and injuries

- Elderly and rehabilitative care

The claims he deals with are usually between £100,000 and £2million, although he does accept instructions on the more complex cases which do not have such monetary value.

Cases

Personal Injury

Hills v. Snoussi [2016] – represented the defendant at first instance and in the Court of Appeal regarding the quantification of future loss of earnings and the application and appropriateness of the Ogden Tables.

DEF & ABC v. TT & MIB [2016] – represented two of the claimants (mother and son) in a fatal accident claim where the deceased had two separate families.

L v. T Ltd [2016] – representing the defendant in a high value head injury claim brought about by tree-felling.

Bennett v. Hewitt [2013] – represented the claimant in a catastrophic head injury case in which liability was in issue.

B v. A. Stores [2016] – representing the claimant in a claim for failure to take out appropriate insurance.

Taylor v. London Borough of Lambeth & Ors [2014] – represented the claimant in her claim after she was stabbed in a care home by a vulnerable minor.

GD v. London Borough of Barnet [2015] – represented the defendant in a claim for unlawful detention in a mental health institution.

Industrial Disease

Greenway v. Johnson Matthey plc [2016] – recently brought into the legal team for the case's petition to the Supreme Court. The claim is a test case on behalf of hundreds of workers who have contracted platinum sensitivity as a result of occupational exposure to platinum salts.

G v. SoS for Transport [2016] – representing the claimant in this fatal mesothelioma claim where the claim is in excess of £2million.

Winton v. AMEC plc, LHR Airport & Lenval Ltd [2016] – represented the claimant at first instance and on appeal in this living mesothelioma claim as a result of the Claimant's exposure to asbestos whilst working in Heathrow Terminal 3.

Baker v. Tate & Lyle plc [2012] – represented the claimant in this living mesothelioma claim brought under the Occupiers Liability Act 1957 as there was no viable claim against the employer.

Clinical Negligence

R v. ULH NHS Trust [2016] – representing the claimant in her claim for injuries subsequent to being set on fire during surgery.

D v. WSH NHS Trust [2015] – represented the widow in her claim for the delay in diagnosis of her husband's brain tumour.

H v. SGH NHS Trust [2015] – represented the daughter of the victim of inadequate geriatric care.

W (a minor) v. ULH NHS Trust [2015] – represented the claimant in her claim for multiple inadequate surgeries and treatment for a congenital disorder.

International & Travel

W v. IRF International [2016] – currently representing the defendant in this claim involving the foreign packing and transportation of goods across Europe.

Miller v. Europcar [2014] – represented the defendant in this multi-million-euro claim arising from a road traffic accident in Portugal.

Thomson v. Thomson & Colonial Insurance Company [2013] – represented the second defendant – a Bermudan insurance company – regarding its statutory rights and obligations under the Bermudan law.

Wallis & Trick v. Lowcost Beds & Top Choice Holidays [2012] – represented the claimants in their claim for compensation following a road traffic accident on an organized excursion in Sharm el Sheikh, Egypt.

Fraud

G v. N [2016] – currently representing the defendant in an alleged fraud claimed in excess of £500,000, arising out of injuries purportedly sustained following a road traffic accident.

H v. S. & E (a car hire company) [2016] – currently representing the second defendant in a claim in which the incident circumstances are not accepted and a claim for credit hire in excess of £300,000 has been claimed.

Lawton v. Moore & Highways Insurance [2013] linked to *Thompson v. Thompson & Covea* [2014] – represented the second defendants in these lead fraudulent claims brought for, on behalf of or orchestrated by an individual holding himself out to be a solicitor.

Appointments & Memberships

Gray's Inn

Bar of Northern Ireland

London Common Law and Commercial Bar Association

Personal Injuries Bar Association

South Eastern Circuit

Pupil Supervisor

Qualifications & Awards

St Catherine's College, Oxford B.A.(Hons) 1st Class.

David Karmel Scholarship.

Lord Justice Holker Scholarship.