

Thomas Herbert

Call: 2014
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AREAS OF EXPERTISE

Clinical Negligence, Inquests & Inquiries, Industrial Disease, Personal Injury, Military Claims, Product Liability, Insurance, International & Travel, Commercial, Costs & Litigation Funding

Tom is a highly regarded barrister specialising in clinical negligence, inquests & inquiries, industrial disease and personal injury litigation. Those specialisms are fortified by his significant experience in commercial dispute resolution, costs and insurance work. As such, he is regularly instructed in complex and high-value matters, often unled against silks, and is a particularly experienced appeal advocate considering his level of call. He was appointed directly to the Attorney General's Regional B Panel in 2023.

He is consistently praised in the independent legal directories, where he is described as an “exceptional” barrister whose “written documents are excellent” and who is “helpful, thorough and really quite brilliant”. Clients particularly praise his intellectual rigour (“very clever and thorough”, “analytical, logical and scientific”), advocacy (“a shrewd advocate”, “nothing shy of brilliant”) and practical approach (“wise beyond his years”, “superb commercial acumen”).

Tom has a scientific academic background in chemistry, which informs his practice, and he is noted by the directories to have a “remarkable capacity to process and distil complex medical information into clear, understandable terms” and to be “fantastic at thinking outside the box and working to bring experts together in conference”.

Costs & Litigation Funding

As a pupil, Tom assisted with legal research in a number of notable decisions such as *Jones v Spire Healthcare Ltd* [2016] 3 Costs LO 487 (assignment of conditional fee agreements) and *Essar Oilfields Services Ltd v Norscot Rig Management PVT Ltd* [2017] Bus LR 227 (costs awards in arbitration proceedings).

In his own right, he regularly attends CCMCs as well as other costs applications and hearings such as applications for non-party costs orders.

As above, Tom has a particular interest in cases arising at the interface between civil and family law. He has represented a number of clients in such circumstances in relation to costs proceedings, including defending an application for a non-party costs order in private children proceedings.