

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*".

Inquests & Inquiries

Tom has a busy inquests practice and an excellent reputation in this area, as recognised by the Legal 500 (Band 1). He routinely acts for families and other interested persons at pre-inquest review hearings and at inquests, both where proceedings (civil or criminal) are likely to follow and where matters are unlikely to be taken any further. His experience includes inquests involving deaths in or related to primary and secondary care, cases where the deceased was known to local authority social care departments, deaths of vulnerable adults in care homes, deaths of those detained under mental health legislation, accidents at work, road traffic accidents and deaths in custody.

The inquests at which Tom appears are frequently dominated by complex questions of fact and medical causation, raising issues such as neglect and the applicability of Article 2. He is accordingly experienced in making legal submissions and questioning lay and expert witnesses in such matters.