

## Tom Vonberg

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, International & Travel, Insurance, Product Liability, Professional Negligence, Fraud

Tom is highly regarded for his expertise in matters involving serious injury, fatality, defective products, clinical and professional negligence, insurance coverage disputes and damages claims involving multiple parties.

In injury work, the latest editions of the legal directories highlight that he is ***“well known for his handling of high-value personal injury claims”*** with ***“a great knowledge of brain injury claims”***.

In product liability and group claims he is recognised as ***“adept at handling product liability cases”***, ***“able to simplify complex technical issues”*** and with ***“experience of appearing in multi-party litigation”***.

Tom is repeatedly recommended for his ability to ***“build an instant rapport with clients”***, his ***“commercial attitude and impeccable manner with clients”***, his willingness to collaborate with instructing solicitors to whom ***“he is hugely responsive and approachable”*** and for his court room advocacy where he described as ***“a highly impressive advocate”*** and ***“very robust in court.”***

Other recent feedback in the directories includes that he is ***“organised and meticulous in his attention to detail”***, ***“calm under pressure with a logical approach to cases and a great client manner”*** and ***“excellent on points of law and strong with clients”***.

Tom lives in North Yorkshire and London. He travels nationwide to represent his clients. Before coming to the independent bar, Tom was a barrister at the leading Cayman Island law firm Walkers Global.

### Personal Injury

Tom has experience of the full range of serious, catastrophic and fatal injuries.

He routinely appears in cases involving traumatic brain injury, spinal injury, polytrauma and in large dependency claims.

Tom has also worked on a number of multi-party claims in relation to product liability, air and road accidents.

He is recognised in the latest directories as *“a respected barrister, well known for his handling of high-value personal injury claims”* with *“a great knowledge of brain injury claims”*.

The following is a selection of cases he has worked on.

## Traumatic Brain Injury

**£1.4 million;** settlement for a Claimant employee who fell down steps at hotel premises. Led by Rob Weir KC. Instructed by Foot and Anstey, Exeter.

**£5 million;** pleaded value for the Claimant lacking capacity following RTA and resultant severe diffuse axonal brain injury. Instructed by Slater & Gordon, Manchester.

**£1 million;** acting for the Claimant in a claim for post-concussion syndrome. Settled at mediation in the Isle of Man.

**£1.25 million;** defending a claim for subdural haemorrhage requiring craniotomy. The Claimant alleged profound cognitive disability and an inability to leave home unattended. She discontinued her claim and agreed to repay all interim payments following surveillance of her running and weightlifting at the gym. Instructed by Kennedys Law LLP, Sheffield.

**£2 million;** claim for a junior registrar doctor who sustained frontal sub-arachnoid haemorrhage when struck by a car as a pedestrian. Claim made on the basis of loss of a chance for career progression to Consultant level and for provisional damages associated with the epilepsy risk.

Acting for a Claimant who lacks capacity following severe brain injury including bilateral frontal lobe and diffuse axonal injury. Lifetime care required. Instructed by Switalskis, Doncaster.

## Spinal Injury

**£1.5 million;** Acted for the Claimant who sustained crush injuries at work requiring percutaneous stabilisation. Led by Steve Killalea KC. Instructed by Irwin Mitchell LLP, London.

**£1.9 million;** Acted for a Claimant who sustained spinal and urological injuries as a passenger in an RTA. The claim settled at JSM.

**£1 million;** The Claimant sustained cauda equina syndrome following a disc prolapse during heavy lifting at work. Liability was denied on breach of duty and causation grounds. The claim settled at JSM. Instructed by Bolt Burden Kemp, London.

Acted for the Claimant who, in a construction site accident, sustained C4 incomplete tetra paresis with complete loss of motor and sensory neurology below C4. Instructed by Irwin Mitchell LLP, Newcastle. Leading counsel was Henry Witcomb KC.

## Fatality

**£1.05 million.** Acting for the young widow and child of a motorcyclist killed in the Northumberland borders when a car turned across his path into a pub car park. Tom appeared at the inquest and the JSM. Instructed by Irwin Mitchell LLP, Newcastle.

**£1 million.** Acted for dependents, including four protected parties, in a High Court action following a fatal accident at work when the deceased saved the life of a colleague but tragically lost his own. The settlement included substantial Court of Protection costs. Instructed by Trade Union Legal LLP. News item [here](#).

Acting for the family of a grandmother killed whilst she was a pedestrian when the Defendant mounted the kerb at speed. Tom appeared at the Defendant's contested application for life expectancy evidence made in light of the decision in *Dodds v Arif* [2019] EWHC 1512. The claim settled and was approved by the court for twice the sum offered by the Defendant at a failed joint settlement meeting one year earlier. Instructed by Irwin Mitchell. News item [here](#).

**£500,000**; net of contributory negligence for the widow of a man run down when jogging and attempting to cross a slip road of the A1. Instructed by Unionline, Sheffield.

Acted for a widow following her husband's death when the uninsured Defendant performed a U-turn in the road. Tom appeared at the inquest. News item [here](#).

Acted for the Claimant and dependent family in a claim following the death of their eighteen-year-old son. The settlement included damages for the family's dependency on his future earnings in light of his unique contributions to the family prior to his death. Instructed by Irwin Mitchell LLP.

Acted for the family of man killed in a freak accident outside Berwick-upon-Tweed rail station when the station header sign snapped and struck him, fatally, to his head. The coroner's inquest, at which Tom did not act, failed to call relevant witnesses and omitted material facts from the narrative verdict. The claim settled after preliminary hearings for 100% liability shared between the rail network and train operator. Instructed by Irwin Mitchell LLP.

Acting for the dependents of a man killed in a high-speed collision whilst he was the passenger of a driver and relative he knew to be drunk. A discount of 20% for contributory negligence was agreed in line with the authority of *Owens v Brimmell* [1977] QB 859 and the liability and quantum settlements were approved by the High Court. News item [here](#).

Acted for the widow of a man killed in a road traffic accident. Claim initially defended on grounds of automatism (an epileptic seizure) but settled on a full liability basis. News item [here](#).

## Serious injuries

**£1.4 million**; Acted for the Claimant who recovered £1.4 million at JSM for CRPS secondary to right ankle pilot fracture. Instructed by Minster Law.

**£850,000**; Acted for a female motorcyclist following open book pelvic fractures. The claim was settled at JSM. Instructed by Irwin Mitchell, Newcastle.

**£600,000**; Acting for a woman who sustained severe burns requiring skin grafting, degloving injuries, complex ankle fractures and post-traumatic stress disorder. She was an innocent bystander at a campsite when an intoxicated teenager drove a vehicle whilst uninsured into collision with her. Instructed by Irwin Mitchell. News item [here](#).

**£750,000**; Acting for a Claimant who sustained crushing injuries to both legs when her neighbour lost control of his car whilst reversing. Settled at JSM. Instructed by Irwin Mitchell, Newcastle.

**£1.2 million**; Acting for the Claimant rider and the Claimant pillion passenger who each sustained leg fractures preventing them from carrying on in their teaching roles. Claim settled at JSM. Instructed by Irwin Mitchell LLP, Newcastle.

Acting for a Claimant as a secondary victim in respect of the death of her 10-year-old daughter killed by an uninsured driver. News item [here](#).

Acted for a Claimant who suffered amputation at work by the rotating arm of a waste silo. Led by Rob Weir KC. Instructed by Hugh James LLP, Cardiff.

Acting for Claimant who sustained head and bowel injuries when riding pillion on a motorcycle. Instructed by Stewarts



Law LLP, Leeds.