

Tom Vonberg

Call: 2004
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AREAS OF EXPERTISE

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

Tom is a highly regarded barrister in serious and catastrophic injury. He is also respected for his handling of matters arising from fatality, defective products, clinical and professional negligence and in damages claims involving multiple parties.

Tom is comfortable advising in and presenting the most challenging cases at Court and he has worked alongside some of the country's best-known lawyers in his areas of work.

Over the last twenty years of practice, Tom has been involved in many technical and high value cases both on his own account and with leading KC's.

His work has included claims on behalf of both adults and children for brain or spinal injury, as well as complex orthopedic injury and polytrauma. He is also involved in litigation against healthcare providers for clinical negligence as well as frequently acting against producers of defective products both in the UK and overseas.

Tom routinely deals with difficult liability and quantum issues, including those arising out of group litigation, and he is adept at working with expert witnesses.

Tom is known for his ability to communicate effectively and sensitively with professional and lay clients and for the strength of his written and courtroom advocacy on their behalf.

He travels all over the country to meet and act for his clients.

Tom is identified as a leading barrister in the legal directories Chambers and Partners and Legal 500. The 2024 editions report that:

"Tom is liked by the clients and highly regarded for his technical skill and reliable advice. His eye for detail really stands out, and he is very robust in court."

“He is well known for his handling of high-value personal injury claims.”

“Tom is adept at handling product liability cases” and has “experience of appearing in multi-party litigation.”

Recent previous directory entries have described Tom as:

“A highly approachable and impressive advocate”, who is “calm under pressure with a logical approach to cases and a great client manner”, “Excellent on points of law and advice, strong with clients and very approachable and accessible”, “able to simplify complex technical issues”, “Very good on his feet”, “Bright and good on tactical issues”, “pragmatic with an excellent eye for detail”, “very good with clients”, “organised and meticulous in his attention to detail” and who has a “commercial attitude and impeccable manner with clients”.

Before coming to the independent bar, Tom was a barrister at the leading offshore law firm Walkers Global.

Clinical Negligence

Tom has experience of serious injuries in a clinical context. He has spoken to AvMA and to firms in-house on the law around patient consent, material contribution and acquired brain injuries.

He has trial advocacy experience on both the claimant and defendant side.

Some examples of current and recent work appear below:

Acted for the insurers of a nightclub following a fight in which the claimant struck the kerb after a single punch by a doorman. The dispute surrounded the causation of catastrophic brain injury as between the fight and the subsequent surgery. Led by Rob Weir KC.

Acted for a claimant who within hours of suffering a catastrophic stroke was negligently treated during brain surgery at hospital. Complex issues around divisibility of injury and care requirements in light of the decision in *Reaney v University Hospital of North Staffordshire NHS Trust & Anr* [2015] EWCA Civ 1119. Led by Rob Weir KC during the litigation, acted as sole junior at JSM. Instructed by Hudgell Solicitors, Leeds.

Acted for a personal trainer who underwent incorrect lower limb facial repair (as opposed to fasciotomy) resulting in crippling injuries. The claim settled two weeks before a 5-day High Court trial. Led by Rob Weir KC. Instructed by Irwin Mitchell LLP, London.

Acted for a female firearms officer in which a postpartum sphincter injury was not repaired resulting in incontinence and an inability to return to work. The claim settled following exchange of joint reports. Instructed by Pattinson & Brewer, London.

Acted in the High Court for a professional ballerina who sustained division of a tendon during bunion surgery. Instructed by Irwin Mitchell LLP, London.

Acting for defendant clinics in various cosmetic surgery claims including bariatric surgery and breast surgery. Instructed by Kennedys Law LLP.

Acting for the defendant trust at the interim payment hearing for a child who suffered profound hypoxic ischaemic brain damage and four limb dystonic cerebral palsy. Instructed by Capsticks, Leeds.

Acted for a protected party who sustained pressure sores following a prolonged period of negligence. The settlement, which included a claim for 24-hour nursing care, was approved in the High Court and an anonymity order made in view of the decision in *JXMX v Dartford and Gravesham NHS Trust* [2015] EWCA Civ 96.

Acted for an 8-year-old girl in her High Court claim against the hospital trust for mismanagement of acute promyelocytic leukaemia and sepsis.

Acted for the NHS Trust in the defence of a claim following an alleged failure to follow a "*nil by mouth*" direction resulting in a patient fatality after she aspirated on her own vomit. Instructed by Kennedys Law LLP, London.

Acting for various claimants in missed diagnosis claims including breast cancer, rectal adenocarcinoma, peritoneal cancer, endocarditis and streptococcus sanguinis and left frontal glioblastoma. A number of these claims concern fatalities.