



Jonathan Hand KC

Year of Call: 1990
Year of Silk: 2019
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Jonathan Hand KC specialises in **Clinical Negligence** and **Personal Injury** work.

He has wide-ranging experience across both these fields, and acts for a mix of claimant and defendant clients. Much of his work involves catastrophic brain and spinal injuries as well as fatal accident claims.

He has a particular specialism in equine and other animal related litigation, and is well-known for his expertise in this area.

Other aspects of his practice include **Sports Law** in particular relating to his equine work and **Professional Negligence** claims arising out of the conduct of personal injury and clinical negligence litigation.

Jonathan is ranked by Chambers & Partners and Legal 500 as a leading silk in both Clinical Negligence and Personal Injury including for Animals Claims.

He is a judge in the Mental Health Tribunal. He is a contributing author of APIL's Guide to Clinical Negligence, author of A Practical Guide to Personal Injury Claims Involving Animals (Law Brief Publishing), and writes the Westlaw Insight content on Liability for Animals.

Areas of Expertise

Clinical Negligence

Jonathan has experience of a wide range of clinical negligence cases, acting on behalf of patients and their families, NHS Resolution, and medical defence organisations. His cases involve complex liability issues and high value quantum, with several settlements at a capital value in excess of £20 million. He is frequently instructed in claims arising from birth injury resulting in cerebral palsy and from other neurological injuries.

Recent examples of contested liability cases in which he has acted involve the specialisms of obstetrics, neonatology,

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neurosurgery, cardiac surgery, oncology, accident and emergency medicine, and psychiatry.

He has extensive experience of multi-party litigation, having acted in the claims arising out of the misdiagnosis and mistreatment of epilepsy at Leicester Royal Infirmary. He was closely involved in the successful ADR process devised to manage the several hundred claims which were brought.

He is an author of APIL's Guide to Clinical Negligence, writing the updated chapter on Causation. He is frequently asked to speak on topics in this field. Recent talks include presentations on Wrongful Birth (for AvMA) and on Cauda Equina Syndrome.

He is ranked by Chambers & Partners and Legal 500 as a leading silk in Clinical Negligence.

Notable Clinical Negligence cases

FXZ v Sherwood Forest Hospitals NHS Foundation Trust

Acted for claimant who suffered brain injury at birth resulting in cerebral palsy with very severe physical and cognitive disability. Breach of duty and causation disputed and listed for 7 day High Court liability trial.

Complex liability issues relating to alleged failures in management of labour and whether delayed delivery caused brain injury, with 10 experts instructed by the parties.

Liability settled for 90% of full value of claim at JSM and approved by High Court.

AXD v Barts Health NHS Trust

Acted for claimant who suffered brain injury at birth resulting in cerebral palsy with very severe physical and cognitive disability and epilepsy. Liability admitted but quantum disputed and listed for 12 day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs. Complex quantum issues with 23 experts instructed by the parties.

Settled for capital value of £12 million at JSM and approved by High Court.

SRJ v Norfolk & Suffolk NHS Foundation Trust

Acted for defendant in highly complex claim by psychiatric patient who suffered severe spinal injury and alleged psychiatric injury as result of admitted failure to provide appropriate in-patient care at psychiatric hospital. Causation and quantum substantially disputed with 12 expert disciplines and pleaded value of £36 million. Listed for 12 day High Court trial.

Settled with substantial discount from pleaded claim at £3 million at JSM and approved by High Court.

HXZ v St Helen's & Knowsley Teaching Hospitals NHS Trust

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Acted for claimant who suffered brain injury at birth resulting in cerebral palsy with very severe physical and cognitive disability, impaired vision, and autism with associated behavioural difficulties. Liability admitted but quantum disputed and listed for 10 day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs as well as long life expectancy. Complex quantum issues with 21 experts instructed by the parties.

Settled for capital value of £23 million at JSM and approved by High Court.

MXA5 v Homerton Healthcare NHS Foundation Trust

Acted for claimant who suffered brain injury due to embolic stroke as an infant resulting in cerebral palsy with severe cognitive disability and behavioural problems. Liability previously settled at 80% of full value of claim, and listed for 10 day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs. Complex quantum issues with 20 experts instructed by the parties.

Settled for capital value of £10 million following JSM and approved by High Court.

Miller v University Hospitals Coventry & Warwickshire NHS Trust (Sheffield County Court: May 2022)

Acted for claimant whose wife died in hospital due to perforated bowel following treatment for injuries suffered in a road traffic accident.

Liability and quantum disputed, with complex issues on causation about what the outcome would have been but for the admitted breach of duty and on quantum. 5-day trial with oral evidence from six medical experts.

Liability successfully established at trial and damages of £230,000 recovered, beating Claimant's Part 36 offer.

RJB v Hampshire Hospitals NHS Foundation Trust

Acted for defendant in claim arising from brain injury at birth resulting in cerebral palsy with severe cognitive and physical disability and impaired vision. Liability previously settled at 50% of full value of claim, and listed for 15 day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs. Complex quantum issues with 20 experts instructed by the parties.

Settled for capital value of £6 million (i.e. equivalent to £12 million on full liability basis) at JSM and approved by High Court.

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MU v Birmingham Women's & Children's Hospital NHS Foundation Trust

Acted for defendant in claim arising from alleged delayed diagnosis and treatment of rare genetic disorder leading to child claimant suffering a stroke. The claimant suffered severe brain injury with cognitive and physical disability. Liability previously settled at 25% of full value of claim, and listed for 10 day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs. Complex quantum issues with 24 experts instructed by the parties.

Settled for £3.15 million (i.e. equivalent to £12.6 million on full liability basis) and approved by High Court.

CWZ v Barts Health NHS Trust

Acted for claimant who suffered brain injury at birth resulting in cerebral palsy with very severe cognitive disability and behavioural problems. Liability previously settled at 90% of full value of claim, and listed for 10-day High Court quantum trial.

Very high value claim due to the claimant's extensive care and other needs as well as long life expectancy. Complex quantum issues with 22 experts instructed by the parties.

Settled for capital value of £22 million at JSM and approved by High Court.

SM v Department of Health

Acted for defendant in claim arising from claimant's infection with Hepatitis C following treatment with contaminated blood products as a child. Claim for £1.1 million on basis that extensive physical and psychological symptoms attributable to this condition.

Liability and quantum substantially disputed, in particular as to causation of claimant's alleged symptoms with six medical experts instructed.

The claimant was a participant in the Infected Blood Inquiry and this was one of the first claims pursued following the setting-up of the Inquiry. Settled at substantial discount from pleaded claim at JSM shortly before 6 day High Court trial.

EXZ v Betsi Cadwaladr University Health Board

Acted for claimant who suffered birth injury resulting in cerebral palsy with severe physical disability.

Despite this physical disability, the claimant is an aspiring Paralympian and damages recovered included compensation for additional cost of pursuing elite-level sport.

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Liability previously settled at 80% of full value of claim, and listed for 10 day High Court quantum trial. Settled at JSM for capital value of £16.8 million (i.e. equivalent to £21 million on full liability basis) and approved by High Court.

Kember v (1) Croydon Health Services NHS Trust (2) King's College Hospital NHS Foundation Trust [2019] EWHC 2297 (QB)

Appeal against Master's decision to refuse extension of time or relief from sanctions following late service of defendants' Defence to a clinical negligence claim. Acted for claimant and successfully resisted defendant's appeal with judgment for claimant on liability upheld.

Peppard v Sherwood Forest Hospitals NHS Foundation Trust (Nottingham District Registry: January 2016)

Liability trial arising from delayed diagnosis and treatment of spinal epidural abscess resulting in paraplegia. Liability successfully established at trial. Quantum subsequently settled at JSM for capital value of £2.5 million.

Jacobs v Kings College Hospital NHS Foundation Trust [2016] EWHC 121 (QB)

Trial on liability and quantum arising out of complications following surgery to repair inguinal hernia.

Personal Injury

Jonathan has experience of a wide range of personal injury cases, acting on behalf of both claimants and defendants and their insurers, including claims relating to road traffic accidents, accidents at work, and public liability claims. Much of his personal injury work involves catastrophic brain and spinal injuries as well as fatal accident claims.

He has particular expertise in equine and other animal related litigation including claims under the Animals Act 1971. He is the author of A Practical Guide to Personal Injury Claims Involving Animals (Law Brief Publishing), the only specialist textbook on this topic; and he writes the Westlaw Insight content on Liability for Animals.

He is frequently asked to speak on topics in this field. Recent talks include presentations on Care Claims in Spinal Injury Cases and on Strict Liability Claims under the Animals Act as well as a podcast update on Equine Law.

He is ranked by Chambers & Partners and Legal 500 as a leading silk in Personal Injury and is specifically recognised for Animals Claims.

Notable Personal Injury cases

R v R Stud

Acted for defendant in high value claim (claimed at c. £3.25 million) against trainer by groom who suffered upper limb

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amputation when bitten by stallion which was attacked by another stallion.

Claim under the Animals Act 1971 and in negligence. Important issues about scope of ownership and meaning of "keeper" of animal and statutory defence under the Act. Settled at JSM shortly before 4 day High Court liability trial with no admission of liability.

Schoultz v Ball and others [2022] EWHC 2452 (KB)

Acted for teenage claimant who suffered serious brain injury when travelling as passenger in taxi which collided with one of two horses at night on A3 after they escaped from field. Complex liability issues including multiple defendants and claims under the Animals Act 1971 and in negligence.

B v W

Acted for racing cyclist competing in road race who suffered serious injuries after colliding with escaped horse. Successful claim against keeper of horse under the Animals Act 1971.

B v DH Stables

Acted for leading National Hunt racehorse trainer in high value claim (claimed at £6.5 million) by work rider who suffered spinal cord injury resulting in tetraplegia in fall from racehorse during exercise. Claim under the Animals Act 1971 disputed by defendant. Important issues about scope of strict liability under the Act. Settled at JSM shortly before 3 day High Court liability trial with no admission of liability.

L v H Stables

Acted for riding stables in high value claim by former high-profile work rider who suffered severe head injury whilst riding as escort in Hyde Park.

Claim under the Animals Act 1971 and in negligence relating to suitability of claimant's horse. Settled at JSM shortly before 5 day High Court liability and quantum trial with no admission of liability.

A v J and Others

Acted for one of several defendants, alleged owner of racehorse, in claim by work rider who suffered catastrophic head injury in fall from racehorse during exercise at racing yard. Very high value claim at in excess of £10 million. Claims under the Animals Act 1971 and in negligence disputed by all defendants.

Settled at JSM shortly before 8 day High Court liability trial with no admission of liability and other defendants contributing large majority of settlement sum.

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A v V Racing

Acted for defendant racehorse trainer in claim arising from accident involving jockey who suffered leg injury leading to amputation. Complex and high value quantum claim pleaded at £6.2 million, and listed for 5 day High Court quantum trial.

Settled at JSM for c. £4 million.

Lynch v Ed Walker Racing Ltd [2017] EWHC 2484 (QB)

Acted for defendant racehorse trainer in claim by work rider who suffered serious brain injury in fall whilst exercising horse on Newmarket Heath. Claim under the Animals Act 1971 successfully defended at trial and on appeal to High Court. Important decision about application of s.2(2)(a) of the Animals Act.

Lockwood v Renforth (Nottingham District Registry: January 2016)

Claim under the Occupiers Liability Act 1957 against owner of riding yard by claimant who suffered severe head injury causing blindness when struck head on post after fall from horse in outdoor arena. Liability trial involving issues about appropriate construction of structures enclosing riding arenas.

Cheung v Zhu [2011] EWHC 2913 (QB)

Liability trial arising out of slip on shop floor by employee resulting in spinal injury causing paraplegia. Liability established on basis of employer's breaches of statutory duty. Indemnity costs awarded as result of Defendant's conduct. Led by Gordon Bebb QC.

Davenport v Farrow [2010] EWHC 550 (QB)

Liability trial arising out of sports injury. Claim by former international youth athlete against coach in relation to vertebral stress fractures alleged to have been sustained during training and which ended his career.

Palmer v Cornwall County Council [2009] EWCA Civ 456

Claim by pupil who suffered eye injury when struck by stone thrown by another pupil during break time. Issues on appeal concerning standard of care required of those supervising children at school and causation.

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Sports Law

Jonathan is frequently instructed in claims with a sporting context. Much of his personal injury work involves sporting accidents, and he has particular expertise in equine and other animal related litigation. He acts in cases involving jockeys and trainers and others working in the racing and equestrian industry. He also acts in veterinary negligence cases including claims relating to veterinary treatment of racehorses; and in claims arising out of bloodstock sales and other equine-related contractual disputes.

He is frequently asked to speak on topics in this field. Recent talks include presentations on Head Injuries in Sport, Strict Liability Claims under the Animals Act as well as a podcast Update on Equine Law.

Notable Sports Law cases

R v R Stud

Acted for defendant in high value claim (claimed at c. £3.25 million) against trainer by groom who suffered upper limb amputation when bitten by stallion which was attacked by another stallion.

Claim under the Animals Act 1971 and in negligence. Important issues about scope of ownership and meaning of "keeper" of animal and statutory defence under the Act. Settled at JSM shortly before 4 day High Court liability trial with no admission of liability.

B v W

Acted for racing cyclist competing in road race who suffered serious injuries after colliding with escaped horse. Successful claim against keeper of horse under the Animals Act 1971.

B v DH Stables

Acted for leading National Hunt racehorse trainer in high value claim (claimed at £6.5 million) by work rider who suffered spinal cord injury resulting in tetraplegia in fall from racehorse during exercise.

Claim under the Animals Act 1971 disputed by defendant. Important issues about scope of strict liability under the Act. Settled at JSM shortly before 3 day High Court liability trial with no admission of liability.

L v H Stables

Acted for riding stables in high value claim by former high-profile work rider who suffered severe head injury whilst riding as escort in Hyde Park.

Claim under the Animals Act 1971 and in negligence relating to suitability of claimant's horse. Settled at JSM shortly

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B & D v O

Acted for defendant equine surgeon in veterinary negligence claim arising out of treatment of racehorse. Complex liability issues relating to breach of duty and whether alleged failures in treatment caused or contributed to the horse's subsequent death.

E v E Ltd

Acted for insurers of racehorse owner in high value claim arising out of fall at Newmarket Breeze-Up sales, when rider suffered serious leg injuries.

Claim against keeper of horse under Animals Act 1971. Complex issues relating to ownership of horse and claim under Third Parties (Rights against Insurers) Act.

A v V Racing

Acted for defendant racehorse trainer in claim arising from accident involving jockey who suffered leg injury leading to amputation. Complex and high value quantum claim pleaded at £6.2 million, and listed for 5 day High Court quantum trial.

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Claim under the Occupiers Liability Act 1957 against owner of riding yard by claimant who suffered severe head injury causing blindness when struck head on post after fall from horse in outdoor arena. Liability trial involving issues about appropriate construction of structures enclosing riding arenas.

Davenport v Farrow [2010] EWHC 550 (QB)

Liability trial arising out of sports injury. Claim by former international youth athlete against coach in relation to vertebral stress fractures alleged to have been sustained during training and which ended his career.

Memberships

- [Personal Injury Bar Association](#)
- [Professional Negligence Bar Association](#)
- [Association of Personal Injury Lawyers](#)
- Western Circuit

Publications

- APIL Guide to Clinical Negligence – contributing author
- A Practical Guide to Personal Injury Claims Involving Animals
- Westlaw Insight content on Liability for Animals

Recommendations

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