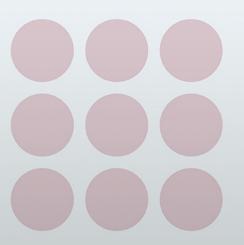
YEAR OF CALL

AREAS OF EXPERTISE

Clinical Negligence, Travel & International Personal Injury Law, Employment, Personal Injury



General CV

Additional Qualifications

Attorney-at-law (New York)

Memberships And Offices

Recorder. Past Leader, European Circuit of the Bar. Past President, American Counsel Association. Personal Injuries Bar Association. American Bar Association. International Association of Defense Counsel. Bar European Group. Deputy High Court judge.

"Recommended for catastrophic personal injury cases."

Legal 500 2017

"Vastly experienced silk who practices in London as well as in the North. He handles a wide array of catastrophic injury matters, particularly those with complex issues relating to liability and causation. He also has notable expertise in cases with a cross-border element. "He has that judgement you are looking for from a senior KC, and also has a good feel for the complexities of foreign law." "He sees the psychology and tactics of things as well as the law." "Very astute on liability issues and not afraid to take risky cases to trial if necessary."

Chambers and Partners 2017

"a first choice leader for many"

Legal 500 2011

"Gerard McDermott KC handles high-value claims and has extensive cross-border experience" Legal 500 2011

Specialist Areas of Practice

Clinical and Professional Negligence Catastrophic Personal Injury Employment and Discrimination Health and Safety Public Inquiries

Profile

Held in the highest regard by clients in the UK and lawyers further afield, Gerard has undertaken personal injury and clinical negligence claims of the utmost severity for the last 20 years, and has a particular expertise in spinal injury, acquired brain injury and cerebral palsy cases. Acting for both Claimants and Defendants, he is recommended in Chambers UK as having 'a strong reputation for quantum' in the personal injury field. In the recent past, he has acted in numerous high value claims for leading insurers. Gerard's current caseload includes over 25 claims for catastrophic injury, and he has recovered at trial or by negotiated settlements approximately £40m for Claimants since the beginning of 2007.

In the last few years, Gerard's substantial expertise in employment law has been utilised in his personal injury practice in ensuring that proposed care regimes (particularly those involving residential carers) are compliant with the Working Time Regulations and other employment legislation. Gerard has been recognised as having led many of the arguments on this specialised area, which has in turn had a significant impact on the value of claims.

Having acted as leading Counsel for the Health Authority in the Shipman Inquiry, Gerard has developed a particular interest and expertise in the regulation of the medical professions. Gerard maintains a strong reputation in the clinical negligence field, with recent notable appearances in the cases of Farraj (economic loss in wrongful birth claims) and Allen v Burne (CA, application of Bolitho rider to Bolam test).

He has had a proactive interest in international law and practice has throughout his career at the Bar and is increasingly involved in cross border claims (for example Farraj which involved Jordanian Claimants, and Garcia v Serfilco, in the Spanish Courts against an English Defendant). Admitted as an Attorney-at-Law (New York), Gerard is a past Chairman of the Bar Council's International Relations Committee, a former President of the American Counsel Association and is the current Leader of the European Circuit of the Bar.

Some Notable Cases

- The Shipman Inquiry
- Farraj v King's Healthcare Trust [2006] EWHC 1228 (QB) wrongful birth, economic loss, third party laboratory's liability for DNA sample
- Allen v Burne (CA, unreported) application of Bolitho rider to Bolam test
- Casey v East Lancs HA [2004] EWHC 789 (QB) causation
- R v Pennine Acute NHS Trust [2003] EWCA Crim 3436 health and safety, transfer of criminal liability

Quotes

'Recommended for catastrophic personal injury cases.'

- Legal 500, 2017

Vastly experienced silk who practices in London as well as in the North. He handles a wide array of catastrophic injury matters, particularly those with complex issues relating to liability and causation. He also has notable expertise in cases with a cross-border element. "He has that judgement you are looking for from a senior KC, and also has a good feel for the complexities of foreign law." "He sees the psychology and tactics of things as well as the law." "Very astute on liability issues and not afraid to take risky cases to trial if necessary.

- Chambers & Partners 2017

Vastly experienced silk. He has judgement you are looking for from a senior KC, and also has a good feel for the

complexities of foreign law.

- Chambers and Partners 2017

"A commercial thinker, full of new ideas."

- Legal 500, 2016

"His client care skills are just incomparable. He is also incredibly well connected and amazingly well respected on all sides."

- Travel, Chambers & Partners, 2016

"He works very hard to ensure he has a complete command of all evidence before the trial."

- Travel, Chambers & Partners, 2016

"He s a great leader who has excellent overall judgement on a case."

- Personal Injury, Chambers & Partners, 2016

"On foreign cases, he is nothing short of excellent."

- Personal Injury, Chambers & Partners, 2016

"He is very approachable, has a rapier-fast intellect and is always thinking about what the judge is going to do at trial."

- Personal Injury, Chambers & Partners, 2016

"His client-handling skills are legendary, and he has sound judgement."

- Personal Injury, Legal 500, 2015

"He has a good reputation for travel claims, and is great on his feet."

- Consumer, Legal 500, 2015

"A very high-calibre practitioner, who fights very hard for his clients. He is very dedicated, very approachable and a real grafter." "He is one of the best PI silks I have worked with - he lives and breathes the case, will immerse himself in it and has all the facts at his fingertips."

- Personal Injury, Chambers & Partners, 2015

"Incredibly clever, he's very good with clients and a great team player." "He is charm itself; his advocacy is disarming, and he presents everything in a succinct, simple and crisp fashion."

- Chambers & Partners, 2015

"He has a highly effective ability to negotiate settlements."

- Legal 500 2014

"He's a fantastic advocate; he can devour large amounts of material and process them in short order, and he establishes a rapport with severely injured clients. He's the best personal injury silk out there." "He's really easy to deal with, incredibly client-focused, understands what he's doing, and has excellent insight."

- Chambers & Partners 2014

is unmatched in negotiation.

- Legal 500 - 2013

"has particular expertise in brain and spinal cord injury cases"

- Legal 500 2012

"a first choice leader for many"

- Legal 500, 2011

"Gerard McDermott KC handles high-value claims and has extensive cross-border experience"

- Legal 500, 2011

"Gerard McDermott KC at Outer Temple Chambers is an unsung star, who not only takes on the full range of employment cases, including discrimination, unfair dismissal and redundancy claims, but also has considerable knowledge of employment issues that touch upon European law"

- Chambers & Partners 2010

a 'highly accomplished advocate' with a broad practice that encompasses clinical negligence, personal injury and employment.

- Chambers & Partners 2009