

Jonathan Lindfield

Barrister



YEAR OF CALL: 2017

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Practice Overview

Jonathan is a sought-after personal injury barrister, acting for both claimants and defendants. His practice covers all aspects of personal injury work including Highways Act, public liability, employers' liability, Animals Act, product liability, road traffic accidents and credit hire on both the fast and multi-track. Jonathan is also regularly instructed on behalf of local authorities and national insurers. He is frequently asked to advise and act on cases where fundamental dishonesty or exaggeration is alleged.

Jonathan is a keen sportsman, giving him a particular interest and insight into cases involving sporting injuries, both on and off the field.

Post Covid, Jonathan has successfully appeared for the defendant in number of civil claims brought under the Equality Act, where discrimination has been alleged following non-compliance with the enforcement of Covid-19 restrictions.

Jonathan prides himself in providing detailed, clear and tactically sound advice at all stages of the litigation process. His busy practice takes him to courts all over England and Wales. He is well regarded for his tenacious but fair advocacy. He is approachable and personable and understands the challenges faced by both professional and lay clients. Jonathan endeavours to service paperwork promptly and efficiently and is always aware of the issue of cost recovery. He is happy to accept work on a CFA basis where suitable.

Jonathan also acts as an associate examiner for the Bar Standards Board for the Civil Litigation section of the Bar Training Course.

Areas of Expertise

Personal Injury

Jonathan's personal injury practice covers all areas of personal injury litigation, including RTAs, occupiers'/public/employers' liability, Highways Act, defective premises, product liability, claims brought under the Animals Act, and many others. He is regularly involved in claims where there are complex issues of fact and law, including claims where there is multiple, overlapping expert disciplines.

Jonathan's recent caseload has included:

- ▶ Obtaining settlement for a claimant who suffered from extensive orthopaedic and head injuries at work having been thrown from a spring-loaded piece of machinery and out of the back of a lorry.

- ▶ Successfully defending a six-figure claim brought by a claimant who had suffered from a traumatic amputation of part of a finger in the tail lift of a lorry whilst at work.
- ▶ Success on appeal for a defendant insurer in a credit hire matter where the first instance Judge had incorrectly applied the law regarding the applicability of BHR rates in a case where a claimant had allegedly been sent to the credit hire organisation by the repairing garage.
- ▶ Success at trial for a claimant whose work's van's suspension had failed whilst they were driving it, causing them to crash and suffer orthopaedic injuries, owing to the van being overloaded.
- ▶ Obtaining settlement for a claimant who suffered from long-lasting lower limb injuries following an accident in a pub. The complex and unique nature of the claimant's financial position necessitated the use of a forensic accountant to assist in the quantification of their loss of earnings
- ▶ Successfully obtaining discontinuance at CMC stage of a multi-party claim where it was alleged that the defendant had given a party of 6 food poisoning.

Particular specialisms and interests include Highways Act claims, employers and public liability claims, and claims involving credit hire (in which he has appeared at appellate level). Jonathan also has significant experience and success in securing and resisting findings of fundamental dishonesty and exaggeration, and the consequent disapplication of QOCS.

As a keen sportsman, Jonathan also has a particular interest and insight into cases involving sporting injuries, both on and off the field.

Jonathan is fully conversant with all costs provisions in personal injury claims, and is regularly instructed to attend CCMCs, often involving multi-party claims and also to advise on complex costs issues.

He enjoys good relationships with his clients, and is sympathetic to their needs, particularly where costs recovery is limited. He provides a well-considered, professional, and approachable service to his clients, and is happy to accept instructions on a CFA basis in appropriate cases.

Clinical Negligence

Jonathan has experience of a wide range of Clinical Negligence matters, including cases of failed/late diagnosis, consent, operative techniques, dental negligence and many others. He has drafted a wide variety of pleadings for Claimants and Defendants, including Part 20 claims (including contribution claims), as well as other papers in various applications and interim matters.

Jonathan takes a keen interest in medicine, and is comfortable dealing with large volumes of medical records, expert evidence, and is recognises that often in clinical negligence quick turnaround of paperwork is key. He is happy to undertake work on a CFA basis in appropriate cases.

Professional memberships

- ▶ PIBA
- ▶ Western Circuit

Qualifications & awards

- ▶ MA (Oxon), Jurisprudence (The Queen's College, University of Oxford)
- ▶ BPTC (Nottingham Law School) – Outstanding

- ▶ Buchanan Prize, Lincoln's Inn
- ▶ Hardwicke Scholarship, Lincoln's Inn
- ▶ Inter-Provider Mooting Competition Winner, Lincoln's Inn
- ▶ Advocacy Prize for highest overall marks in Advocacy Assessments, Nottingham Law School
- ▶ Norton Rose Fulbright Prize for the Highest Marks in Company Law, University of Oxford

Additional information:

Jonathan studied Jurisprudence at The Queen's College, Oxford, before completing his BPTC at Nottingham Law School. Jonathan has previously worked as an Assistant to a Barrister in Nottingham and as a volunteer in a local solicitor's firm in Brighton.

Jonathan is a big sporting fan, and a keen supporter of Brighton and Hove Albion. He plays the saxophone and guitar, and enjoys travelling.

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