

NINA UNTHANK

Call 2001

Get in touch

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Practice Overview

Nina specialises in personal injury law, clinical negligence and employment law.

Nina is a skilled advocate in court and tribunal, praised for her **"sharp, detailed and effective cross examination"** in trial and persuasive style during interim applications. She is also praised for her **"excellent"** drafting of pleadings and **"quick turnaround"** of paperwork. In addition, she is known for her sound and practical advice.

Clinical Negligence

Nina is a specialist clinical negligence barrister. She has considerable experience of dealing with high value, complex issues involving breach of duty (including consent), causation and quantum in an array of clinical negligence claims.

She acts for and against doctors, surgeons, nurses, midwives, optometrists and dentists.

She is instructed by the MDU and by the NHSLA both as junior counsel and in her own right.

Nina's practice combines advocacy, drafting and advisory work including joint settlement meetings.

Nina also gained experience of the Professional Conduct Committees of the General Medical Council and the General Dental Council whilst a pupil with her pupil mistress Sarah Vaughan Jones QC.

Practice areas

Clinical Negligence
Employment
Personal Injury

Memberships

PIBA
ELBA
COMBAR
LCLCBA
Middle Temple

Qualifications

Bar Vocational Course, Barrister
MA (Cantab) Law
BA (Hons) History

Education

Downing College, Cambridge
University
Warwick University
Inns of Court School of Law



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Current and Recent Work

Defending numerous NHS Trusts in relation to claims arising out of the alleged failure to diagnose and treat cauda equina syndrome (2017)

Defending two NHS Trusts in relation to claims arising out of the alleged failure to diagnose and treat necrotising fasciitis (2017)

Defending an NHS Trust in relation to a claim for the alleged failure to diagnose and treat intestinal malrotation in an infant (2017)

Defending an NHS Trust in relation to a claim arising out of the failure to timeously diagnose and treat age related macular degeneration (2017)

Defending an NHS Trust in relation to a claim arising out of the alleged failure to appropriately advise, obtain consent and treat Fuch's corneal dystrophy (2017)

Defending an Optician and Consultant Ophthalmic Surgeon out of an alleged failure to appropriately, advise, obtain consent and perform wavefront intralase LASIK surgery (2017)

Junior Counsel instructed by the MDU in a multi-million pound claim, led by Caroline Harrison QC, arising out of the prescription of anti epileptic drugs (2017)

Junior Counsel for an NHS Trust in two multi-million pound wrongful birth claims, led by Michael de Navarro QC (2016)

Defending an NHS Trust in relation to the failure to appropriately diagnose and treat myocardial infarction (2016)

Defending an NHS Trust in a claim for failure to treat promptly acute cholecystitis allegedly leading to avoidable sepsis, ICU admission, prolonged hospital admission and an increased anaesthetic risk preventing gastric banding and a required hip replacement (2016)

Instructed by the MDU to defend a GP in relation to a claim for alleged failure to diagnose and treat a melanoma on a toe leading to terminal cancer (2015 -2016)

Counsel for an NHS Trust in a claim for alleged failure to diagnose and treat a spinal fracture (2015)

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Defending an optometrist for the failure to refer, allegedly resulting in the failure of an NHS Trust to diagnose and treat in time a brain tumour, which resulted in the claimant being rendered blind (2015)

Defending an optometrist against an NHS trust for the failure to refer, diagnose and treat a brain tumour (2015)

Representing a claimant in a claim arising out of negligent failure to diagnose and treat a haematoma (2014)

Representing the family in a lengthy inquest following the death of a family member in a hospital (2009)

Representing pharmacists in numerous dispensing error claims (2012-2014)

Employment

Nina is an experienced employment law barrister who regularly appears in Employment Tribunals and the Employment Appeal Tribunal.

Nina acts for claimants and respondents. She represents a wide range of clients, including individuals, incorporations, NHS Trusts and local authorities. Nina's extensive employment law practice includes claims involving unfair dismissal, wrongful dismissal, discrimination, harassment, stress at work, victimisation, whistleblowing, unlawful deduction of wages, equal pay, the working time regulations, flexible working time, zero hours contracts and TUPE.

Nina also specialises in discrimination cases in areas other than in employment, such as the provision of services, and has recently been involved in a high profile case regarding discrimination arising from the use of wheelchairs and buggies on a bus.

Nina worked with A panel Treasury Counsel for a lengthy period in a large, complex multi-claimant claim for sex and sexual orientation discrimination prior to the introduction of the Employment Equality (Sexual Orientation) Regulations 2003.

Nina is regularly instructed to represent her clients at final and interim hearings. Nina regularly appears as advocate in lengthy tribunal hearings, including a recent high profile 3 week trial which considered whether trade unionism could constitute a religious or philosophical belief.

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Nina gives seminars on employment law issues. Seminar topics have included victimisation, whistleblowing, the working time regulations and disability discrimination.

Current and Recent Work

Representing a night club on a preliminary issue in an unfair dismissal action involving an employee on a zero hours contract

Defending a well-known recruitment agency in a claim arising for maternity discrimination

Advising a school in relation to equal pay, holiday pay and part time worker issues

Defending a well-known Bus Company in a discrimination claim arising from the use of wheelchairs and buggies on a bus

Defending a local authority in a large value, lengthy, unfair dismissal, race and disability discrimination trial

Defending a well-known charity in a whistleblowing claim

Defending a high-profile department store in a complex disability, race discrimination and equal pay claim

Representing a claimant against a multi-national investment bank in a very sensitive unfair dismissal and whistleblowing claim involving allegations against directors of the bank

Counsel for numerous claimants against the Post Office in claims for unfair dismissal and discrimination based on their trade union beliefs

Defending the Prison Service in a sensitive unfair dismissal claim
Representing the Claimant in a TUPE-related dismissal

Personal Injury

Nina is a specialist personal injury barrister with a busy practice combining advocacy, drafting and advisory work. She is experienced in handling complex high value cases (regularly in excess of £1 million).

She has vast experience of claims arising out of road traffic accidents, in particular, involving the MIB and suspected fraudulent claims.

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She also specialises in the field of employer's liability, in particular, involving accidents at work, industrial disease and occupational health, including mesothelioma, deafness, repetitive strain injury, chronic pain, CRPS, stress and harassment.

Nina is also a specialist in claims arising out of accidents on the highway, occupiers' liability and defective premises. Further, she has considerable expertise in claims arising out of sporting activities including trampolining, ice- skating, skiing, inflatable banana rides, water parks and football.

Nina is also very experienced in claims involving animals.

Nina is a regular trial advocate and appears in applications involving all aspects of civil procedure, including cost budgeting, relief from sanctions, disclosure, expert evidence, strike out, setting aside default judgments, limitation, costs and resiling from admissions.

Nina also represents her clients at mediation and joint settlement meetings. Her work also includes CRU appeals and inquests.

Nina is well known for her ability to draft robust pleadings and for her pragmatic advice.

Nina is a regular author of the New Law Journal's personal injury update. In addition, Nina speaks at personal injury seminars, her recent topics have included fraudulent motor claims, exaggeration and malingering in personal injury claims, limitation and the effect of insolvency on personal injury claims.

Current and Recent Work

Defending an employer in relation to a high value claim for chronic pain and psychiatric damage arising out of an accident at work (2017)

Defending an employer in a 3 day multi track claim arising out of a manual handling accident in its factory (2017)

Defending an occupier in relation to an accident during which a visitor was electrocuted on premises over which he had control (2017)

Defending the MIB in a high value 4 day multi track claim under the Uninsured Drivers' Agreement involving a major brain injury suffered as a result of a road traffic accident (2016)

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Defending a care home in a claim arising out of an attack on a support worker by a severely autistic service user (2016)

Defending an employer in relation to an accident which occurred during a 'human table football match' on an 'away day' (2016)

Defending a night club in relation to a tripping accident on its premises (2016)

Defending a care home in a high value claim for chronic pain syndrome and psychiatric damage arising from an attack by a service user on an employee (2015)

Representing a Claimant motorcyclist who sustained severe spinal injuries in a road traffic accident (2015)

Representing a shop keeper in relation to a dog attack on its premises (2015)

Defending a well-known leisure centre in a claim arising from a skiing accident on an indoor snow ski slope (2015)

Defending a number of multi-claimant claims arising out of fraudulent road traffic accidents (2015)

Defending a well-known leisure centre in 3 consolidated claims arising from ice-skating accidents on an ice rink (2014)

Defending a bread distribution factory in 2 consolidated claims for repetitive strain injury as a result of a 'put to light' system (2014)

Representing a music venue in a claim arising from a stage diving incident (2014)

Defending an employer in a large value stress at work and harassment claim (2014)

Lengthy inquest into the death of a company director and team leader who was killed in a gas explosion whilst undertaking a pressure test on a large gas installation project (2013)

Lengthy inquest into the death of a construction worker following the collapse of a bridge (2009)

Numerous inquests arising out of road traffic accidents (2001- 2016)

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