

Jonathan de Rohan

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Jonathan de Rohan specialises in injury, damage and insurance-related work.

Jonathan is highly valued by professional, insurer and lay clients alike; praised for being “meticulous ... combining first class paper work with excellent advocacy” with “skills in a variety of legal disciplines”, as having “a very strong commercial understanding of client’s needs” and being “very approachable” demonstrating a “can-do attitude”.

Jonathan is instructed in professional negligence, product liability and travel-related claims involving jurisdiction and choice of laws issues. He acts principally for Defendants and for insurers in subrogated recovery claims, but also has a successful Claimant practice. He regularly pleads and appears against leading counsel. He is qualified to accept instructions directly from the public and does so via 2TG’s website and myBarrister. He regularly attends and presents seminars across Chambers’ core areas. He is an accredited mediator across all civil disputes.

Expertise

Personal Injury

Jonathan’s multi-track injury practice covers the entire field from road traffic and public liability to all aspects of employers’ liability, in particular industrial disease (mesothelioma and asbestosis, WRULD/VWF, deafness, workplace ergonomics), stress and bullying. He has a well-established practice in serious head and spinal injury cases and a recent expertise in high-value chronic pain cases. He has a deep interest in sports injury

claims notably aviation (parachuting, ballooning and gliding), motor racing, field and winter sports. He is instructed at Health & Safety inquests, drawing on jury trial experience prosecuting at 'the Old Bailey' and Snaresbrook Crown Court. He has a deep understanding of disciplinary tribunals, having adjudicated on the full range of Bar Disciplinary Panels for over a decade. He is an accredited mediator across all civil disputes.

Notable Personal Injury cases

Re: Ateeq Rafiq (deceased) - Birmingham Coroner's Court

Jury Inquest relating to the death of a man who became fatally trapped under a cinema seat's powered footrest at Vue, Star City, Birmingham. Instructed for Spanish seating manufacturer, Figueras International Seating, by LSGA.

Johnson v Tait - QBD

Automatism defence mounted to RTA on the grounds of a transient ischaemic attack or 'mini-stroke'. Instructed by Browne Jacobson for the Defendant.

Royal v Hobbs Fashion Ltd

High value chronic pain claim arising out of innocuous accident at work. Plethora of experts. Settled favourably at JSM. Instructed by Clyde & Co. for the Defendant.

Ratcliffe v East Kent Medical Services Ltd

Significant back injury at work claim brought by a former employee of private hospital in Kent. Contested on all fronts including limitation, breach, medical causation, resolved by 'hot tubbing' spinal experts at trial. Instructed by DWF for the Defendant.

Bennett v Sussex Partnership NHS Foundation Trust

Rabone-style death by suicide claim whilst deceased was in the care of the mental health facility staff. Instructed by LSGA for the Claimants.

McGrath v London Borough of Newham & Others

Slipping accident at school; straightforward main claim. Acted in the complex contractual and tortious responsibilities arising out of Private Finance Initiative school construction and facilities management. Instructed by Bevan Britten for the Third Party.

Moore v Poole Hospital NHS Foundation Trust

High value liability and damages action suffered by midwife in slipping at work. Instructed by Porter Dodson for the Claimant.

Healey v Acromas/Saga & (TP) Hotel

Defence/third party claim of operator and Montenegrin hotel in holiday / travel regulations claim. Instructed by Weightmans.

Telfer v Go Ahead Group / Southern Railway

Defence of train driver WRULD/ergonomics claim. Instructed by Hill Dickinson & Travelers.

Walker v Saipem

Instructed by Stephenson Harwood on behalf of seriously injured oil rig worker injured in catastrophic 25m fall.

M v MIB

Patient settlement in catastrophic claim in QBD. Representation and Court of Protection issues. Instructed by Greenwoods.

Steadman v Go Ahead Group / Southern Railway

Successful defence of train driver WRULD/ ergonomics claim. Instructed by Hill Dickinson & Travelers.

Jones v Lafarge Aggregates

Successful defence of VWF claim at trial on causation.

Moss v Lafarge Aggregates

Successful defence of industrial deafness claim at trial on limitation/date of knowledge.

Green v Deutsche Bank Group - QBD

Pleaded successful high value bullying and harassment Claim. Instructed by Thomas Cooper & Stibbard for the Claimant.

Sports Injury

Jonathan's busy sports injury practice ranges from airborne activities (in particular parachuting, gliding and ballooning) to field and winter sports, motor sports, football, rugby, athletics, golf, cricket and racket sports. He frequently deals with injury claims which involve a difficult choice of Defendant, the law of unincorporated associations, and the construction, interpretation and application of governing body

regulations, on which he brings to bear his substantial experience as a disciplinary tribunal member. His cases often involve a combination of personal injury, employment, military on/off duty and insurance coverage issues, as well as equipment matters and product liability law. Jonathan is a ECB Level 2 Cricket Coach.

Notable Sports Injury cases

Fox v Teesside Karting Ltd

Multi-track trial of go-karting claim involving issues of training, instruction and supervision. Instructed by Weightmans for the Defendant.

Baird v Weymouth College

Sailing injury claim involving adequacy of risk assessments, slipway cleaning, signage and warnings, the balance of cost and risk in a Tomlinson-style socially worthwhile activity. Instructed by DWF for the Defendant.

Stanford v Lyalvale Express Ltd

Clay pigeon shooting accident when 12-bore shotgun barrel exploded causing significant and permanent upper limb injury. Instructed by Langleys for the Defendant.

Ludlow v Lockwood (Leamington) Ltd

Adjustment and set up of high-performance Alpine ski bindings, leading to alleged skiing accident in Switzerland. Instructed by DAC Beachcroft for the Defendant.

Beagley v Trevornick

Defence of go-karting claim centring on supervision and track layout. Instructed by DWF.

Pearce v Durham Uni & Cleveland Potash

Instructed for the Defence in head injury claim arising out of sea cliff climbing/rope access accident, involving consideration of IRATA Code of Practice.

Bignall v Crombie

Substantial loss of sponsorship earnings claim pursued by former world-class sprinter. Instructed by Beachcroft for the Defendant.

Swinglehurst v SnowDome

Important case as to whether mandatory provision of wrist guards to beginner snowboarders and/or advice

as to the potential efficacy of such equipment were required. Trial judge heard expert evidence and was presented with the latest national and international research on winter sports wrist protection. Instructed by Weightmans for the Defendant, which was successful on equipment issues.

Costello v Army Parachute Association

Serious spinal injuries suffered by tandem parachute instructor following canopy malfunction. Action includes product liability issues. Instructed for Defendant by Gates & Partners (now Kennedys Aviation).

Hiam v Army Parachute Association - QBD

Paraplegic injury sustained by first-time parachutist on hard landing. Instructed for Defendant with Neil Block QC by Gates.

Eckersley v Ballooning Network Ltd

Hot air balloon colliding into a spectator.

Mott v Headcorn Parachute Club

Mid-air collision between parachutists during filming operations.

Rogoff v MoD & Royal Airforce Sport Parachute Association - QBD

Display parachutist colliding into the roof of Villa Park football ground.

Product Liability

Jonathan has considerable expertise in disputes involving complex design, manufacture and engineering issues.

Notable Product Liability cases

Army Parachute Association v Paratec GmbH

TCC action involving the design of a tandem parachute system. Instructed by Kennedys Aviation.

Tobin v. Geminox & Wieland

TCC domestic fire claim (subrogated) involving the design and quality of French-manufactured hot water boiler incorporating German-made components. Instructed by Cozen O'Connor.

Property Damage

Jonathan's burgeoning property damage practice involves fire, flood and tree-roots subsidence actions. He has considerable expertise in disputes involving complex engineering, construction, arboricultural and geotechnical issues. An accredited mediator across all civil disputes; he has reported cases in the areas of real property and landlord & tenant. He accepts instructions in property damage, insurance and construction claims direct from the public, via chambers' website and *myBarrister*, most successfully in *Hodgton* (see below) with Richard Allitt, flood expert.

Notable Property Damage cases

Seaton v Somerset County Council

Complex flooding claim. Settled very favourably at a JSM. Instructed for the Defendant with Richard Allitt (expert) by Dolmans.

Hoblyn v London Borough of Camden

£750,000 'high amenity tree' roots subsidence claim involving complex issues of foreseeability, notification, causation, damages and contested tree removal. Instructed by DWF for the Defendant.

Hodgton v Horsham DC - Brighton CC

Succeeded in hydraulically complex nuisance/obstruction of watercourse/flooding claim. Instructed with Richard Allitt by public access Claimant.

William Pears v London Borough of Lambeth - TCC

Defence of major tree roots subsidence claim involving block of flat in south London. Settled at an advanced stage of proceedings and with considerable counsel involvement. Instructed by Watmores/DWF.

Bond v Stockton-on-Tees Borough Council

Tree roots subsidence damage to a late-constructed garage giving rise to interesting arguments on notification, reasonable foreseeability, adequacy of foundations, causation and mitigation of damages. Instructed by DWF for the Defendant.

Jones v London Borough of Merton

High value tree roots subsidence damage – novel arguments on breach of duty, reasonable foreseeability, causation and mitigation of damages. Opposed by leading counsel, a specialist in the field.

Bachy Soletanche v Costain PLC - TCC

£1.5m subrogated recovery claim for HSB in respect of destruction of Bauer mobile piling rig and business interruption of insured. Instructed by DAC.

Scott v Cheshire County Council

Successful tree roots subsidence claim for Beachcrofts.

Professional Negligence

Jonathan's clinical practice encompasses failures of consent, and of treatment arising out of elective sterilisation, varicose vein and cosmetic procedures. His non-medical caseload has comprised solicitors, insurance brokers, surveyors and other construction professionals, where his background in property law has proved invaluable. He has a deep understanding of disciplinary tribunals.

Notable Professional Negligence cases

Duce v WAH NHS Trust - Birmingham CC

Gynaecology / lack of informed consent to surgical procedure. Instructed for the Claimant.

Hammond v PAH NHS Trust

Successful claim for negligent varicose vein procedure causing tendon severance.

Reading v Direct Healthcare International

Applicable laws / jurisdiction / causation issues arising out of negligent liposuction procedure in Belgium. Acted for Defendant, cosmetic surgery service.

Insurance

Jonathan regularly advises on all aspects of insurance law including coverage issues, policy construction, misrepresentation, non-disclosure, breach of warranty, estoppel, waiver, reservation of rights, double insurance and fraud. He also has particular expertise in motor insurance, including claims against the MIB.

Notable Insurance cases

Abbeyfield v Epping Council - TCC

Range of construction and factual issues including contribution/double insurance, notification, avoidance, waiver and estoppel.

Kotsanas v Insurance Corporation of Channel Islands

Successful defence of claim arising over fraudulent presentation of insurance outlay cheque.

Clinical Negligence

Jonathan's clinical negligence practice encompasses failures of consent, and of treatment arising out of elective sterilisation, varicose vein and cosmetic procedures. He has a deep understanding of disciplinary tribunals having adjudicated on the full range of Bar disciplinary panels for over a decade.

Notable Clinical Negligence cases

Duce v WAH NHS Trust - Birmingham CC

Gynaecology / lack of informed consent to surgical procedure. Instructed for the Claimant.

Hammond v PAH NHS Trust

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Public Access

In 2021 Jonathan won authorisation from the Bar Standards Board to conduct litigation, massively bolstering his busy public access practice and enabling him to offer the very fullest 'start to finish' litigation support service, including:

- Issuing proceedings, applications and appeals
- Acknowledging service of proceedings
- Filing and serving documents
- Lodging trial and hearing bundles
- Providing chambers address as the address for service of documents
- Signing off on a list of disclosure
- Instructing and questioning expert witnesses in accordance to CPR Part 35

Jonathan's practice areas

Since 2010 Jonathan has acted for individual and company litigants in person across a broad range of civil

law disputes, in particular building and construction disputes, property damage and injury claims, contracts and contractual disputes, personal and organisational disputes and debt recovery actions (for and against). In such diverse proceedings he has appeared at hearings and trials and has settled all forms of court paperwork. He often advises on and drafts pre-action protocol Letters of Claim and Response, Claim Forms (including Money Claims online), detailed Particulars of Claim, Defences & Counterclaims, Directions Questionnaires (Fast Track and Multi Track), Interim Applications (N244) including Relief from Sanctions, drafting witness statements and Civil Evidence Act Notices, standard and bespoke Directions Orders (multi track and fast track), Lists of Disclosure, CPR Part 36 offers and explanatory correspondence, Letters of Instruction and Clarification to Experts, Pre-Trial Checklists and all aspects of preparation for trial including producing fully court-compliant paper and interactive, electronic bundles.

Jonathan is also an accredited mediator having trained in 2004 with the School of Psychotherapy and Counselling at Regents College (London), enabling him to get to the very heart of some of the most complex and intractable civil law disputes.

Jonathan's approach

Is to provide expert legal support and assistance that is fast, cost-effective and determined, yet wholly collaborative with the commercial attitude and aspirations of his many differing and, on occasions repeat, clients.

Jonathan's workmanship

Highly valued by a broad range of private and corporate clients, praised for being *"meticulous ... combining first class paper work with excellent advocacy"* with *"skills in a variety of legal disciplines"*, as having *"a very strong commercial understanding client's needs"* and being *"very approachable"* demonstrating a *"can do attitude"*.

What his clients say

"Jonathan stepped in at very short notice in my claim against rogue builders. Over the Christmas break, he quickly turned around an opinion on the "prospects of success" of the case. Then he amended the court documents, which I had filed incorrectly. His work was very professional and he got up to speed on the case very fast. On the day of the initial hearing, I immediately felt Jonathan was on our side. He was very quick to prepare a strategy for what we needed to focus the court's time on. He made me feel at ease in a very challenging situation. In court, he was very confident and professional presenting our case. Afterwards, we discussed next steps over a calming cup of tea. We discussed how to approach the insurer to ensure funding would be in place, what might be the worst or best outcomes in court and how to potentially negotiate an out of court settlement."

SS, London

"Worth your weight in gold. You always just simplify things – your court papers read perfectly. Thank you for everything you've done for us. We would have been lost without you"

AB Construction Ltd, Sheffield

"Just brilliant!"

LK, Norfolk

"In his barrister role for us we have found Jonathan to be most affable, easy to talk to and extremely fast to grasp the crux of the matter in question. His strategic planning in litigation is second to none in our opinion"

and we bless the day we were introduced to him.”
YZ Construction Ltd, Kent

“Jonathan has tremendous litigation skills. During the legal proceedings, Jonathan listened and absorbed details of my case and my opinion and then made convincing recommendations and decisions. Jonathan has the ability to dissect a case much like a skilled surgeon, with absolute calm. In court, Jonathan was a tremendous help for me while addressing the intricacies of my case which resulted in expeditious and consensual resolution. I would be proud to refer my family, friends and even strangers to him, and I am sure they will be happy with his legal expertise.”
NH, London

“After a two-year battle with our local council and their insurers over the flooding of our home we were forced to go to litigation. As litigants in person we needed a lot of hand holding and we consider ourselves extremely fortunate to have found Mr Jonathan de Rohan who was an absolute pleasure to work with. The case was very complex, not only technically but evidentially and legally. What we appreciated about working with Jonathan was his attention to detail, his patience and his commitment. In court his conduct and execution were exemplary. Despite the defendants having a formidable counsel themselves, we won the day! Two grateful clients.”
MH & CH, Sussex

“Jonathan was retained to advise on a case of gross overcharging by a reputable law firm. Thanks to his help and advice the claim was very substantially reduced and a satisfactory outcome was achieved without having to go to trial.”
DT, London

“Jonathan read through the documents in my disagreement quickly, explained the necessary procedure succinctly and managed to settle a 10 month dispute with one legally-detailed, perfectly-constructed letter, saving me many thousands of pounds.”
JB, London

“It was a breath of fresh air to see a true expert at work. Your powers of concentration and your ability to absorb information at such short notice was remarkable ... Jonathan, words of wisdom as ever ... Thank you very much for your prompt response ... in essence your consideration echoes my thoughts and recollections of the matter.”
JC, Kent

Mediation

Jonathan is an accredited mediator having undergone a rigorous week-long training in 2005 with the School of Psychotherapy and Counselling at Regents College (London), enabling him to get to the very heart of some of the most complex and intractable disputes. He mediates over the range of civil law cases from relatively modest contract claims and building & construction disputes to higher value property damage, personal injury and fatal damages claims.

Notable Mediation cases

McDaid v Quantum Organisation Limited

£30,000 claim for damages arising out of breach of a business development franchise agreement in London.

Bachy Soletanche Limited v Costain Limited

£1.5 m claim for property damage and consequential losses arising out of the overturning of a caterpillar-track foundation piling rig at a large construction site in Berkshire.

Moss v Bowland Forest Gliding Club

High-value fatal damages claim arising out of a malfunctioning cable winch launch of a 2-man glider in Lancashire.

Colley v Whyatt

Contractor's claim for unpaid invoices as against homeowner's counterclaim for defective workmanship in £25,000 residential building dispute in Tyneside.

Priestley v Target Sky Sports Limited

Tragic fatal damages claim arising out of a maiden, charity parachute dispute in North Lincolnshire.

Education

- Mediator Accreditation, Regents College, School of Psychotherapy & Counselling
- BVC, Inns of Court School of Law
- Graduate Diploma in Law, University of Westminster
- BA Business Economics, University of Reading

Memberships

- LawInSport
- British Association for Sport and Law
- PIBA
- PNBA
- LCLCBA
- Bar Sports Law Group
- Anglo-Australasian Lawyers' Society
- Melbourne & Marylebone Cricket Clubs
- UK "Alumni" of Mallesons Stephen Jaques Solicitors