

Nina Unthank

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Nina Unthank specialises in personal injury and clinical negligence law.

Nina is a very experienced barrister who is regularly instructed in high value, complex clinical negligence and personal injury disputes, predominantly for Defendants.

Prior to joining Chambers, Nina obtained a degree in Law from Downing College, Cambridge and a history degree from Warwick University. Nina was an Astbury Scholar of Middle Temple and Master of Moots of Cambridge University.

Expertise

Clinical Negligence

Nina is a specialist clinical negligence barrister. Her vast experience means that she is consistently instructed in high value, complex clinical negligence actions. Acting predominantly for Defendants, she has considerable experience of claims involving spinal injury (including cauda equina syndrome and spinal infection), neo-natal and adult brain damage, stroke, failed and delayed cancer diagnosis, claims related to obstetrics and gynaecology; orthopaedics; infection control (meningitis, pneumonia, sepsis, necrotising fasciitis); cosmetic surgery; ENT; psychiatric injury; chronic pain and a broad range of failures in primary and tertiary care and by the ambulance service.

Nina is regularly instructed as a junior by leading counsel in multi-million-pound disputes.

Notable Clinical Negligence cases

NAX V King's College Hospital NHS Foundation Trust [2018] EWHC 1170 (QB)

X v University Hospital of Leicester NHS Trust (2019) LTL

Defending a GP in relation to a missed diagnosis of Charcot Arthropathy leading to amputation.

Defending an NHS Trust in a multi-million-pound claim for shoulder dystocia.

Defending an NHS Trust in a multi- million-pound claim arising out of the failure to diagnose meningitis in a 2-year-old leading to permanent neurological damage, led by Ben Browne QC.

Defending an NHS Trust in a multi- million- pound claimed arising out of the alleged failure to provide anticoagulation medication leading to stroke.

Defending an NHS Trust in a multi-million-pound claim arising out of a delayed diagnosis of ovarian cancer.

Defending 2 NHS Trusts in a multi-million-pound claim involving delays in diagnosis and treatment of a spinal abscess / infection.

Defending 4 NHS Trusts in a multi-million-pound claim relating to the failure to manage klebsiella infection.

Defending a Consultant ENT Surgeon in a claim arising out of diagnosis and treatment for Eustachian tube dysfunction.

Defending an NHS Trust in a claim relating to alleged failures in the management of a long standing non-union of a scaphoid fracture.

Defending an NHS Trust in a matter relating to the alleged failure to diagnose and/ or suspect meningitis / intracranial infection leading to death.

Defendant an Ambulance Service NHS Foundation Trust in relation to the alleged failure to recognise the signs of stroke and arrange/advise urgent face to face assessment.

Defending an NHS Trust in a claim alleging substandard delivery following diagnosis of shoulder dystocia resulting in a brachial plexus injury.

Defending an NHS Trust in a claim involving post operative treatment following a pharyngeal pouch repair leading to infection and abscess that required prolonged hospitalisation and feeding via a tube. The case was dismissed at trial.

Defending an NHS Trust in a high value claim arising out of the alleged misdiagnosis of active rather than latent TB leading to ethambutol toxic optic neuropathy and loss of vision, as a result of treatment.

Defending an NHS Trust in a high value claim arising out of a false positive misdiagnosis of Lentigo Maligna which resulted in an unnecessary surgical excision of a lesion to the Claimant's right cheek causing facial scarring and severe psychiatric injury leading to inability to work and pension loss.

Defending an NHS Trust in a high value case involving delayed diagnosis of melanoma.

Defending an NHS Trust in a claim relating to the alleged failure to diagnose and treat bowel perforations following a laparoscopic cholecystectomy.

Defending a GP in a claim relating to the failure to refer a 3 week old baby to a paediatric surgeon resulting in septic arthritis in the hip.

Defending an NHS Trust in a 3 -week trial arising out of an alleged failure to diagnose and treat cauda equina syndrome, led by Michael de Navarro KC.

Defending an NHS Trust in a claim arising out of an alleged failure to provide reasonable antibiotic therapy following surgery resulting in meningitis and significant brain injury, led by Michael de Navarro KC.

Defending an NHS Trust in a claim arising out of an alleged failure to diagnose and treat breast cancer.

Defending an NHS Trust in a claim arising out of the alleged negligent performance of an open sigmoid colectomy procedure.

Defending an NHS Trust in a claim arising from an allegedly negligently performed hip replacement.

Defending an NHS Trust in a claim arising from an alleged failure to diagnose and treat lung cancer.

Representing a GP and NHS Trust in a claim arising from a delayed diagnosis of caecal cancer.

Defending an NHS Trust in a claim for lingual nerve damage arising from an allegedly negligent extraction of a wisdom tooth.

Defending an NHS Trust in a claim arising from hypoxic brain injury that the Claimant suffered after undergoing a Whipple's procedure.

Defending an NHS Trust in a 6 day trial in a claim for alleged HHE Syndrome in a child arising out of delayed treatment of an epileptic fit, led by Michael de Navarro KC.

Defending an NHS Trust in relation to a claim for the alleged failure to diagnose bowel cancer.

Defending an NHS Trust in a claim arising out of an alleged unnecessary and inappropriate ERCP procedure causing perforation.

Defending an NHS Trust in a claim arising of the alleged delay in prescribing bisphosphonates to the Claimant who suffered from osteoporosis.

Defending an NHS Trust in a claim arising from an attempted laparoscopic cholecystectomy for the removal of the Claimant's gallbladder.

Defending an NHS Trust in relation to a claim for brain damage in a child arising out of an alleged failure to diagnose and treat meningitis.

Defending a GP in relation to the failure to diagnose and refer an infant presenting with hip pathology.

Representing a GP at an inquest following the death of an infant.

Representing a GP at an inquest following the suicide of a patient.

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

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

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

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

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.

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

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

Personal Injury

Nina is a specialist personal injury barrister with a busy practice combing 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.

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 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 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.

Notable Personal Injury cases

Defending a principal contractor on an accident on a building site involving work at height.

Defending a company in a claim arising out of a tripping accident at their premises, involving issues of exaggeration.

Defending an employer and occupier in a claim arising out of a slipping accident involving complex issues of causation as the Claimant had pre -existing functional neurological disorder.

Defending a trampoline park in relation to an accident on the premises.

Defending an employer in a high value claim for an accident at work resulting in a rotator cuff tear with significant loss of earnings.

Representing a motorist in a multi-party collision involving a contested application to resile from an admission of liability.

Defending a producer of goods in a claim for personal injury arising from failure of the product.

Defending an organisation in relation to a claim arising out of an accident occurring on an inflatable water ride.

Defending a company in relation to a claim arising from an alleged fall down some stairs. The case involved issues of fundamental dishonesty.

Defending an occupier in relation to a slipping claim as a result of which the Claimant allegedly suffered significant injuries. The case involved issues of fundamental dishonesty supported by surveillance evidence.

Defending a driver in a road traffic accident. The case involved issues of fundamental dishonesty.

Representing a Claimant in a claim arising out of a road traffic accident which involved consideration of complex issues including fraud, the application of Cameron (Respondent) v Liverpool Victoria Insurance Co Ltd (Appellant) [2019] UKSC 6 and the MIB's Untraced Drivers' Agreement 2003.

Representing a Claimant in an oral arbitration under the MIB's Untraced Drivers' Agreement.

Advising a Claimant in relation to an industrial disease claim arising out of asbestos exposure.

Defending a courier company in relation to road traffic accident where the Claimant allegedly suffered significant injuries. The case involved issues of fundamental dishonesty supported by surveillance evidence.

Defending an employer in relation to a claim where the Claimant claimed to have suffered significant injury following an accident at work. The case involved issues of fundamental dishonesty.

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

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

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

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.

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

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

Defending a night club in relation to a tripping accident on its premises.

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.

Representing a Claimant motorcyclist who sustained severe spinal injuries in a road traffic accident.

Representing a shop keeper in relation to a dog attack on its premises.

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

Defending a number of multi-claimant claims arising out of fraudulent road traffic accidents.

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

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

Representing a music venue in a claim arising from a stage diving incident.

Defending an employer in a large value stress at work and harassment claim.

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.

Numerous inquests arising out of road traffic accidents.

Appointments

- Master of Moots, Cambridge University
- Personal Injuries Bar Association, Executive Committee Member (ex)
- 2TG Equality & Diversity Officer (ex)
- 2TG Pupillage Committee

Awards

- Astbury Scholar, Middle Temple
- Lawyer Monthly Magazine Women in Law Awards 2020 winner

Education

- BVC, Inns of Court School of Law
- MA (Cantab) Law, Warwick University
- BA (Hons) History, Downing College, Cambridge University

Memberships

- PIBA
- PNBA
- Middle Temple

Recommendations

“Nina is an exceptionally thorough, cerebral and reliable advisor. She has an incredible ability to forensically analyse and cut through medical and legal causation issues of the very highest complexity.”

Legal 500 2024

“She is very experienced and thorough “

Legal 500 2023