

Barrister: Johnathan Payne

Overview:

Johnathan's experience is as diverse as it is extensive. He has vast experience of insurance-related litigation ranging from sports litigation to personal injury and professional negligence claims. He regularly advises on complicated insurance matters including cross-border issues and policy coverage. He has extensive knowledge of brain and spinal claims, Court of Protection claims, costs and fraud having secured multiple findings of fundamental dishonesty (both in the presentation and then discontinuance of claims).

He regularly represents the major insurers, corporate clients and the individual.

Johnathan is regularly instructed by UK governing bodies such as cycling and athletics to defend them in serious injury claims brought by participants. Recent examples of work include the claim brought against UK Athletics by Nathan Douglas following an injury which ruled him out of the London 2012 Olympics (see <https://www.bbc.co.uk/sport/athletics/13625579>).

He is regularly instructed in cycling claims brought against British Cycling. Recent cases include paraplegia and other serious injury claims resulting from participation in sportives, elite and support races on open and closed circuits.

He acts for high-profile individuals injured in sporting contexts such as former Harlequins and Wales international player who was forced to retire through injury.

Corporate clients include Hilton, Marston's Plc, Servest Group, Eddie Stobart and JD Wetherspoon Plc. Instructing solicitors range from Kennedys, BLM and DWF to Irwin Mitchell, Slater & Gordon and Thompsons.

Never one to shy away from a challenge Johnathan has been involved in ground-breaking cases which have shaped civil litigation. Recent examples include Edwards-Tubb v. JD Wetherspoon Plc [2011] 1 WLR 1373 (the expert shopping case), ABC v. (1) WH (2) Whillock [2016] PIQR Q2 (the sexting damages case and the extension of Wilkinson v. Downton) and Everett v. Comojo [2012] 1 WLR 50 (the scope of the duty of care in licensed premises to third parties).

His clinical negligence experience (he only acts for claimants in this area) ranges from cauda equina claims, spinal surgery complications, misdiagnosis and amputation claims.

His personal injury experience includes serious injury and fatality resulting from the use of heavy machinery which usually results in multiple amputations and other life changing injuries. These and other types of claims may result in him being involved in the coronial process (see for instance the inquest touching the death of Ricky Bishop: 4 week jury inquest following a death in police custody).

Johnathan is a team player and gets the job done. He is known for his attention to detail, his preparatory work and his ability to focus the court on the real issues whilst being succinct in his presentation (the Honourable Mrs Justice Whipple DBE recently described his presentation as "commendably succinct" (see The Bosworth Water Trust v. SSR and Others [2018] EWHC 444 (QB)).

He regularly appears in the High Court both on interim matters, at trial and on appeal usually against silks.

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Personal Services

Personal Services:

Johnathan accepts suitable instructions on a CFA basis. He is also regularly instructed by local authorities and insurance companies.

He undertakes the full range of the [personal injury](#) and [clinical negligence](#) portfolio on claims of 6 or 7 figures. Recent instructions have included multiple traumatic amputation, diffuse axonal injury, chronic pain and spinal fracture involving revolutionary new techniques.

Johnathan has extensive knowledge and experience of all aspects of EL / PL / RTA litigation. In the last 2 years he has appeared on numerous occasions in the Court of Appeal before (amongst others) Neuberger, Mummery, Rix, Moore-Bick and Thomas LLJ.

Johnathan is regularly instructed for his approachable and straightforward manner. He excels in advocacy and advisory paperwork.



Call: 1997

Education:

BVC, Inns of Court School of Law; CPE, College of Law (Chester)

Practice areas

- Clinical Negligence
- Commercial and Property
- Court of Protection
- Personal Injury
- Professional Negligence
- Regulatory and Disciplinary

Recent News

- Johnathan Payne to write foreword for Professor Hugh Koch's upcoming Personal Injury book
- Win, lose or pay either way

He lectures throughout the country as a guest speaker alongside Professor Dominic Regan for the Solicitors Group. This year he will be speaking extensively on LASPO and Jackson in Olympia, Bristol, the NEC, Newcastle, Plymouth and Southampton. He has also been invited to speak for PLC and Lexis Nexis.

Johnathan was instructed in the litigation arising out of the Paddington rail crash in addition to being involved in the multiple deaths which resulted in the explosion and fire at Marlie Farm, West Sussex.

Business Services

Business Services:

Johnathan regularly undertakes [commercial](#) dispute resolution whether it be breach of contractual duty, insolvency-related or company / [commercial](#).

He appears at County and High Court level in the QBD (including Admiralty), TCC and Chancery Divisions.

His experience ranges from multi-million pound breach of trust claims (involving interim relief) to admiralty claims including luxury power cruisers which sank at sea.

Recommendations



For more information please call our clerks on **020 7832 0500**

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