



## Jonathan Watt-Pringle QC

Year of Call: 1987  
Year of Silk: 2008

### Practice Areas

- Civil Fraud
- Clinical Negligence
- Health & Safety
- Inquests
- Insurance
- Personal Injury
- Professional Liability

### Email:

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### Awards



### Experience

For many years the main focus of Jonathan's practice has been personal injury and health & safety work, but he undertakes a range of related work, such as insurance, inquests and both clinical and professional negligence. He is instructed on behalf of both claimants and defendants.

Jonathan started his legal career in South Africa, first as a law student and later as an Advocate at the Johannesburg Bar from 1984 to 1986. During the State of Emergency his practice was concerned with human rights and public law.

He was the Chair of the Appeal Committee of the Human Fertilization and Embryology Authority from 2009 to 2015.

### Directories

"Outstanding negotiating skills and superb intellect."  
*Legal 500 2020*

"Market commentators highlight his grasp of the finer legal points of a case and attention to detail. Has an astounding intellect and cuts to the chase."  
*Chambers UK 2018*

"He has a first-class intellect and loves the law."  
*Legal 500 2017*

Listed as a leading silk in Personal Injury work: "Market commentators particularly highlight his meticulous attention to detail. Strengths: 'He has incredible verve and a rare ability to think about all elements of a case and bring something new to the table every time. His technical ability and commerciality are great.' 'I'd use him without hesitation, he's incredibly likeable on top of being very clever.'"  
*Chambers UK 2017*

Listed as a leading silk in both Personal Injury and Health & Safety work: "He is super bright, very analytical and shows great attention to detail."

*Chambers UK 2016*

Listed as a leading silk in both Personal Injury and Health & Safety work: "He has an impressive courtroom manner, making powerful, well-measured and succinct submissions."  
*Legal 500 2016*

Listed as a leading silk in both Personal Injury and Health & Safety work by *Chambers UK 2015*.

Personal Injuries: "He has good judgment, a sensible manner and excellent technical skills."  
Health & Safety: "Brilliant advocacy skills and great attention to detail."  
*Legal 500 2015*

Personal Injuries: "... hugely experienced in catastrophic claims arising from RTAs. Peers note his calm manner and admire his incisive handling of cases. He represents claimants and defendants in high-value matters concerning complex issues of liability. Expertise: 'A very personable QC, but a tenacious negotiator who never misses a detail.'"

Health & Safety: "Splits his practice between health and safety and personal injury work. Expertise: He is a very personable practitioner who is strong on the negotiation side."  
*Chambers UK 2014*

Personal Injuries: "A barrister with excellent tactics and a very calm manner."  
Health & Safety: "Excellent for regulatory cases, and very good at handling the personal injury elements of health and safety."  
*Legal 500 2014*

Personal Injuries: "Jonathan Watt-Pringle QC represents 'the newer breed of Queen's Counsel,' and is known for his tenacious negotiation skills, tremendous approachability and 'fantastic eye for detail.' His measured approach to conference and his ability to think on his feet have especially impressed instructing defendant solicitors."  
Health & Safety: "Jonathan Watt-Pringle QC ... is an experienced silk with a practice that encompasses personal injury and health and safety."  
*Chambers UK 2013*

Personal Injuries: "Very bright and hardworking"  
Health & Safety: "Temple Garden Chambers has an impressive track record in health and safety work, and recently bolstered

its practice with the addition of the 'clear and concise'  
Jonathan Watt-Pringle QC ...."

*Legal 500 2013*

Personal Injuries: " ... handles high-value, serious cases. Clients appreciate his 'extremely sound judgement' and his 'close attention to detail.' He is deemed one of the newer breed of Queen's Counsel, in that he is 'personable, attentive and tenacious' in equal measure, as well as highly competent on his feet in the courtroom."

Health & Safety: "He has a soft, careful manner which conceals a very sharp mind,' observers remark. 'He has an old-school manner about him that's very careful and very considered.'"

*Chambers UK 2012*

"...is currently defending a number of clients under HSE investigation for serious accidents on public highways. His approach is 'as feisty, dogged and determined as that of the best criminal barrister.'"

"...is highly regarded by instructing solicitors and insurer clients as a good team player. Sources note that he is 'very self-assured in the courtroom - his advocacy is almost effortless.'"

*Chambers UK 2011*

Personal Injuries: "Jonathan Watt-Pringle QC is supremely intelligent."

Health & Safety: Listed as a leading silk.

*Legal 500 2011*

"...he's cool, calm and immediately commands respect".

"...unfailingly has the ear and respect of the judges"

"Defence solicitors say that Jonathan Watt-Pringle QC is 'an excellent advocate with loads of courtroom gravitas'. They particularly prize him as 'he commands the respect of - and speaks the same language as - our insurer clients.'"

*Chambers UK 2010*

### **Education**

B.A., LL.B. (University of Stellenbosch)

Rhodes Scholarship

M.A., B.C.L. (Keble College, Oxford)

### **Memberships**

PIBA

PNBA

## Cases

### **O v O'C**

**QBD**

16.07.2020

Barristers involved: Jonathan Watt-Pringle QC

The claimant was injured when his motorbike collided with the defendant's car at a city junction. He made a good recovery from his relatively minor physical injuries, but brought a claim for £3,244,430, alleging significant brain damage, associated with clinically significant concussive symptoms, PTSD and audio-vestibular changes. In addition, he claimed that he lacked capacity to litigate and manage his own affairs.

The defendant's case was that the claim was exaggerated and that there had been a deliberate attempt to mislead the medical experts. Following a JSM, the claim settled for £460,000, which was approved by the Court.

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### **Hoang v Gatwick Transfer**

30/03/2020

Barristers involved: Jonathan Watt-Pringle QC Piers Taylor

A minor rear-end shunt was alleged to have given rise to brain damage and psychological injuries.

A claim was made for £3,382,646 (primarily loss of future earnings as a result of selling restaurant franchises) plus unspecified general damages. Represented the defendant at the JSM, where the claim was settled for £125,000.

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### **PERRY v RALEYS SOLICITORS [2019] UKSC 5**

08/04/2019

Barristers involved: Jonathan Watt-Pringle QC

Represented, with John Greenbourne, the claimant. The Supreme Court reversed the Court of Appeal's decision upholding the claim for professional negligence, and identified a clear line between what a claimant must prove before the assessment of the lost chance takes place. Where the solicitor has failed to advise a claimant on a potential claim, the claimant must prove on the balance of probabilities that s/he would have brought a claim if proper advice had been given. The Supreme Court reaffirmed the limited basis on which appellate courts may reverse a trial judge's findings of fact.

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### **Hibberd-Little v Carlton**

**[2018] EWHC 1787 (QB)**

06.07.2018

Barristers involved: Jonathan Watt-Pringle QC

Represented the defendant at a long trial in which the claimant's claim for £4,434,307 in respect of a "subtle brain injury" and audio-vestibular injuries was dismissed.

She was awarded £41,250 in respect of whiplash and other soft tissue injuries, OCD and some PTSD symptoms. Her costs were reduced by 75% until the date of the defendant's Part 36 offer and she was ordered to pay the defendant's costs thereafter. Though this was a QOCS case, the Judge directed that the costs awarded to the claimant should be off-set against the costs awarded to the defendant. For further details, see the summary of the case under News and the attached copy of the judgment.

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### **FAISAL v YOUNIS (t/a SAFA SUPERSTORE)**

**[2018] EWHC 1111 (QB)**

10.05.2018

Barristers involved: Jonathan Watt-Pringle QC

Represented the defendant shopkeeper, who was held liable to contribute one third to the damages payable by the manufacturer of caustic soda bottles on grounds that it was negligent to display the product on a shelf accessible to young children, when the label on the bottle contained a warning that the contents could cause severe burns and that the bottle should be kept out of the reach of children.

The claimant, aged two-and-a-half, had picked up the bottle in the shop, removed the defective child-resistant cap and put some of the contents into his mouth, and as a consequence suffered serious injuries.

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## **THOMAS v HUGH JAMES FORD SIMEY SOLICITORS**

**[2017] EWCA Civ 1303**

20/10/2017

Barristers involved: Jonathan Watt-Pringle QC

Solicitors acting in a high volume, fixed costs scheme for low value occupational injury cases were not under a duty to advise further about heads of claim which a client had said he did not wish to pursue and for which he said that he could not provide supporting evidence. If a client instructed his solicitor that he did not wish to pursue a particular head of claim, the solicitor was not necessarily under a duty to challenge that decision or to try to change the client's mind.

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## **Abraham v British Airways**

14.10.2015

Barristers involved: Jonathan Watt-Pringle QC

Successfully defended a claim by a member of cabin crew for injuries sustained during turbulence experienced on an intercontinental flight.

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## **R v G - (Brain Injury) - 20.10.15**

20/10/2015

Barristers involved: Jonathan Watt-Pringle QC Marcus Grant

Jonathan Watt-Pringle QC and Marcus Grant represented the Claimant in a claim arising out of a low speed bicycle accident. The Claimant, then a 49-year-old Company Director, fell off his bicycle and struck his head on the road. He suffered no PTA but presented with a cluster of subtle neuro-cognitive, neuro-behavioural and neuro-psychological symptoms. A Telsa 3T MRI brain scan was normal, apart from evidence of a small haemosiderin deposit in the tentorium adjacent to the temporal lobe. There was no evidence of any macroscopic diffuse axonal injury to the white matter. He sustained partial shearing of his olfactory bulb and presented with very subtle patterns on neuro-psychological testing.

His claim was valued by reference to a reduction in the gross profit margin achieved by his business after the accident, attributable to his 'loss of edge' affecting his ability to optimise the margin between the purchase and selling cost of his company's product. The case settled through negotiation for £3,000,000 (£3.529,000 less 15% in respect of contributory negligence).

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## **Procter v Raleys**

**[2015] EWCA Civ 400; [2015] PNL R 24**

28/04/2015

Barristers involved: Jonathan Watt-Pringle QC

Represented, leading John Greenbourne, the successful claimant at trial and on appeal, in another negligence action against Raleys for failing to provide proper advice about the claims under the Vibration White Finger ("VWF") compensation scheme. Raleys' advice in a series of standard form letters was held to be "at best unclear and ... positively misleading" in some respects. The case deals with the standard of care required of solicitors when advising unsophisticated clients. Pursuant to CPR 36, the appellants were

ordered to pay indemnity costs and also a penalty of an additional 10% of the claimant's damages, and interest on damages and costs at the rate of 10.5%.

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### **Raleys v Barnaby**

**[2014] EWCA Civ 686; [2014] All ER (D) 42**

01/05/2014

Barristers involved: Jonathan Watt-Pringle QC

Represented, leading Crispin Winsor, the successful claimant at trial and on appeal, in a negligence action against his former solicitors for settling his VWF compensation claim at an undervalue. Raleys' appeal was dismissed as "completely unsustainable" and, pursuant to CPR 36, they were ordered to pay indemnity costs and also a penalty of an additional 10% of the claimant's damages, and interest on damages and costs at the rate of 10.5%.

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### **Maclennan v Morgan Sindall (Infrastructure) PLC**

**[2013] EWHC 4044 (QB); [2014] 1 WLR 2462**

17/12/2013

Barristers involved: Jonathan Watt-Pringle QC

Represented the defendant in a successful application to limit the excessive number of witnesses that the claimant intended to call at trial; and to require the claimant to take concrete steps to obtain proper disclosure of earnings documents from those witnesses who were being called as earnings comparators.

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### **Williams v Williams**

**[2013] EWCA Civ 455; [2013] PIQR P17**

30/04/2013

Barristers involved: Jonathan Watt-Pringle QC

Represented the defendant at first instance and on appeal in a successful claim for a 25% contribution against a parent, whose young child had sustained serious injuries in a road traffic accident as a result of being placed in the wrong type of child restraint seat. The parent had been entirely blameless so far as the collision was concerned. The Court of Appeal dismissed the appeal against the award.

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### **Ringe v Eden Springs (UK) Ltd**

**[2012] EWHC 14 (QB)**

01/12/2012

Barristers involved: Jonathan Watt-Pringle QC

Succeeded on behalf of the defendant in reducing the claimant motorcyclist's damages by 80% for contributory negligence. Permission to appeal having been obtained by the defendant, the case was subsequently settled.

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### **Whiteford v Kubas UAB**

**[2012] EWCA Civ 1017; [2012] All ER (D) 66**

09/05/2012

Barristers involved: Jonathan Watt-Pringle QC

Represented the successful appellant with Peter Freeman in the Court of Appeal. The finding of liability against the driver of a large articulated lorry which had been involved in a collision with a motorbike on a narrow country road was overturned.

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### **Eden v Rubin**

**[2011] EWHC 3090 (QB); [2011] All ER(D) 189; [2012] 1 Costs LO 66**

24/11/2011

Barristers involved: Jonathan Watt-Pringle QC

Represented the defendant and succeeded in striking out the loss of earnings claim for £6,720,821 on grounds of breaches of unless orders.

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**Goad v Butcher**  
**[2011] EWCA Civ 158**  
2011

Barristers involved: Jonathan Watt-Pringle QC

Successfully defended the claim arising out of road traffic accident. The appeal raised a number of points of general interest, including the "coincidence of location" and the extent to which an admitted breach of the Highway Code by the Defendant constituted negligence.

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**Morrison v CIC**

06/12/2010

Barristers involved: Jonathan Watt-Pringle QC

Settlement approved by Wynn Williams J: Acted on behalf of the Care Home, whose agreed negligence had given rise to injuries of the utmost severity in a young man, who already had serious pre-existing brain damage. Settled the case on the basis that the claimant was not entitled to a fully privately funded care package.

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**Millhouse v City Demolition**

17/05/2010

Barristers involved: Jonathan Watt-Pringle QC

Settlement approved by Royce J, QBD: Acted on behalf of the Defendant in a case of the utmost severity. Future care was to be provided in part by periodical payments. Obtained the Court's approval for an indemnity provided on behalf of the Claimant to reimburse the Defendant in respect of 50% of any social security benefits that he might in the future

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**BRB (Residuary) Ltd v Connex South Eastern Ltd**

**[2008] EWHC 1172 (QB); [2008] 1 WLR 2867:**

01/01/2008

Barristers involved: Jonathan Watt-Pringle QC

The case concerned the right of a party to recover an indemnity under the Civil Liability (Contribution) Act where it had allowed judgment to be entered against it in a Fatal Accidents Act claim, despite the fact that it knew that it had no liability to the claimant.

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**Monk v P C Harrington Ltd**

**[2008] EWHC 1879 (QB); [2009] PIQR P3**

01/01/2008

Barristers involved: Jonathan Watt-Pringle QC

Successful defence of a claim for pure psychiatric injury by a rescuer and involuntary participant in the immediate aftermath of a fatal accident at Wembley Stadium.

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## **Ansari v New India Assurance Ltd**

**[2009] EWCA Civ 93; [2009] 2 All E.R. (Comm) 926; [2009] Lloyd's Rep. I.R. 562**

01/01/2009

Barristers involved: Jonathan Watt-Pringle QC

On behalf of the Insurer, successfully resisted an appeal against the ruling that the policy did not cover fire damage, where the sprinkler system was inoperative: *Hussain v Brown* (1996) 1 Lloyd's Rep 627 CA distinguished. The material change clause in the policy protected the Insurer against alterations to the property or in the facts on the basis of which it had written the policy.

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## **Sam v. Atkins**

**[2005] EWCA Civ 1452; [2006] R.T.R. 14**

01/01/2005

Barristers involved: Jonathan Watt-Pringle QC

Successful defence of a claim, in which the Court of Appeal set out the proper approach to the issues of breach of duty and causation in road traffic accidents.

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## **News**

### **QBD judgment for £2.42 million, reduced by 33% to £1.6 million for contributory negligence, made by Mrs Justice Yip to BBC TV Presenter, Jem Stansfield in respect of his mTBI / audiovestibular workplace injury claim**

01/10/2021

Barristers involved: Marcus Grant Jonathan Watt-Pringle QC

Marcus Grant, instructed by David Marshall of Anthony Gold Solicitors, represented a 50 year old Claimant ["C"], Jem Stansfield suffered a mild traumatic brain and ancillary subtle injuries in a crash test experiment in the course of his employment for the BBC. The experiment involved C acting as a crash test dummy for the BBC in two forward facing and two rear-ward facing simulated crashes into a metal post at impact speeds of between 8 and 11 mph (which can be viewed on YouTube).

On his case, C sustained a whiplash injury, mild traumatic brain injury ["mTBI"], subtle audiovestibular ["AV"] injury, and secondary psychological sequelae sufficient to derail a promising television career.

The BBC accepted that C suffered a moderate whiplash injury with depressive symptoms but denied that he sustained any brain or AV injuries and put him to proof of his claim, citing the dicta in *Pickford v. ICI* [1998] 1 WLR 1189 that required a Claimant to prove the medicine underpinning his claim in circumstances where 'the case involves the assessment of complex and disputed medical evidence'.

The case was heard by Mrs Justice Yip DBE over the course of 10 days. The Court found that the interplay between different medical disciplines was complex and that C had suffered injury to his neck, brain and AV system and secondary psychiatric injury in the crash tests. Individually none of these injuries was particularly serious, but their cumulative effect could be. Research and clinical practice demonstrated that each of these injuries can be associated with unexpectedly poor outcomes and that C fell into this patient cohort.

Notwithstanding the absence of any neuroradiological findings of brain injury or clear evidence of post-traumatic amnesia, the Court found that C had nevertheless sustained a mTBI.

The Court considered expert engineering evidence that confirmed that each of the crash tests had exposed C's brain to potentially damaging forces, that repeated impacts over a short period increased the risk of TBI, that there was evidence of cognitive impairment after the crash tests, notwithstanding that he was able to continue performing in front of the camera, there was evidence of short lived anosmia and that he developed more obvious signs of agitation and confusion and uncharacteristic behaviour roughly 6 hours later. Also, there was evidence of strikingly impaired processing speed performance on valid neuropsychological testing.

It was common ground between the neurological experts that some mTBI patients experience ongoing symptoms of brain injury and are subject of great interest in focus.

The Court found that C sustained subtle damage to his left utricle and semi-circular canal (of the inner ear) as a result of the crash tests which was the cause of his early complaints of dizziness and balance problems and of his migraine. This damage was observed following meticulous and reliable neurotological assessment. It found that the tinnitus that presented several weeks after the crash tests was attributable to them. The objectively modest AV damage could not explain the ongoing significant impairment on its own, but was another important piece of the jigsaw to C's complex presentation.

The Court accepted that C developed a significant psychological reaction that was superimposed on his organic injuries that included a major depressive episode and post-traumatic symptoms; over time, his presentation satisfied a dual diagnosis of Somatic Symptom Disorder lying alongside the enduring whiplash, mTBI and AV injuries.

Four weeks before trial, the Defendant elected not to rely on its neuropsychological or psychiatric evidence. The Court rejected the Defendant's neurological and AV experts' evidence that excluded any mTBI or AV injury attributable to the crash tests.

The Court assessed C's damages at £2.42 million, the bulk of which represented lost earning capacity on a loss of chance analysis. One third of the award was deducted to reflect an agreed 2/3:1/3 liability apportionment agreed between the parties.

The Court expressed its astonishment that anyone though that using a human crash test dummy to simulate a crash test at between 8 and 11 mph could be thought to be a sensible idea.

Jonathan Watt-Pringle QC represented the Defendant, instructed by DAC Beachcroft.

A copy of the judgment can be found below [here](#).

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## **Another victory in the long-running VWF professional negligence litigation**

28/04/2017

Barristers involved: Jonathan Watt-Pringle QC

Jonathan Watt-Pringle QC was instructed by Mellor Hargreaves on the appeal against the dismissal of the claim on grounds that the appellants had failed to establish causation of loss. In a detailed judgment the Court of Appeal ruled that the judge was wrong to conduct a "trial within a trial" on the issue of causation. Existing CA judgments such as Hanif v Middleweeks and Dixon v Clement Jones established that that approach was wrong in principle. The Court also ruled that this was one of those rare cases where it was appropriate to overrule the judge's findings of fact, since he could not rationally have reached the conclusion that the appellants and his wife and two sons had all given false evidence.

The appellants were awarded interest at the judgment debt rate of (8%) because he had been kept out of his compensation for so long and "because the conduct of Raleys (or their insurers), in their long drawn-out defence of this claim, deserves appropriate sanction." That almost doubled the value of the underlying award. In addition, having failed to beat the appellants' Part 36, the respondents were ordered to pay indemnity costs, a penalty of an additional 10% of the claimants' damages, and interest on the costs at 10.25%.

Please click [here](#) to view Judgment.

You can view the publication at

<http://www.legalfutures.co.uk/latest-news/court-appeal-orders-controversial-firm-compensate-ex-miner-compensation>

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## **Taxi driver's personal injury claim dismissed on grounds of fundamental dishonesty**

27/04/2017

Barristers involved: Jonathan Watt-Pringle QC

The claimant suffered multiple serious injuries, including a head injury, when he fell through a roof whilst helping a friend. Liability was admitted, but the claim was dismissed after it was established that the claimant had been able to return to work. The judge concluded that his claim for substantial past and future loss of earnings was dishonest within the meaning of Section 57 of the

Criminal Justice and Courts Act 2015.

An unusual twist occurred during cross-examination, when the claimant alleged for the first time that his former solicitors had told him “a good few times” to lie about his return to work. An application was made for disclosure of the former solicitors’ file, on grounds of waiver of privilege: these documents demonstrated further dishonesty on the claimant’s part.

The claim was dismissed and the claimant ordered to pay the defendant’s costs on an indemnity basis.

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## **Severely Injured Claimant Recovers £1.14M**

27/03/2017

Barristers involved: Jonathan Watt-Pringle QC Anthony Johnson

The Claimant, a Warehouse Foreman, was injured in an accident at work when a large container fell onto him. The trauma of the accident caused the Claimant to suffer a number of serious psychiatric problems including severe Depression, which eventually became psychotic, Post-Traumatic Stress Disorder, Generalised Anxiety Disorder and Travel Anxiety. His symptoms were so severe that he experienced suicidal thoughts and required emergency admissions to hospital on a number of occasions. He also suffered permanent physical injury to his right wrist which eventually required fusion, and damage to the right optic nerve.

The most challenging feature of the case was the inherent uncertainty about what the future holds for the Claimant, particularly in respect of his future care. Whilst both parties’ Consultant Psychiatrists broadly agreed upon the diagnosis, each suggested a different approach to the treatment, and there was a marked difference between them on prognosis.

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## **The Legal 500 Awards 2017**

19/10/2016

Barristers involved: Jonathan Watt-Pringle QC Simon Browne QC

TGC have also been shortlisted for Set of the Year award for Personal Injury and Clinical Negligence.

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## **Company Director settles his subtle brain injury claim for £3m**

20/10/2015

Barristers involved: Jonathan Watt-Pringle QC

Jonathan Watt-Pringle QC and Marcus Grant (instructed by Diane Reading of Novum Law) appeared for the Claimant in a claim arising out of a low speed bicycle accident. The Claimant, then a 49-year-old Company Director, who was wearing a cycle helmet, fell off his bicycle and struck his head on the road. He suffered no, or minimal PTA but presented with a cluster of subtle neuro-cognitive, neuro-behavioural and neuropsychological symptoms that resulted in him losing his edge in coping with the executive demands of managing his business. A Telsa 3T MRI brain scan was normal, apart from evidence of a small haemosiderin deposit in the tentorium adjacent to the temporal lobe. There was no evidence of any macroscopic diffuse axonal injury to the white matter. He sustained partial shearing of his olfactory bulb and presented with very subtle patterns on neuropsychological testing. His claim was valued by reference to a reduction in the gross profit margin achieved by his business after the accident, attributable on his case to his ‘loss of edge’ affecting his ability to optimise the margin between the purchase and selling cost of his company’s product.