

## Joe Docherty

Call: 2019



### Overview

Joe is developing his practice with a primary focus on professional negligence and clinical negligence. He also accepts instructions in personal injury and commercial litigation cases.

Joe has particular experience in solicitors' negligence, and additionally has experience of claims against surveyors, architects and accountants. Joe has acted successfully in numerous strike out applications in a professional negligence context.

In the course of his clinical negligence practice, Joe regularly appears as sole counsel in both the County Court and the King's Bench Division. He has extensive experience of acting in, and achieving resolution of, high value claims.

In addition, Joe volunteers with the charity Action against Medical Accidents (AvMA), and acts as a mentor with Bridging the Bar.

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### Clinical negligence

Joe undertakes a wide range of clinical negligence work and accepts instructions from both claimants and defendants. His recent experience includes:

- Advising on the merits of a fatal claim concerning acute necrotising pancreatitis.
- Advising on the merits of a fatal claim involving a hypoxic brain injury.
- Advising on the merits of claims involving delayed treatment of appendicitis.
- Advising on the merits of claims involving delayed wrist surgery.
- Advising on the merits of a claim involving the treatment of an open fracture of the tibia and fibula.
- Advising on quantum in a claim involving negligent performance of decompression of the ulnar nerve.
- Advising on quantum in a claim involving a failure to administer intrapartum

antibiotics.

- Advising in relation to non-delegable duties owed by a NHS Trust.
- Advising in relation to a claim for a contribution by a GP against a Health Board.
- Acting in relation to a claim involving the development of an infection leading to an above knee amputation.
- Achieving settlement, at a joint settlement meeting, of a claim for negligent performance of knee replacement surgery.

Joe builds on his clinical negligence experience as a regular volunteer on the helpline run by AvMA.

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## **Professional liability**

Joe has particular experience in solicitors' negligence. His recent instructions include claims arising in relation to:

- Advice as to the entitlement to terminate a licence.
- Advice as to the onerousness or otherwise of ground rent provisions.
- Advice as to the existence of restrictive covenants.
- Advice as to the protection of purchasers' deposits in the context of buyer-funded developments.
- Advice as to the registration of a trade mark.
- Advice as to whether possession proceedings were likely to succeed.
- The adequacy of instructions to counsel in relation to family proceedings.
- The distribution of proceeds of sale of a jointly owned property.
- A failure to file a defence.
- A failure to file and serve a costs budget or budget discussion report.
- A failure to obtain certain evidence of fact for trial.

Joe also has experience of claims against surveyors, architects and accountants.

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## Professional memberships

Personal Injuries Bar Association

Professional Negligence Bar Association

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## Education

University of Law, BPTC LLM (Very Competent, Distinction) (2018-2019)

University of Bristol, LLB Law (Upper Second) (2013-2016)

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## Prizes and scholarships

University of Law, Opinion Writing Prize (2019)

University of Law, Advocacy Scholarship (2018)

Lincoln's Inn, Lord Denning Scholarship (2018)

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## Further information

ICO Data protection registration number: **A8684045**.

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