

# ROGER HARRIS

Call 1996

## Get in touch

[rharris@2tg.co.uk](mailto:rharris@2tg.co.uk)

+44 (0)20 7822 1200



*"Very bright and comes up with sensible, prudent advice."*

(Chambers UK)

## Practice Overview

Roger is an experienced advocate who is recommended by the legal directories as a leading junior in the fields of clinical negligence and personal injury. He is also well known for his expertise in litigation relating to animals and farming.

Described in Chambers UK as *"fantastic"* and *"very good on his feet"* and in Legal 500 as *"a formidable force"*, he has been praised *"by solicitors and peers alike for his technical expertise, communication skills and ability in negotiations"*, he is *"very approachable and very bright"* and provides *"excellent analysis of complex insurance and liability issues"*.

He was shortlisted for the 2015 Chambers and Partners 'Personal Injury and Clinical Negligence Junior of the Year'.

## Clinical Negligence

Roger is recommended as a leading Junior in the Legal 500 and Chambers UK, who note that he is *"a highly rated Junior with a particular focus on catastrophic birth injury cases"*.

He has substantial experience of claims related to obstetrics and gynaecology (eg cord prolapse, chronic partial hypoxia; acute profound hypoxia Erb's palsy); neonatology (eg treatment of hypoglycaemia, circulatory collapse); gastroenterology (eg failure to diagnose ulcerative colitis; incorrect diagnosis of invasive carcinoma); paediatrics; orthopaedics (eg ineffective arthroplasty); cardiology; plastic surgery; mental health (including the management of patients with suicide ideation); spinal injuries; MRSA; and general practice.

## Practice areas

Clinical Negligence  
Equestrian & Farming-related Litigation  
Insurance & Reinsurance  
Personal Injury

## Memberships

PIBA  
PNBA  
LCLCBA  
Western Circuit

## Qualifications

BA (Hons) History  
Graduate Diploma in Law

## Education

Exeter University  
City University, London  
Inns of Court School of Law



2 Temple Gardens, London EC4Y 9AY

T +44 (0)20 7822 1200 F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)

[www.2tg.co.uk](http://www.2tg.co.uk)

# ROGER HARRIS

## Notable cases

**OM v Shrewsbury and Telford Hospital NHS Trust** (2017) EWHC [Cerebral palsy case in which the Claimant sought £47 million]

**Ebanks v Royal Devon and Exeter NHS Foundation Trust** [2016] EWHC [Whether failure to diagnose cervical myelopathy was causative of injury]

**Spencer v Hillingdon Hospital NHS Foundation Trust** [2015] EWHC 1058 [Whether the *Montgomery* test applied to post-operative warnings]

**Roriston v Royal Berkshire NHS Foundation Trust** [2015] EWHC 719 [Assessment of damages under the Fatal Accidents Act]

**L. v Sheffield Teaching Hospital NHS Foundation Trust** (2014) (QBD) [Trust not liable for abdominal dehiscence following life saving operation which included harvesting of the anterior rectal sheath]

**C. Worcestershire Acute Hospitals NHS Trust** (2014) [Secondary victim claims by family following death of daughter from *Streptococcal* toxic shock syndrome]

**D. v Heart of England NHS Trust** (2013) (QBD) [Trust not liable for claimant's abdominal pain following hernia operation]

**F. v Norfolk & University Hospitals Foundation Trust** (2012) (QBD) [Failure to advise of risks relating to angiography]

**E. v Waltham Forest PCT** (2012) (QBD) [14 month old child suffered cerebral palsy after respiratory arrest whilst in care of agency nurse]

**W. v London Strategic Health Authority** (2011) (QBD) [Cerebral palsy arising out of perinatal care – £15 million claimed]

**Barros v Hillingdon Hospital NHS Trust** [2010] EWHC 2187 [Whether a doctor's duty to warn of risks is subject to the *Bolam* principle]

**Randell v Abertawe Bro Morgannwg University NHS Trust** (2009) [MRSA following treatment]

**Knight v East of England Strategic Health Authority** [2008] EWHC 744 (QB) [Cerebral palsy following alleged hypoglycaemia]

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



# ROGER HARRIS

**Antoniades v East Sussex Hospitals NHS Trust** [2007] All ER (D) 287  
[Cerebral palsy following perinatal hypoxia caused by blockage in the trachea]

## Equestrian and Farming-Related Litigation

Chambers UK confirm that Roger "*is much sought after for claims involving accidents caused by animals and for handling farming matters generally*". He is frequently instructed in claims relating to damage inflicted by animals under the Animals Act; insurance policy issues arising out of such claims; product liability issues relating to feeds; and farming matters generally.

### Notable cases

**E v Blanchard** (2016) [Claim arising out of the destruction of a raspberry crop following spraying on neighbour's property]

**Woodgate v Paramore** (2016) [Owner of livery yard not liable for injury to helper leading horse from field].

**D v Bishop Burton College** (2016) [Animals Act claim arising out of a fall from a bucking horse from which D suffered a brain injury].

**Pengelly Farms v CJG** (2015) [Whether an agricultural contractor was responsible for the destruction of a potato crop]

**B v Isle of Wight Council** (2014) [Malicious prosecution claim by farmer against local council]

**Cumani v Newton** (2014) [£2.5m product liability claim arising out of defective saddle]

**Wilson v White** (2013) [Animals Act claim. Owner not liable when her horse pulled away whilst being turned out resulting in severing of claimant's thumb].

**Sparks v James** (2013) [Owner not liable when her horse stood on the claimant's foot in riding yard]

**Connolly v Cornthwaite** (2012) [Brain injury arising out of accident at a riding school]

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



# ROGER HARRIS

**M. v Merthyr Tydfill County Borough Council** (2011) [Malicious prosecution claim by farmer against council's trading standards department]

**Armstrong v Corner House Equine Clinic** (2010) [Professional negligence of a veterinary surgeon]

**Snowdon v Equine and Livestock Insurance Co Ltd** (2008) [Application of self-cancelling clauses in household and specialist equine insurance policies]

**Cracknell v Lanehouse Equitation Centre** (2008) [Serious injury to novice rider in riding school – Animals Act and negligence]

**Hawes v East Essex Hunt** (2007) [Claim for stress-induced pneumonia in cows after hunt passed through farm]

**Lukins v Freeman** (2007) [Hunting accident – Animals Act; negligence]

**Barsi v Major** (2005) [Hunting accident – acceptance of risk]

**Vaughan v RD Chesters Ltd** (2005) [Alleged contamination of sheep feed leading to death of Texel lambs]

## Insurance

Pursuing and defending litigation against insurers arising out of fires etc, often involving allegations of fraud arson, material non-disclosure and breach of warranty/condition. Policy interpretation and construction. Disputes concerning status of employees and resultant insurance implications. Property damage claims, flood cases; motor insurance and claims relating to the MIB.

## Recent Cases

**C v S** (2016) (TCC) [Fire claim arising out of destruction of storage units]

**P. v EUI Ltd** (2014) [Application of S151 of the RTA following alleged assault]

**EUI Ltd v Bissmire** (2011) (Comm Ct) [Material non-disclosure in relation to a motor insurance policy]

**Rose v Dengie Crops Ltd** (2009) [Claim arising out of a fire in a barn – including allegations of negligent misstatement]

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



# ROGER HARRIS

***NFU Mutual Insurance Society Ltd v Environmental Reclamation Ltd*** (2008) (Comm Ct) [Material non-disclosure of criminal record and bankruptcy]

***Snowdon v Equine and Livestock Insurance Co Ltd*** (2008) [Application of self-canceling clauses in household and specialist equine insurance policies]

***Woolley v HH Robertson Ltd*** [2003] All ER (D) 315 [Meaning of 'labour only subcontractor' in policy]

## Personal Injury

Roger is recommended as a leading junior in both the Legal 500 and Chambers UK. His practice includes all aspects of personal injury litigation, including claims arising from stress at work; bullying, harassment and assaults; industrial disease (WRULD, deafness, asthma, cancers); manual handling and other workplace accidents, including fatal accidents and sporting accidents; Animals Act cases; catastrophic injuries; spinal injuries; and cases involving allegations of chronic pain. He is frequently instructed in cases relating to vicarious liability for intentional torts.

## Current and Recent Work

***Macdougall v The Royal Liverpool and Broadgreen University Hospitals NHS Trust*** (2018) [Successfully defended a claim brought against multiple staff members under the Protection from Harassment Act]

***PJE v Bushuulwa*** (2017) EWHC [Acted for infant PJE in claim for £5 million. A subtle brain injury case]

***Mohamud v WM Morrison Supermarkets PLC*** [2016] AC 677 [Supreme Court. Vicarious liability for intentional assault by employee on customer]

***Lear v Hickstead Ltd*** [2016] 4 WLR 73 [Liability of occupier for actions of third parties]

***R. v Foreign & Commonwealth Office*** (2014) [Acted for R in £1m+ chronic pain claim].

***Bennett v Southwell*** [2013] EWHC 2382 [Liability of driver for causing another driver to panic and drive onto wrong side of road]

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



# ROGER HARRIS

**SG v Hewitt** [2012] 5 Costs LR 937 [CA decision concerning the late acceptance of Part 36 offer by a minor with frontal lobe brain injury]

**Phethean-Hubble v Coles** [2012] RTR 407 [CA decision on the contributory negligence of a 16-year-old cyclist]

**Johnson v Castle Combe** [2012] EWHC 901 [Contributory negligence in catastrophic injury employer's liability case]

**Timmins v Royal Liverpool & Broadgreen University Hospitals NHS Trust** (2010) QBD [Stress claim by consultant in genito-urinary medicine]

**Qamili v Holt** [2009] All ER 41 [CA decision that driver not at fault for colliding with pedestrian he had not seen]

**Rhodes-Hampton v Worthing and Southlands Hospitals NHS Trust** [2007] All ER (D) 305 [CA decision on liability of hospital to a nurse assaulted by a patient following general anaesthetic]

**Irvine v Commissioner of the Police of the Metropolis** [2005] PIQR P11 [Application of Workplace Regulations at police station]

**Bennetts v Ministry of Defence** [2004] All ER (D) 310 [CA decision on the meaning of "risk" within the Manual Handling regulations]

**Mattis v Pollock** [2003] 1 WLR 2158 [CA decision on the vicarious liability of nightclub owner for assault carried out by bouncer]

**Barry v Ablere** [2001] PIQR Q263 [CA decision on circumstances in which the discount rate could be reduced]

## Recommendations

*"Extraordinarily adept and meticulous. He's got an intellectual approach which is really impressive."* **Chambers UK 2018**

*"A very sound practitioner who is erudite, thoughtful and sensible."*  
**Chambers UK 2018**

*"Very bright and comes up with sensible, prudent advice."*  
**Chambers UK 2018**

*"A very good advocate."* **Chambers UK 2018**

*"A very clever and smooth advocate."* **Legal 500 2017**

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



# ROGER HARRIS

---

*"He's shrewd and prepared to roll his sleeves up."* **Chambers UK 2017**

*"He's technically brilliant, a catastrophic injury specialist."*  
**Chambers UK 2017**

*"Incredibly charming and doesn't get fazed or agitated with opponents, even in difficult cases."* **Chambers UK 2017**

*"Knowledgeable, calm and collected."* **Legal 500 2016**

*"He is a barrister you can rely on. You can trust in him and he will deliver."; "He is very good on his feet. He has a balanced approach in front of the judiciary that means that they warm to him."*  
**Chambers UK 2015**

*"A strong lawyer with a polite but tenacious approach"* **Legal 500 2015**

*"He's fantastic"* **Chambers UK 2014**

*"Praised by solicitors and peers alike for his technical expertise, communication skills, and ability in negotiations"* **Chambers UK 2014**

*"He's very approachable and very bright"* **Chambers UK 2014**

*"Very articulate and intelligent"* **Legal 500 2013**

*"Provides excellent analysis of complex insurance and liability issues"*  
**Legal 500 2013**

*"Very bright and confident"* **Chambers UK 2013**

*"Grasps technical issues well and keeps experts on their toes"*  
**Legal 500 2012**

*"A favourite port of call for claims in connection with animals and farming"* **Chambers UK 2012**

*"A formidable force"* **Legal 500 2011**

*"Highly rated"* **Chambers UK 2011**

*"Sharp and incisive"* **Legal 500 2010**

*"Adept at handling stress claims"* **Chambers UK 2010**

2 Temple Gardens

London EC4Y 9AY

T +44 (0)20 7822 1200

F +44 (0)20 7822 1300

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)



---

# ROGER HARRIS

---

2 Temple Gardens  
London EC4Y 9AY  
T +44 (0)20 7822 1200  
F +44 (0)20 7822 1300

---

[clerks@2tg.co.uk](mailto:clerks@2tg.co.uk)  
[www.2tg.co.uk](http://www.2tg.co.uk)

