

# Harry Trusted

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Harry Trusted is a first class advocate, negotiator and pleader with unsurpassed experience in the fields of clinical negligence and personal injury claims.

He is instructed by the major firms in these specialist areas and appears for claimants and defendants in substantial cases.

Harry has been recommended in the Chambers UK and Legal 500 guides for many years. In 2023, Chambers said that 'His advocacy is superb...' In 2022, Chambers recommended Harry as being someone who is '*...great to work with – very talented, highly intelligent and always reassuring to have on large and complex cases.*' He's fearless and really fights for his clients. He's excellent on quantum and has great client skills. He is described as '*An insightful and very approachable barrister who has a commanding presence*' (Chambers 2021), '*Very experienced and very able. He takes an excellent methodical and calm approach in sensitive cases*' (Chambers 2020).

In 2023, Legal 500 recommend him as a barrister who as '*...a total command of quantum law...*' who gives '*...intellectually very powerful analysis combined with great values and excellence with clients. Harry's analysis is always top rate...*' In 2022, Legal 500 said that Harry '*...has a keen eye for detail without losing sight of the bigger picture...*' and in the clinical negligence section in 2022, Legal 500 confirmed that Harry is '*One of the most highly respected juniors at the clinical negligence Bar...*' In the 2017 Legal 500 guide, Harry was described as being '*Excellent at identifying issues and giving clear guidance and advice...*' In the 2020 guide, Legal 500 stated that Harry '*...shows excellent judgment and is willing to take on risky cases and get results.*'

Harry is one of the founder editors of Facts and Figures and he is the Secretary of the Ogden Working Party. He frequently contributes to specialist journals and gives lectures on topics of professional interest to audiences including the Professional Negligence Bar Association whose committee he joined in 2020.

Harry has been nominated as the 2023 Clinical Negligence Junior of the Year by the Legal 500 Guide.

## Expertise

### Clinical Negligence

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Harry is rightly regarded as one of the most highly respected juniors at the clinical negligence Bar. He is recognised as a first class practitioner in the professional guides and by colleagues across the field. His experience as an advocate equips him to deal with the complex issues of liability and causation that arise, and his extensive academic interest in quantum topics mean that he is ideal placed to draft effective schedules and counter schedules in substantial cases.

Recent work has included defending a trust sued by a child who was given an overdose of morphine causing alleged brain damage, representing a claimant whose substantial damages award for a negligently-caused stroke was approved by the High Court and advising the defendant health authority whose hospitals had caused a cauda equina injury with an unresolved dispute as to which hospital was at fault.

### Personal Injury

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Harry is instructed on behalf of claimants and defendants.

In January 2023, the High Court approved a substantial brain injury claim for a woman of 21 who was injured as a small child and for whom Harry had acted for many years. In June 2022, Harry successfully settled the claim of a young man who suffered an amputated leg following a motorcycle accident. As well as appearing in road traffic cases, Harry also undertakes work arising from injuries at work and occupiers' liability claims disclosed by the Occupiers' Liability Act 1957.

Recent settlements have involved accidents caused by faulty scaffolding, factory explosions and a negligently maintained fence which caused a young man to fall and sustain a major head injury. The settlement was approved in the sum of £4million.

## Significant Cases

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### Bird v Witizyn & Westcliffe [2020] HHJ Judge Davey KC, Bradford County Court

Harry appeared for one of the successful defendants in a claim brought by against a GP and a practice provider. The claim was dismissed in its entirety as the Judge accepted Harry's submissions on the fact and law.

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## Field v Medway Health Trust [2019] HHJ Simpkins, Dartford County Court

Harry appeared for the successful defendant. The Judge accepted that the care provided by obstetricians was satisfactory and accepted Harry's submission that the statistical chance of the result occurring was not so low as to indicate clinical negligence (thereby following the principles of law disclosed by *Sienkiewicz v Grief* [2011] 2 AC 229).

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## PXS v Kingston [2019] EWHC 487

Harry represented the claimant who was a child with cerebral palsy following allegedly negligent perinatal management.

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## AXO v Salisbury NHS Trust [2019] 1454

Harry represented a child with brain injury following administration of excessive paralytic drug.

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## Flanagan v Plymouth NHS Trust [2019] EWHC 1898

Harry represented a woman who suffered quadriplegia following alleged mismanagement of spinal care.

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## Rupasinghe v West Herts [2016] EWHC 2848

Harry appeared for the claimant in a case which involved consideration of the recoverability of claimant's losses of earnings following a career change necessitated by the death of her husband and the need to provide child care.

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## AS v East Kent [2016] EWHC Civ 1057

Represented the claimant in a liability trial involving allegations of negligent eye surgery.

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## Downing v Peterborough NHS Trust [2014] EWHC Civ 4626

Represented the claimant who suffered from reactive arthritis following surgery.

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## Tameside v Thompstone [2008] 2 AER 553

Harry was one of the legal team who appeared for claimants in the litigation dealing with the indexation of periodical payments which was a landmark Court of Appeal decision.

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## Farraj v King's Health Care [2008] EWHC 2468

Led by Gerard McDermott QC before Burnett J. Trial of liability arising from negligent failure to diagnose beta thalassaemia. Harry then appeared alone in the Court of Appeal arguing the issue of non delegable duty reported at [2009] EWCA Civ 1203.

## Awards

- Eton College (Oppidan Scholar)
- Trinity Hall (Exhibitioner and Cooper Scholarship)
- Inner Temple (Duke of Edinburgh Scholarship)

## Education

- Trinity Hall, Cambridge
- Inns of Court Schools of Law

## Languages

- Conversational French, Spanish and Italian

## Memberships

- PNBA (Committee Member since 2020)
- PIBA

# Publications

- An editor of Facts and Figures from 1996 to the present
- Secretary of the Ogden Working Party
- Contributions to numerous professional journals and lecturing at learning events on a wide range of topics

# Recommendations

## Chambers UK 2024

### **Clinical Negligence**

*"He's completely across all of the quantum complexities on any case."*

*"He makes excellent decisions. He's very good at explaining things in clear and simple terms so the clients understand."*

*"His legal knowledge is second to none and he is able to cut through things very quickly."*

### **Personal Injury**

*"Harry is very pragmatic and sensible. He's very thoughtful about the issues in a case."*

*"He has a great eye for detail and can help clients understand where the issues are."*

*"Harry Trusted takes a positive stance from initial instructions and engages with both the instructing solicitor and the client in clear, understandable terms."*

## Legal 500 2024

### **Clinical Negligence**

*"Technically formidable on all aspects of quantum, with unrivalled litigation experience and backed by good judgement and a calm confidence as an advocate and negotiator."*

### **Personal Injury**

*"Harry is a very clear-sighted barrister. He has sound judgement and a pragmatic approach to problems cutting through complex facts or difficult law."*

## Chambers UK 2023

### **Clinical Negligence**

*"Very thorough, responsive and reliable."*

*"He presents clients' arguments in a very measured and balanced way."*

*"Advocacy is superb."*

### **Personal Injury**

*"Harry's encyclopaedic knowledge of all things PI makes him a very calm and reassuring presence for claimants."*

*"His drafting is very good and is characterised by real clarity of expression."*

## Legal 500 2023

### **Clinical negligence**

*"Intellectually very powerful analysis combined with great values and excellence with clients. Harry's analysis is always top rate."*

### **Personal injury**

*"Harry has a total command of quantum law."*

## Chambers UK 2022

### **Clinical Negligence**

*"He has tremendous judgment and a great eye for a case. He'll fight what needs to be fought and will advise where things can't be pursued."*

*"He is very thorough and on the ball when it comes to the latest developments in quantum. He's good at analysing and quantifying cases."*

### **Personal Injury**

*"He is very impressive on quantum and has an encyclopaedic knowledge. He cuts through technical points and has a firm grasp of the case."*

*"A super experienced junior who is absolutely clear in driving towards the best outcome for his clients. He brings a sensible eye to his cases."*

## Legal 500 2022

### **Clinical negligence**

*"One of the most highly respected senior juniors at the clinical negligence bar."*

### **Personal injury**

*"He has a keen eye for detail without losing sight of the bigger picture."*

## Chambers UK 2021

### **Clinical Negligence**

*"He's great to work with – very talented, highly intelligent and always reassuring to have on large and complex cases. He's fearless and really fights for his clients. He's excellent on quantum and has great client skills."*

### **Personal Injury**

*"A persuasive and powerful advocate. He's always well prepared."*

## Legal 500 2021

### **Clinical negligence**

*"Shows excellent judgement and is willing to take on risky cases and get results."*

### **Personal Injury**

*"Gives clients huge confidence through thorough preparation and depth of knowledge."*

## Chambers UK 2020

### **Clinical Negligence**

*"An insightful and very approachable barrister – he has a commanding presence which is very reassuring for clients."*

*"He's a pleasure to work with, is very proactive and responds promptly when advice is required."*

### **Personal Injury**

*"He's professional, robust and extremely intelligent. He's also very articulate and able to explain things in a very simple way."*

*"He inspires confidence in meetings and is fantastic at negotiating deals for clients."*

*"He's able to analyse situations very well and he's very commercially minded. He's brilliant when it comes to high value complicated cases."*

### **Legal 500 2020**

#### **Clinical negligence**

*"Intellectually powerful, he always gets right to the key points in the case."*

#### **Personal injury**

*"Always gets right to the key points in the case."*

### **Chambers UK 2019**

#### **Clinical Negligence**

*"Very experienced and very able. He takes an excellent methodical and calm approach to sensitive cases."*

#### **Personal Injury**

*"He is able to very quickly break down offers, analyse them and come back with proposals. Invaluable in settlement negotiations."*

### **Chambers UK 2018**

#### **Clinical Negligence**

*"Highly intelligent"*

*"Enormously helpful, approachable and extremely good with clients"*

#### **Personal Injury**

*"He is first rate with advising on damages and preparing schedules of loss"*

### **Chambers UK 2017**

#### **Clinical Negligence**

*"An insightful and very approachable barrister who has a commanding presence."*

#### **Personal Injury**

*"He's very efficient, very disciplined and has a real sense of urgency – gets on with things promptly and efficiently."*

### **Legal 500 2017**

#### **Clinical Negligence**

*“Excellent at identifying issues and giving clear advice and guidance.”*

**Personal Injury**

*“Very careful in his preparation of cases. He really thinks about strategy.”*