

Richard Wheeler

Year of Call: 2004
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Overview

Richard Wheeler specialises in high-value personal injury, clinical negligence and inquests, with particular expertise in fatal accident claims, catastrophic injury and Article 2 inquests. He acts for both claimants and defendants and is regularly instructed in complex litigation involving disputed expert evidence and multi-million pound quantum.

Richard is a member of the Attorney General's A Panel and is consistently ranked as a Leading Junior in the Legal 500 across London, the Western Circuit and the South Eastern Circuit. He was shortlisted for the Legal 500 Personal Injury Junior of the Year in 2024.

"Richard is a brilliant barrister. He is a fearsome and well-prepared advocate, who pushes hard for his clients." – Legal 500

He teaches ethics and advocacy for the Inner Temple and is a member of the Board of Trustees for Advocate, the Bar's pro bono charity.

Richard was appointed a Recorder in 2019 and sits in family and crime on the South Eastern Circuit.

Reported cases:

- Wilson v Ministry of Justice [2024] EWHC 2389 (KB)
- Emoni v Atabo [2020] EWHC 3322 (Fam) (contempt of court)
- R (on the application of Antonio Boparan) v Governor Of Stoke Heath Prison [2019] EWHC 2352 (Admin)
- Kimathi & Ors v Foreign & Commonwealth Office [2018] EWHC 2066 (QB)
- Kimathi & Ors v Foreign & Commonwealth [2018] EWHC 1169 (QB)
- Yirenkyi v MOD (QB) [2018] EWHC 3102
- Van Niekirk [2012] EWCA Crim 2607
- Macleod [2012] EWCA Crim 1916

Recommendations

Richard is known for

- Strategic judgment in high-risk and high-value litigation
- Ability to cut through complex quantum and expert evidence
- Calm and authoritative courtroom advocacy

- Clear, practical and commercially realistic advice

Chambers and Partners 2027 - Leading Junior

"Richard is excellent, very self-assured, confident and good with clients."

"Richard's guidance is practical, focused and easy for clients to understand, which supports confident decision-making throughout the litigation process."

"Richard has a broader depth of expertise across more unusual areas of law. He is very knowledgeable and a very safe pair of hands when handling less well-trodden areas of personal injury."

Legal 500 2027 – Leading Junior
"Richard's strengths are in his extensive knowledge and experience; he has a remarkable breadth of expertise, thinks quickly on his feet, and demonstrates an excellent rapport and empathy, which clients find both reassuring and supportive."

"Richard is robust in his approach and consistently demonstrates excellent attention to detail. He engages thoroughly with the evidence, identifies key issues early, and ensures that no important point is overlooked. He is reliable, measured, and brings a strong, steady presence to every case."

"Richard is an excellent personal injury barrister. He is tenacious and does not leave any stone unturned both in terms of advising on a case and during his advocacy. He drives home points with expert knowledge. Richard has good tactical feel for cases and consistenly delivers fantastic outcomes for his clients."

"Richard is one of the best all-round barristers I have ever worked with. He has no weaknesses. His advocacy is excellent and always 'on point'; his advice is always spot on, and he brings an unrivaled empathy into conferences. He backs up astute tactical know-how with expert knowledge of the law in his field."

Legal 500 2026 – Leading Junior
"Richard is an extremely knowledgeable personal injury barrister who cuts through complex cases to identify the crux of the issue. A tactically astute and shrewd advocate who fights hard for his clients."

"Capable of dealing with the highest value and most complex personal injury claims in relation to both liability and quantum."

"Always impressive in advocacy, presenting complex issues in a clear and relatable manner. Excellent in conference and very well-liked by clients."

Legal 500 2025 – Leading Junior
"An excellent barrister: fearsome in advocacy, tactically astute, and always alert to all potential issues in a claim."

"Very analytical and knows the inquest process inside out; well prepared and puts families at ease throughout."

"Detail-orientated and able to distil vast quantities of information into clear, concise advice; highly persuasive on complex legal arguments."

Legal 500 2024 – Leading Junior
"Excellent at inquest work: tenacious, intuitive, and adept at reading the coroner and adapting his approach."

"One of the best all-round barristers, with exceptional advocacy and paperwork, and excellent client care."

"Able to approach difficult issues flexibly and pragmatically to achieve the best outcomes, while building strong rapport with clients."

Legal 500 2023 – Leading Junior

"Excellent and extremely detailed when assessing quantum, with a particular speciality in complex fatal cases."

"A brilliant barrister: fearsome, well prepared, and relentless in pursuit of his client's case."

"Quick to grasp the essential elements of a case, with advice that is always careful and rigorous."

Legal 500 2022 – Leading Junior
"A determined advocate who leaves no stone unturned, particularly on complex quantum issues."

"Tenacious and hardworking, with clear, tactical and analytically strong advice."

"Persuasive, client-focused advocacy delivered with sensitivity and understanding."

Academic qualifications

- BA Hons, Warwick (First Class, 2000)
- Inner Temple Horace Avory Scholar

Professional qualifications & appointments

- Recorder, South Eastern Circuit, 2019
- Treasury Counsel (London A Panel)
- New practitioner advocacy trainer, Inner Temple
- Mediation Advocate

Professional bodies

- Personal Injury Bar Association

Expertise

Personal Injury

Legal 500 Leading Junior 2026:

"Richard is an extremely knowledgeable specialist personal injury barrister."

"He is able to cut through a highly complex case to reach the crux of the issue."

Richard is frequently instructed in catastrophic injury litigation, including spinal injury, fatal accidents, military claims and high-value loss of earnings disputes, often involving complex expert evidence and contested quantum. His practice encompasses:

- Complex MOD and MOJ litigation, including training injuries, non-freezing cold injury, functional neurological disorders and loss-of-career claims
- Catastrophic spinal injury and polytrauma cases involving complex causation and long-term care
- Industrial and workplace accidents, including allegations of fraud, surveillance and fundamental dishonesty

Recent work includes:

- H v Ministry of Defence (ongoing): defending **£25m** claim. Royal Marine suffered catastrophic spinal injury while training. Drafting Defence and Ministerial advice on liability. Advising in conference with multiple experts. Led by Niazi Fetto KC.
- N & Ors v H (ongoing): acting for claimant in **£1.4m** claim for serious spinal injury when pallet load of goods fell from back of a lorry. Primary and secondary victim claims. Loss of lucrative niche business.
- D v R: defended **£1.5m** claim for damages following motorcycle accident causing multiple injuries. Successfully resisted exclusion of late surveillance evidence supporting defence of fundamental dishonesty. Claim settled for 20% of pleaded value.
- Wilson v Ministry of Justice [2024] EWHC 2389 (KB): defended **£8m** claim arising from prisoner stabbed by another inmate, causing serious spinal injury. Five-day High Court trial on quantum. Junior alone against KC.
- H v S (ongoing): Acting for claimant who suffered serious traumatic brain injury in workplace accident at motor-racing circuit. Proceedings recently issued in High Court and Defence received denying liability. Quantum likely £500,000+. Junior alone against KC.
- M v Ministry of Defence: Defended a **£4 million claim** for catastrophic spinal injury sustained during armoured vehicle training overseas. Successfully challenged the claimant's 'but for' career, proposed therapies and residual earning capacity, contributing to settlement at JSM at approximately 50% of the pleaded value.
- E v Ministry of Justice (Canterbury County Court, HHJ Brown): Defended **£185,000 + provisional damages** claim arising from inter-prisoner violence resulting in the Claimant losing an eye. Claim dismissed after four day trial, the judge having been persuaded that, although a limited procedural failing was established, it was not causative.

Lectures/Seminars

- April 2026 – Chair – Optimising Recovery in Mild Traumatic Brain Injury
- November 2025 – Panel Speaker – Brain Injury Group Conference, Oxford
- October 2025 – Speaker – Deaths Abroad & At Sea, 3PB Maritime Inquests Conference
- July 2025 – Speaker – Surveillance Tactics, 3PB Personal Injury Conference
- March 2025 – Speaker – RTA Update & Illegality
- February 2025 – Speaker – Vulnerable Witnesses

Clinical Negligence

Richard has extensive experience in fatal accident and catastrophic clinical negligence claims, particularly involving parallel inquests and civil proceedings:

- Missed or delayed cancer diagnoses
- Neurological and hypoxic brain injury
- Obstetric negligence
- Complex causation disputes involving multiple experts

Recent work includes:

- M v NHS Trust: Fatal accident clinical negligence claim. Missed cancer diagnosis. Dependency claim for father and two young children. Settled for **£600,000.**
- G v NHS Trust: inquest and civil claim for multiple dependents following catastrophic hypoxic brain injury following surgery. Liability denied. Settled for **£350,000**.
- J v NHS Trust (ongoing): Acting for widow and children in fatal accident claim following negligent cardiac diagnosis by paramedics. Liability conceded following challenge to letter of response. **£250,000 claim.**
- B v NHS Trust: Acting for claimant following negligent death of her unborn baby due to obstetric nursing negligence and mother's subsequent psychiatric injury and loss of career. Settled c. **£250,000.**
- B v NHS Trust (ongoing): Acting for claimant diagnosed with terminal lung cancer, alleged missed diagnosis on several chest images. Liability disputed. **£200,000** claim.
- L v NHS Trust: appearing at inquest and subsequent admission of negligence and breach of Human Rights Act 1998 following patient's escape from secure hospital and subsequent suicide. Settled.

Inquests

"Richard is very analytical and knows the inquest process inside out."

Legal 500 – Leading Junior 2026.

Richard is recognised as a leading junior in Article 2 jury inquests, particularly those involving deaths in custody, military contexts and healthcare failures.

He is regularly instructed by families, public bodies and insurers in high-profile and sensitive matters, often involving parallel civil claims and complex expert evidence.

- Re S: Acted for HMP Winchester in a **death-in-custody Article 2 jury inquest**. Cross-examination of the pathologist established that, contrary to his conclusion of death by electrocution, it was equally probable that death was caused by ingestion of a new psychoactive substance (Spice). Successfully persuaded the Coroner not to leave 'but for' causation to the jury.
- Re W: Acted for the family at a jury inquest and in subsequent **£650,000 fatal accident claim** arising from the death of a farmhand struck by an 800kg concrete panel. Cross-examined HSE and engineering expert to establish cause of death and systemic safety failures, and secured a **PFD report** addressing agricultural safety risks.
- Acted for three former soldiers at the Article 2 jury inquests into the death of **Sean Benton and Geoff Gray at Deepcut Barracks**, where allegations of bullying and systemic failings were scrutinised. The inquest involved complex evidential and reputational issues arising from historic military practices.
- Re K (ongoing): Representing the family. Successfully persuaded Coroner to resume the inquest following a road-traffic

death, on the basis that key questions as to speed, causation and public safety had not been fully examined in criminal proceedings. The argument emphasised the wider public interest in young driver safety and the need for scrutiny capable of informing a **PFD report**.

- Re L: Represented the family in an Article 2 jury inquest arising from self-inflicted death following deceased's **escape from a psychiatric hospital**. Successfully advanced submissions for a narrative conclusion examining suicide, intent, and whether failures in risk management and medical care more than minimally contributed to the death. Advised in subsequent successful civil action.
- Re W: Acted for the family following self-inflicted death during **mental health treatment in the community**. Liability denied in concurrent civil proceedings. Detailed cross-examination of psychiatric and nursing witnesses, placing clinical decision-making and risk assessment under public scrutiny. Used the inquest to test the evidence, expose weaknesses in professional recollection and records, and develop the factual foundation for subsequent civil proceedings. Acted for family in contested civil proceedings which settled at JSM for **substantial six figure sum.**

Public and Administrative Law

Richard has extensive experience in public and regulatory law. He has been Attorney General Panel Counsel for 8 years and has acted for Government Departments in a range of cases, often engaging both public and private law issues.

Unlawful Detention Judicial Review & False Imprisonment

Richard has acted in a range of unlawful detention prison and immigration matters engaging Hardial Singh principles and related case law. He has experience in relation to asylum application procedures, trafficking and modern slavery cases, criminal casework, Adults at Risk policy, and issues relating to claims for aggravated and exemplary damages.

Richard has acted in judicial review proceedings brought by prisoners challenging detention decisions See, for example, R (on the application of Antonio Boparan) v Governor Of Stoke Heath Prison [2019] EWHC 2352 (Admin) (challenge to home detention curfew policy).

Human Rights Act

Richard has acted in many claims against Government Departments involving allegations of breach of Art 2 (right to life), Art 3 (torture) and Art 8 (private life) of the European Convention on Human Rights.

Examples of recent cases:

- W v HCC & Ors - instructed in breach of human rights claim brought by estate of deceased prisoner. Alleged breaches of Art 2 (right to life), Art 3 (torture) and Art 8 (private life) European Convention on Human Rights.
- S v SoS - Appearing for Secretary of State. Immigration and Asylum Act 1999. Defeating appeal of fines imposed for carrying illegal immigrants across UK border.
- K v Ministry of Justice - High Court trial, human rights claim by convicted murder. Acting for Secretary of State.
- T v SoS - for Justice Life sentence prisoner, restrictions on licence; Art 8, Art 14 European Convention on Human Rights
- M v MOJ - Human Rights Art 3 (inhumane treatment), Art 8 (right to life), Art 14 (discrimination) - alleged failure by prison to provide access to medical care.

Data Protection & Privacy

Richard has acted for several Government Departments defending claims of alleged breach of the Data Protection Act 1998 and DPA 2018, GDPR, LED and related legislation. He has acted in claims involving breach of Art 8 of the Human Rights Act 1998, privacy and breach of confidence.

Many cases involve significant claims for distress and/or psychiatric damage, alleged diminution in house value, costs of

moving home, costs of increased security.

Civil Proceedings Orders

Richard has acted in several cases on behalf of the Attorney General seeking an order from the High Court restraining vexatious litigants from issuing civil proceedings.

ADR/NCDR

Richard is an Accredited Mediation Advocate.

Articles

Richard Wheeler was instructed by Hollie Muckley and Tutsi Allport at HCC solicitors to act for the family in the inquest touching the death of Laionie Kennard. This case concerned the death of Laionie in a road traffic collision on 16 September 2023 due to dangerous driving, concerning speed and alcohol.

View Article