



# Richard Wheeler

**Year of Call:** 2004

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## Clinical Negligence

Richard has extensive experience in all areas of clinical negligence. Many claims valued in excess of £1m.

Richard is also very experienced in related inquest work (including Article 2 and jury inquests). He also accepts instructions in detailed costs assessments

### Recent cases include:

#### Claimant work:

- B v NHS: missed diagnosis Acting for man diagnosed with terminal lung cancer, alleged missed diagnosis on several chest images. Breach of duty, causation in dispute. £100k claim.
- G v NHS: inquest and civil claim for multiple dependents following hypoxic brain injury. £½ million claim.
- H v NHS: facial paralysis following maxillofacial surgery. Causation in dispute. £200k claim.
- L v NHS: negligence and breach of Human Rights Act 1998 following death in secure hospital.
- M v NHS: missed diagnosis of cardiac problem in neonate. Breach of duty and causation in dispute.

#### Defence work:

- C v MOD: alleged late diagnosis, and incorrect treatment for shin splints. C. £200k claim.
- J v MOJ: prisoner contracted HIV in a prisoner on prisoner assault. Alleged negligence in failing to screen for HIV. Causation, prognosis, quantum. £100k claim.
- G v MOD: alleged failure to treat back complaint, leading to loss of career: £½ million claim.

#### Inquests

Richard has extensive experience of related litigation in the Coroner's Court, for example:

- Re Gray; Benton (Art 2): acting for soldiers in two of the Deepcut inquests (families alleged foul play at army base)
- Re Bugaled Breizh: Acting for Royal Navy (families allege naval submarine caused French trawler to sink).
- Re G: acting for husband in death arising from clinical negligence.
- Re L (Art 2): acting for family in self-inflicted death while in care of secure hospital.
- Re B & many others (Art 2): acting for Ministry of Justice in self-inflicted deaths in prisons.

#### Costs

Richard has also appeared in many detailed costs assessments, in the county court and in the SCCO. He acted for the Defendant in the costs management appeal *Yirenkyi v MOD* (QB) [2018] EWHC 3102.

## Recommendations

'Richard is a determined advocate who is always thorough and well-prepared. He leaves no stone unturned when investigating complicated quantum issues. You know if he is fighting a case to trial he believes in it.'

**Legal 500 2022**/Personal Injury/South Eastern Circuit

'Richard is tenacious and works hard in preparation and in action for his clients. His advice is clear, concise and tactical reflecting a keen analytical mind, and his advocacy is both engaging and persuasive. He understand the pressures affecting the client and he is able to address their concerns sympathetically.'

**Legal 500 2022**/Personal Injury/Western Circuit

What Treasury Counsel Panel referees say:

*"He's great – advices are clear and concise, skeletons are accurate and tactical."*

*"his advocacy was both engaging and persuasive"*

*"I instruct Richard in complex matters ... his analytical skills are always an asset and he always adds to the case."*

*"He has a keen analytical mind."*

*"great knowledge of the issues and pressures affecting the client"*

*"I have always found his advice to be practical, thorough and clear."*

*"clear, fluent and efficient in handling the complex issues in the case"*

*"Richard is excellent – nice relaxed style, makes him compelling in conference as well as in trial. He's very good at explaining even complex issues."*

*"personable and easy to talk to quite often we will just talk out any issues over the phone which is really helpful."*

## Academic qualifications

- BA Hons, Warwick (First Class, 2000)
- CPE, Merit, 2003
- BVC, Very competent, 2004
- Inner Temple Horace Avory scholarship, 2004

## Professional qualifications & appointments

- Recorder, South Eastern Circuit, 2019
- Deputy District Judge, South Eastern Circuit, 2015
- Treasury Counsel (London B Panel)
- Inner Temple Bar Liaison Committee member

- New practitioner advocacy trainer, Inner Temple
- Mediation Advocate

## **Professional bodies**

- Personal Injury Bar Association