



# 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 excellent at inquest work. He is a tenacious advocate but is also very intuitive and can read a coroner well in order to adapt his approach. He is excellent with clients and extremely personable, which is so crucial in inquest work. Richard is always fully prepared and readily grasps the key points in any inquest.'

**Legal 500 2024**/Inquests and Inquiries/Western Circuit/Leading Juniors

'Richard is an excellent barrister. He has a great eye for detail and is able to pick up on salient points quickly.'

**Legal 500 2024**/Personal Injury, Industrial Disease and Insurance Fraud/ London Bar/ Leading Juniors

'Richard is probably one of the best all round barristers around. Both his advocacy and paper work is exceptional. He is excellent with clients and extremely personable.'

**Legal 500 2024**/Personal Injury/Western Circuit/Leading Juniors

'Richard is able to approach difficult issues flexibly and pragmatically to achieve the best outcome for his client. He is very personable and builds up a good rapport with his clients.'

'very knowledgeable' and 'meticulous with his preparation and attention to detail'

**Legal 500 2024**/Personal Injury/ South Eastern Circuit/ Leading Juniors - Tier 1

'Richard is excellent and extremely detailed when assessing quantum and has a particular speciality in dealing with complex fatal cases. His advice is always meticulous and considered.'

**Legal 500 2023**/Personal Injury/South Eastern Circuit - Ranked Tier 1

'Richard is a brilliant barrister. He is a fearsome and well prepared advocate, who pushes hard for his clients.'

**Legal 500 2023**/Personal Injury/Leading Juniors/London Bar

Richard Wheeler is 'tenacious' and 'excellent tactically with significant insight and experience to progress complex cases'.

'Richard is very knowledgeable, and quick to get to grips with the essential elements of the case. His advice is always meticulous and considered.'

**Legal 500 2023**/Personal Injury/Western Circuit

'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 A Panel)
- Inner Temple Bar Liaison Committee member
- New practitioner advocacy trainer, Inner Temple
- Mediation Advocate

## **Professional bodies**

- Personal Injury Bar Association