

Excellent results without fail, leaving me to continue instructing James, no matter where in the country.

Louisa Bolleurs, Solicitor.



James Rozier

Called in 2007 +44 (0)20 7583 9241

James Rozier's primary specialisms are: counter fraud (including "fundamental dishonesty"); personal injury; and costs. He has appeared in reported cases in both the High Court and Court of Appeal.

Counter Fraud

James has been appointed as Lead Counsel in a UK wide Insurance Operation implemented by a one of the UK's leading insurers which has reserves of over £1.5M. He is regularly instructed by motor insurers combatting large scale fraud rings. He regularly acts for motor insurers in claims involving: fraudulent credit hire and storage claims; staged accidents; fictitious accidents; low velocity impact; and exaggerated injuries generally.

James's counter fraud practice also includes acting for insurers in single claims for personal injury in which dishonesty is suspected and he has obtained declarations of fundamental dishonesty in high value Multi-Track cases.

Personal Injury

James has been appointed as personal injury panel counsel for one of the UK's largest employers. He has extensive experience in Multi-Track cases involving: orthopaedic injuries; psychological disorders; fibromyalgia; and chronic fatigue syndrome. His corporate clients have included: British Airways; Virgin Atlantic; ISS UK; Kerry Group; and McDonald's.

Costs

James had been regularly conducting Costs and Case Management Conferences (CCMCs) in both the High Court and County Courts since 2013. James's experience includes having represented Virgin Atlantic at a CCMC in which costs budgets totalled in excess of £800k.

Location

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Personal Injury

James is a personal injury specialist and represents both claimants and defendants in both the County Courts and High Court. He has a broad personal injury practice which has included: fatal accidents; highways claims; occupier's liability; employer's liability; product liability; psychiatric injury; and fraud.

A significant proportion of his work is paper based, including the drafting of pleadings, schedules of loss, Part 35 questions to experts and opinions on both prospects of success and quantum.

James's personal injury practice marries well with his costs practice, the combination allowing him to advise clients in respect of their bottom line commercial risk at each phase of litigation.

Cases of Note:

Goulding v Hurst-Brown (2018)

Trial – Declaration of fundamental dishonesty obtained pursuant to s.57 Criminal Justice and Courts Act 2015 – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

(1) Lewis (2) Lewis (Estate of) v (1) Quereche (2) Metroline

High Court Trial – Fatal road traffic accident – Fatal Accidents Act 1976 – Law Reform (Misc.) Act 1934.

TEBB v SINGS (2017)

Post Traumatic Stress Disorder – complex loss of earnings – pension loss – claim totalling £600,000 – Joint Settlement Meeting.

Kelly v (1) Pigg (2) Aviva (2018)

Strike out on the basis of abuse of process – CPR 44.15(1)(c)(ii) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant

Emin v Mostamand (2017)

Trial – Declaration of fundamental dishonesty obtained pursuant to CPR 44.16(1) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

Ivers v Tremain (2017)

Contested application to rely upon surveillance evidence – legal argument in respect of the timing of disclosure of surveillance evidence and its admissibility – application granted.

Alimandani v Seager (2017)

Strike out – Declaration of fundamental dishonesty obtained pursuant to CPR 44.16(1) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

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Mihalcea v (1) Patel (2) Aviva (2016)

Trial – Declaration of fundamental dishonesty obtained pursuant to CPR 44.16(1) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

(1) Tok (2) Khatun v Rahman (2016)

Trial – Declaration of fundamental dishonesty obtained pursuant to CPR 44.16(1) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

Thompson v Green Marine Limited (2016)

Personal Injury – employer’s liability – £250,000 – initial advice – drafting Particulars of Claim; and Schedules of Loss – loss of earnings and pension contribution calculations – Pre-Trial Settlement Hearing (SE Circuit) – negotiation – settlement.

Karavadra et al v Brewster et al (2016)

Personal Injury – nine Parties – interlocutory hearings and trial – credit hire – indemnity – concertina collision – successful defence of all claims.

Staite v Good (2015)

High Court – Personal Injury – complex orthopaedic and psychiatric injuries – CCMC – costs budgets totalling £319,000.

A v LB (2015)

Personal Injury – costs – expert evidence – complex orthopaedic – osteoporosis – fibromyalgia – reduction of claimant’s Costs Budget from £183,000 to £104,000.

G v LB (2015)

Personal Injury – landlord and tenant – trial – disrepair – trial – liability and Quantum – Landlord and Tenant Act – Defective Premises Act.

M v AE (2013)

Personal Injury – £145,000 – loss of chance – future loss of earnings – settlement.

Costs

James had been regularly conducting CCMCs on behalf of both claimants and defendants since 2013, in the High Court as well as County Court. He has dealt with hearings in which the combined costs value has been in excess of £300,000.

Cases of Note:

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Personal Injury – costs – expert evidence – complex orthopaedic – osteoporosis – fibromyalgia reduction of claimant's Costs Budget from £183,000 to £104,000.

Staite v Good (2015)

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Mediation & Arbitration

James has conducted Joint Settlement Meetings (JSMs), Mediations, Judicial Mediations and Pre-Trial Settlement Hearings (SE Circuit).

E v D

Commercial Contract – commissions – advising – drafting pleadings – mediation before Sir Peter Creswell – settlement.

TEBB v SINGER

Post Traumatic Stress Disorder – complex loss of earnings – pension loss – £600,000 – Joint Settlement Meeting.

I v (1) T (2) K

Orthopaedic and psychiatric evidence – Smith v Manchester – loss of earnings – surveillance evidence – £250,000 – Joint Settlement Meeting

Credit Hire

James regularly appears in Multi Track credit hire cases and is repeatedly instructed by some of the UK's largest insurers.

Cases of Note:

Karavadra et al v Brewster et al (2016)

Credit Hire – personal injury – nine parties – trial – indemnity – concertina collision – CCMC to final hearing – successful defence of all claims.

Younis v IBCO Limited (2014)

Credit Hire – trial – liability – quantum – application of Opoku v Tintas.

Av S (2013)

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Civil Fraud

James conducted his first fraud trial in 2012 and has since been regularly instructed in cases involving both fraud and fundamental dishonesty. He acts exclusively for defendants and has obtained numerous declarations of fundamental dishonesty in both fast and multi-track cases involving: the Occupiers' Liability Act; the Highways Act; Workplace Regulations; and RTAs.

He has dealt with cases including, but not limited to: fraud rings; staged collisions; vehicle occupancy; fictional or exaggerated injuries; and fraudulent credit hire claims. He has obtained declarations of fundamental dishonesty both by way of standalone applications and at the conclusion of trials.

James utilises both Part 18 and Part 35 questions in order to make the very best of any intelligence evidence gathered including: surveillance; social media entries; and pleadings and/or evidence relied upon by claimants in previous or simultaneous claims.

Further, James is well versed in respect of the best timing for the disclosure of intelligence evidence in order to maximise its potency whilst preserving its admissibility. In the case of *Ivers v Tremain* (2017) James (representing the defendant) was successful in a contested application to rely upon surveillance evidence. The case involved extensive legal argument in respect of the correct timing for the disclosure of such evidence.

In all personal injury cases James conducts a forensic analysis of a claimant's medical records and, when applicable, uses Part 18 and Part 35 questions to exploit inconsistencies in the chronology upon which a claimant's case relies.

Travel & Tourism Law

James accepts instructions in cases relating to travel and tourism. He has previously been instructed by leading insurers in Multi-Track personal injury cases resulting from injuries suffered abroad which involve jurisdictional issues and conflicts of law.

Recent Cases:

J v (1) Advantage Insurance (2) N (3) AB Lietuvos Draudimas

For Defendant insurer – Multi-Track PI claim resulting from RTA in Poland – parties' insurers based in both Lithuania and UK – conflict of laws – jurisdiction – application of: EU Articles 4(1), 8(1), 11(b) and 13(2) of Regulation 1215/2012 ("Brussels 1" as "recast"); Directive 2000/26/EC; Regulation 864/2007 ("Rome II"); and Stylianou v Toyoshima [2013] EWHC 2188 (QB).

M v British Airways Plc

For British Airways – Multi-Track PI claim – £300k – claimed myalgic encephalomyelitis (ME)/ Chronic Fatigue Syndrome (CFS) resulting from insect bites – CCMC – advising on quantum – JSM – settlement.

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6 Claimants (Consolidated) v Virgin Atlantic Airways

For Virgin Atlantic – six consolidated Multi-Track PI claims – budgeting of £800k of costs – advising – five day trial on liability and quantum – five out of six claims dismissed.

Notable Cases

Turkmen v 1 Davies 2 Another (2021)

For Defendant, instructed by BLM – claim for personal injury including credit hire in the sum of £120,000 – use of motor insurance databases and motor trade search data – defence drafted alleging fundamental dishonesty on the basis of a staged collision – claim discontinued – savings of £175,000 for insurer.

Goncalves v George (2020)

For Defendant, instructed by BLM - claim for personal injury - credit hire in the sum of £85,000 – defence drafted alleging fundamental dishonesty on the basis of a staged collision – claim discontinued – savings of £163,000 for insurer.

1 Morina 2 Quduss v 1 Other (2020)

For Defendant, instructed by BLM – claim for personal injury and credit hire in the sum of £257,000 - legal argument in respect of specific disclosure – claim discontinued – advising in respect of costs - savings of £340,000 for insurer.

Odewale v Tower Hamlets (2019)

For Defendant - claim for personal injury – fibromyalgia and myofascial pain syndrome - pleaded value £200,000 - defended on the basis of fundamental dishonesty - exaggerated injuries - trial - cross examination of psychiatric and orthopaedic Consultants – surveillance evidence - claim dismissed with declaration of fundamental dishonesty - enforceable costs order obtained - claim also referred to the Department for Work and Pensions for investigation - Claimant appeal - appeal dismissed.

H v B (2019)

For Defendant - claim for personal injury with a pleaded value in excess of £1,000,000 - neuropsychological and orthopaedic evidence - advising in respect of quantum - settlement.

Claimants v Virgin Atlantic Plc (2019)

For Defendant - six consolidated claims for personal injury – Costs and Case Management – expert evidence - parties' costs budgets totalling in excess of £500,000.

Watters v Vision Labs Limited (2020)

For Defendant - personal injury - employer's liability - drafting defence amended to include fundamental dishonesty on the basis of exaggerated injuries - surveillance evidence - trial - claim dismissed with declaration of fundamental dishonesty - enforceable costs order.

R v Ian Coombes (2020)

For Defendant - Causing Death by Careless Driving - Crown Court trial - cross examination of prosecution Forensic Collision Investigator - client acquitted.

Bath and North East Somerset v D1 Company D2 Individual (2019)

Health and Safety prosecution - for Second Defendant – Crown Court Trial - legal argument - Prosecution offer no evidence.

Goulding v Hurst-Brown (2018)

For Defendant – fundamental dishonesty alleged - trial - claim dismissed - declaration of fundamental dishonesty obtained pursuant to s.57 Criminal Justice and Courts Act 2015 - QOCS disapplied - enforceable costs order.

(1) Lewis (2) Lewis (Estate of) v (1) Quereche (2) Metroline

High Court Trial – Fatal road traffic accident – Fatal Accidents Act 1976 – Law Reform (Misc.) Act 1934.

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T v S (2017)

For Defendant - personal injury - claim totalling £600,000 - Post Traumatic Stress Disorder – complex loss of earnings – pension loss – claim totalling £600,000 – settlement at Joint Settlement Meeting.

Kelly v (1) Pigg (2) Aviva (2018)

Strike out on the basis of abuse of process – CPR 44.15(1)(c)(ii) - Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant

R v Tomasz Kroker (2017)

Court of Appeal - four counts of Death by Dangerous Driving, fifth count of Causing Serious Injury by Dangerous Driving – Appeal before Sir Brian Leveson (President of the Queens Bench Division) – correct application of Sentencing Guidelines Council `s Definitive Guideline – finding that the sentencing Judge`s approach had been "entirely inconsistent to the proper approach to passing sentence".

Emin v Mostamand (2017)

Trial – Declaration of fundamental dishonesty obtained pursuant to CPR 44.16(1) – Qualified One-Way Costs Shifting disapplied – enforceable costs order against the claimant.

If you would like to instruct James Rozier or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at chambers@farrarsbuilding.co.uk

For more information about our clerking team, please [click here](#) for the clerks page.

Appointments & Memberships

- Employment Lawyers Association
- Personal Injuries Bar Association
- LCLCBA
- Accredited Pupil Supervisor

Education & Qualifications

- PgD Bar, Bar Vocational Course
- PgD Law
- BSc Hons

Testimonials

“James has a no nonsense and professional approach, he is always well prepared, taking instructions from his solicitors early on so as to avoid any last minute preparations, leaving you to feel calm and confident in his ability. James has a personal yet professional and confident approach, triumphing in excellent results without fail, leaving me to continue instructing James, no

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matter where in the country.”

Louisa Bolleurs – Solicitor

“I have instructed James in the Employment Tribunals, Employment Appeals Tribunal and County Courts in employment related matters. I also instruct James to undertake a significant amount of drafting such as merits assessments, pleadings and applications. James has covered the entire range of Employment Tribunal hearings and has always dealt with my cases excellently. I will hence doubtless continue to instruct him into the future.”

Zahir Mohammed – Herefords Solicitors

“James is an invaluable resource who is regularly retained in fast and multi-track matters including credit hire, personal injury claims and appeals. He is an astute Barrister who is able to quickly identify key issues and is meticulous in his case preparation. He has a robust advocacy style which is cogent and compelling, and clients are consistently reassured by the quality of his work. Any Solicitor instructing James can do so safe in the knowledge that he will ensure the best possible outcome in a given case.”

Matthew Griffiths – AXA Insurance UK Plc

“Very knowledgeable and approachable, with a keen eye for detail. I always have full confidence that James will deal with cases efficiently and effectively.”

Rebecca Watt – Keoghs LLP

Personal Interests

James has eclectic interests, ranging from surfing to what seems to be the perpetual restoration of a 1978 Triumph Spitfire 1500 which, we hear, now even starts.

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