

One of David's greatest strengths is his ability to communicate with clients. He is also technically excellent, helpful, approachable and turns work around quickly.

Hazel Madden, Thorneycroft Solicitors



David Roderick

Called in 2005 +44 (0)20 7583 9241

David Roderick specialises in personal injury, clinical negligence, inquests and employment work, and their related procedural and costs issues. He acts on behalf of both claimants and defendants in serious injury cases, and predominantly on behalf of claimants in clinical negligence actions.

His expertise encompasses all types of personal injury claim, including RTA, public, employers', and occupiers' liability claims, highways claims, industrial disease and claims under the Fatal Accidents Act 1976. David's current case load includes claims for brain injury, spinal injuries, chronic pain disorders, amputation injuries, and cases with complex liability, medical causation and quantum arguments. David's current clinical negligence instructions include claims arising from negligently performed surgery, failure to obtain consent, and missed diagnoses cases. Details of his recent and ongoing cases are posted in the notable cases and specialist area sections of this page.

David maintains a busy paperwork practice advising on liability and quantum in high value cases, and drafting pleadings, schedules and counter-schedules. In addition, David has extensive experience representing claimant and defendant clients at joint settlement meetings and mediations in claims with values ranging from £100,000 to £3 million.

David is also qualified to accept work directly from members of the public under the Public Access Scheme. Please contact the clerking team for further information.

Clinical Negligence

David is an experienced clinical negligence practitioner with a caseload including complex liability, causation and quantum disputes. Recent and ongoing instructions for Claimants include:

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M v S L Hospital. Failure to obtain informed consent for a salpingo-oophorectomy and failures in post-operative care

M v P Hospitals Trust. Fatal clinical negligence claim resulting from negligent management of ulcerative colitis and ultimately a necrotic bowel condition.

C v E L Hospital NHS Trust. Fatal clinical negligence claim resulting from delayed diagnosis of lung carcinoma.

G v I C Healthcare NHS Trust. Claim arising from the negligent failure to apply banding to the pulmonary artery and then a Fontan procedure in respect of a child born with congenital heart disease. The negligence led to a drastically reduced quality of life and a reduced life expectancy.

Recent instructions for the defendant include **HA v Royal Free London NHSFT (2020)**, a late application on the part of the defendant to rely on additional expert evidence including invasive blood testing of the Claimant.

Costs

David regularly appears in costs and case management hearings in the County Court and High Court. He also advises in respect of discrete costs points, recently including; interim payments of costs, the effect of Part 36 offers, the disapplication of qualified one-way costs shifting, and costs and compromise agreements.

Credit Hire

David has wide experience in credit hire cases from fast track level through to cases involving claims up to £100,000. He provides lectures and presentations on the subject of credit hire.

Disciplinary

David has a keen interest in disciplinary and regulatory work, in particular after gaining experience in financial services regulation and proceedings before the Regulatory Decisions Committee as a legal assistant in the Enforcement Division of the Financial Services Authority

Civil Fraud

David has considerable experience of pleading and pursuing submissions in cases concerning fundamental dishonesty in the context of s.57 and QOCS. He has secured multiple findings of fundamental dishonesty and the consequent disapplication of QOCS. Recent successes include a finding of FD and removal of QOCS protection at trial, even after the Defendant driver did not

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attend to give evidence.

He has experience of successfully defending in cases of induced accidents, staged accidents, phantom passengers, and fabricated or exaggerated injury.

Personal Injury

David is a very experienced personal injury junior, regularly advising on and appearing at trial in respect of the full range of liability issues. David also has extensive experience in cases involving complicated quantum disputes and injuries of severity including brain injury, spinal injury, chronic pain and psychiatric conditions.

In addition to the notable cases section on this website page, further recent RTA cases of interest include:

SM v A & B. For the Defendant. A chronic pain case pitched at £1.2 million, subsequent to a moderate RTA. Extensive surveillance evidence served by the defendants. Favourably settled at JSM.

S v S. Running down of a police officer. Complex accident reconstruction evidence in relation to conspicuity of pedestrians at night and a neuropsychological dispute in relation to extent of subtle brain injury.

E v R. An altercation in a car park leading to the deliberate or reckless running down of the claimant. Liability remains in dispute.

In addition to the notable cases section on this website page, recent employers' liability cases of interest include:

P v FS Limited. Complex liability dispute acting for the claimant who was badly injured as a result of two accidents at work on the same day. Initial concussion injury leading to a separate fall when the claimant was sent back to work, causing serious orthopaedic injury.

L v H Housing. Liability and quantum dispute in relation to a below-the-knee amputee who slipped on wet outside steps while at work. Further damage to his knee requiring a re-adapted prosthesis.

Employment

David has extensive experience in employment and discrimination claims. He acts for employers and employees from a wide client base which includes public services, blue chip companies, educational institutions, local authorities, charities, and housing associations, and individuals from a broad range of employment. He is able to deliver practical, commercially-minded solutions to all clients.

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Inquests

David acts for interested persons at Inquests, and is often instructed to attend by Insurance companies in respect of the interests of their clients. Notable instructions to act include **MS v Eurotaxi**, Avon Coroners Court, an inquest into the circumstances of a fatal collision between a motorcycle and a school minibus, and **Mitchell v BRC** an inquest concerning the provision of emergency medical care immediately prior to death.

David was also instructed as support counsel to the Inquiry Team on the Baha Mousa Public Inquiry 2008 to 2011, and as the judicial assistant to the Chairman of the Inquiry, former Lord Justice of Appeal, Sir William Gage.

Public Inquiries

David acted for a number of years as full time support counsel to the Inquiry Team on the Baha Mousa Public Inquiry 2008 to 2011, from its inception to the concluding report, and also as the judicial assistant to the Chairman of the Inquiry, former Lord Justice of Appeal, Sir William Gage.

Notable Cases

PH v Transport for London. March 2021.

Acting for the successful defendant in a two day employers' liability trial, in a post s.69 ERA 2013 claim alleging negligence predicated on a breach of reg. 5 PUWER 1998, and under the EL(DE)A 1969, following the collapse of a piece of work equipment. Claim dismissed, with HHJ Baucher preferring, in the context of reg. 5 PUWER 1998, the obiter dicta remarks in *Cockerill v CXK & Artwise* over those in *Tonkins v Tapp*.

LDC v Acromas Insurance Co Ltd. February 2021.

HHJ Bloom. Acting for the claimant in intensely fought quantum only proceedings. The claimant successfully achieved future loss of earnings on the basis of both a loss of a chance of future promotion, and for a substantial disadvantage on the open labour market.

X v Haven Insurance (Ongoing)

Acting for the claimant in a severe traumatic brain injury case where the initial injury required a craniotomy and resulted in over two weeks post traumatic amnesia. Very high value care, accommodation and earnings claims. Expert evidence in neurology, neuropsychiatry, neuropsychology, care, endocrinology and ophthalmology.

T v NR Ltd, A UK, AMA Ltd. July 2020.

Acting for the insurer to medical equipment supplier companies in respect of an employers' liability personal injury claim. Settled counter-schedule and attended JSM resulting in settlement on very favourable terms inclusive of contributory negligence discount.

A v X. June 2020.

Acting for the claimant in a subtle brain injury claim. Significant interplay between physical, psychological and neurological deficits which resulted in a personality disorder affecting his work capacity. Gross settlement at JSM over £700,000.

K v T. (November 2019).

Acting for the Defendant in a long-running chronic pain case. The claimant developed a somatoform pain disorder which magnified very minor residual orthopaedic pain sufficient to prevent him working. The claim was defended on the basis of the Claimant's pre-existing conditions already making him

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vulnerable to unemployment. A high six-figure claim, but settled at JSM on terms favourable to the insurer.

B v British Airways. (November 2019).

Acting for the Defendant in a complex multi-track liability trial before HHJ Saggerson. The claim was brought by a cabin crew member who alleged that a plane violently jolted while being pushed back from the gate. Complicated flight data analysis was in issue, together with the account of an independent witness supporting the occurrence of the jolt. After cross-examination, the factual evidence from the Claimant and from the independent witness was rejected and the claim dismissed.

If you would like to instruct David Roderick 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
- South Eastern Circuit

Education & Qualifications

- MA, King's College, London,
- LLM, King's College, London,
- CPE, University of Westminster, (Distinction)
- BVC, Inns of Court School of Law, (Outstanding)
- Certificate of Honour for outstanding performance in Bar Finals, Middle Temple (2005)
- The Times Law Essay Awards, 2nd Place (2007)

Testimonials

"One of David's greatest strengths is his ability to communicate with clients. He is also technically excellent, helpful, and approachable and turns work around quickly."

Hazel Madden, Thorneycroft Solicitors

"I have instructed David Roderick on a number of occasions for both personal injury and employment law matters over a number of years and have always found his advocacy, written advices and pleadings to be first rate. I would not have the slightest hesitation in recommending him to others. David is excellent with lay clients, being very friendly, approachable and able to explain complex issues so that clients understand. He is very swift in returning advices and calls."

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Andrew Murrell, Partner, Drysdales Solicitors LLP

“David’s written work is faultless. He is meticulous in his preparation and his arguments well thought out, structured and persuasive.”

Louise Bland, Partner

Previous Employment

David previously worked in the live arts industries as a director and producer. After being called to the Bar in 2005, David read for an LLM and worked for the Financial Services Authority (now FCA), and at the DTI (now BEIS), before joining Farrar’s Building as a pupil in 2007.

On completion of pupillage David was instructed as support counsel to the Inquiry Team on the Baha Mousa Public Inquiry 2008 to 2011, and as the judicial assistant to the Chairman of the Inquiry, former Lord Justice of Appeal, Sir William Gage.

Personal Interests

Father of two energetic boys and primary school parent governor. When time permits, interests include theatre, reading modern literature and running.

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