



Rory Holmes



Contents

Personal Injury	1
Inquests	4
Selected Cases	4
Industrial Disease	5
Selected Cases	5
Clinical Negligence	6
Selected Cases	6
International Injury & Travel law	6
Selected Cases	6
Civil/Insurance Fraud	7
Selected Cases	7
Qualifications	7
Memberships	8
Recommendations	8

"He has a first-rate mind, pays great attention to detail and produces first-rate drafting. He is in a class of his own when it comes to difficult multiparty negotiations."
(Chambers & Partners)



Rory has specialised in PI and associated areas of work over the past 13 years.

He is an experienced Junior with a caseload which overlaps a number of Chambers' specialisms. He is instructed to handle cases on his own, or as part of a Counsel team. He has significant Trial experience and has appeared in the Supreme Court as Junior Counsel. During his time at the Bar he has spent time working both in-house and on secondment within various law firms.

He is recommended by both Legal 500 and Chambers & Partners for PI. For further details of work undertaken please follow the links.

Personal Injury

Rory has a broad practice, and is instructed in cases involving physical injuries, psychiatric injuries, TBI/mTBI, audio-vestibular injuries, chronic pain syndromes, and functional/somatoform disorders. He has particular experience in proceedings where fraud or dishonesty is alleged or intimated.

Rory deals with the whole gamut of claims against local authorities, public providers, manufacturers, occupiers, employers and the MIB.

He has particular interest in abuse, workplace bullying, and stress at work claims, including where there is overlap with previous employment tribunal proceedings. He is currently instructed as Junior Counsel in two high value stress at work claims heading for Trial in late 2023.

He also has a particular interest in injuries arising from or in connection with professional sport. He has a strong sporting background including semi-professional rugby, which is something which lends itself to an easy understanding of liability and quantum issues in that sphere.

He acts in claims arising from accidents abroad and those occurring in this jurisdiction involving foreign nationals.

Rory advises on all aspects of litigation including limitation, liability, and quantum, either at conference or



in writing. His cases regularly involve the drafting of detailed schedules and counter schedules of loss. He delivers seminars on a range of topics to solicitor and insurer clients.

Rory enjoys a mixed practice, and acts for both claimants and defendants. He is instructed by major insurers on a repeat basis and also regularly carries out work for various Local Authorities. He is willing to act on a CFA in appropriate cases.

Representative examples of Rory's recent work are as follows.

Assault

- O v NRG (2023) – Acting for retailer following serious assault on employer by customer. Issues relate to system in place to deal with aggressive third parties. The claim is ongoing.
- R v O PLC (2021) – Acting for a stocktaking/supply chain provider following an assault in the workplace. Injuries said to have necessitated early retirement. D successfully withdrew a pre-issue admission of liability at a contested hearing. Matter settled thereafter.
- N v R (2020) – Acting for a commercial coach company, following a workplace assault where it was alleged that the employer was both primarily liable and vicariously liable for its employee. The defendant obtained summary judgment on all allegations of breach.
- G v G (2017) – Acting for a claimant following an armed robbery in her workplace giving rise to PTSD, involving expert evidence from security consultants.

Brain Injury

- A v R (2023) – Acting for a claimant who suffered a TBI and PTSD when 5 years old following a fall from height. Claimant now a young adult, who lacks capacity. High value claim given need for significant neurorehabilitation to preserve earning capacity. The claim is ongoing.
- D v R (2023) – Acting for an elderly claimant who suffered a moderate/severe TBI with psychiatric overlay following RTA. The claim is ongoing.
- C v A (2022) – Acting for defendant following modest head injury where C alleged she developed mTBI, functional neurological disorder, and various audio-vestibular sequelae including a balance disorder. The claim settled before Trial.
- M v CJ (2021) – EL claim where claimant suffered significant head injury leading to alleged moderate/severe TBI and serious neuropsychiatric sequelae. Large seven figure claim. Rory drafted CSOL, case otherwise handled by Patrick Blakesley KC.

Chronic Pain

- M v F & SR (2023) – Acting for a claimant who suffered mTBI, chronic musculo-skeletal pain and audio-vestibular injuries preventing return to employment. Case ongoing.
- S v A (2023) – Acting for an insurer where claimant suffered lower limb crush injury involving multiple fractures, severe soft tissue injuries, and neuropathic pain. Claimant unable to return to

-
- pre-accident employment. Seven figure claim, settled at JSM.
 - S v B (2021) Acting for defendant following innocuous EL incident giving rise to alleged chronic pain, psychiatric conditions, suicidal ideation, all said to prevent return to any remunerative work. Seven figure pleaded claim resulted in low settlement following JSM.
 - P & others v P (2020) – Acting for a national care home operator providing services to vulnerable adults, where assaults by service users on staff have given rise to multiple large chronic pain claims. The claims have all been successfully brought to a conclusion at JSMs.

Discrimination

- Various (2022) – Acting for various pharmacies on the instructions on NPA in relation to a range of discrimination claims pertaining to Covid 19 policies.
- Various (2022) – Acting for G4S in defence of various claims brought by prisoners in relation to alleged discriminatory policies and/or harassment and/or breach of HRA 1998.
- B v P (2020) – Acting for a London members club in respect of a claim brought by former member who alleged expulsion due to discriminatory practices.
- V v TTC (2019) – Acting for retailer in respect of claim brought by customer who alleged that discriminatory customer services practices gave rise to psychiatric injury.

EL/PL

- W v M & C & G (2022) – Acting for a principal contractor in multi-party dispute following a fall from height at development in central London. 6 figure claim, compromised shortly following JSM.
- L v F & B & P (2020) – Acting for a landlord following a collapsed ceiling occurring during the course of soft strip demolition works. 6 figure claim. The claim was compromised at JSM.
- B v R & F & S (2020) – Acting for a claimant in a multi party dispute following an amputation in a construction site accident. Claim settled following completion of pleadings.
- T v M (2018) & others – Acting for a national theme park operator in a host of EL/ PL claims across a range of sites. All claims taken to Trial have been successfully defended.

Fatal

- A v C & others (2023)- Acting for insurer following a fatal multi-vehicle RTA, where co-D stood in shoes of MIB as Article 75 insurer. Liability resolved at JSM. Claims ongoing.
- B v S (2023) – Acting for insurer following fatal RTA. Claim involves complex accident reconstruction evidence. Claims ongoing.
- P v P (2020) – Acting for dependants following a fatal RTA. Claim pleaded at £2.4M and settled at JSM.
- L v B (2017) – Acting for a claimant in a fatal accident action where a large financial services dependency upon a teenage child was achieved in settlement. Claim compromised.

Orthopaedic/Amputation

- V v A (2023) Acting for a Claimant who suffered numerous lower limb fractures to ankles and knee, and is at risk of amputation. 7 figure claim. Claim ongoing.
- H v A (2023) – Acting for insurer following lower limb crushing injury, giving rise to ankle fractures and neuropathic pain. 6 figure claim. Claim settled at JSM.
- V v H (2021) – Acting for a claimant following a high-speed RTA giving rise to significant orthopaedic injuries to lower limbs. Father unable to care for young children. Led by Eliot Woolf QC. Claim settled at £1.6M shortly before Trial.
- J v WJ (2020) – Acting for a regional pub/bar chain in a £3M+ amputation claim following an accident on its premises. The claim was compromised shortly before Trial for a fraction of pleaded value.

Psychiatric Injury

- P v B (2023) – Acting for an international bank in a stress at work claim brought by a former trading director. Claim pleaded at £4M+. Led by Patrick Blakesley KC. The claim is ongoing.
- S & P v E (2023) Acting for a British university in relation to bullying/harassment claim brought by two members of academic staff. Claims pleaded at total of circa £10M+. Led by Patrick Blakesley KC. The claim is ongoing.
- R v H (2023) Acting for a local authority in relation to bullying/stress at work claim bought by former school employee. Claim complicated by parallel ET proceedings. Six figure claim. The claim is ongoing.
- S v A (2023) Acting for a claimant who developed PTSD and functional speech disorder symptomology following a RTA. Six figure claim. The claim is ongoing.

Inquests

Rory has an established practice in the Coroner's Court which dovetails with his practice in other areas.

He is frequently instructed on behalf of a variety of interested persons including families, companies, local authorities, and insurers. He has experience of a range of coronial proceedings, including Article 2 inquests and those where a jury is called.

He has experience of inquests involving complex issues across a wide range of areas such as transport, highways, medical and social care. He is often instructed at the outset of a case, where his involvement runs from the initial stages to the final hearing.

Selected Cases

- (2022) – Inquest touching upon suicide of voluntary patient recently discharged from mental health services. RH acted for the family of the Deceased.
- (2021) – Article 2 Inquest touching upon suicide of patient under care of mental health services. RH acted for the family of the Deceased.
- (2021) – Inquest touching upon death of patient following embolic stroke where central venous line

- was disconnected in unknown circumstances.
- (2021) – Inquest touching upon care home death following unwitnessed fall. Inquest dealt with issues surrounding training of agency workers.
 - (2020) – Inquest touching upon issues relating to pressure sore management of geriatric patient at hospital and care home.
 - (2018) – Article 2 Inquest with Jury touching upon supervision within residential home of an epileptic resident with learning difficulties.
 - (2018) – Inquest touching upon care home death following unwitnessed fall.
 - (2017) – Inquest touching upon care home death in which various allegations of physical abuse and neglect were raised against staff.
 - (2017) – Inquest touching upon care home death focusing upon allegations of failure to provide adequate nutrition and hydration.
 - (2014) – Inquest touching upon death following tree fall on highway where inadequacy of local authority’s inspection regime was in issue.

Industrial Disease

Rory has a broad ID practice and deals with a variety of work related conditions.

He has experience of matters relating to asbestos-related disease, occupational asthma, HAVS, WRULD, COSHH, and NIHL.

He advises on all aspects of litigation including limitation, liability, and quantum, either at conference or in writing. He appears at show cause hearings, CCMCs and at Trial. His cases regularly involve the drafting of detailed schedules and counter schedules of loss. He delivers seminars on a range of topics. He has experience of working in-house and on secondment to assist with drafting statements of case.

He is instructed by several of the major insurers on a repeat basis and also regularly carries out work for various Local Authorities.

Selected Cases

- J v BP (2022) – Living mesothelioma claim where unorthodox claim for loss of services raised. Claim settled shortly before Trial.
- M v F (2022) – Fatal silicosis claim involving s.33 point where previous claim under Pneumoconiosis Worker’s Compensation Act Scheme previously made.
- T v O (2020) – Acting for a manufacturer faced with various occupational asthma claims which involved complex issues of medical causation.
- D v N & N (2020) Acting for a Local Authority in respect of allegations of asbestos exposure whilst non-employees worked at housing estates.
- H v DA (2019) – Acting for a manufacturer whose processes allegedly gave rise to occupational asthma.
- L v S2 & F & T (2019) & others – Acting for a defendant in a NIHL claim.
- F v S & P (2018) Acting for co-Defendants in a HAVS claim.
- B v RNT (2017) – Acting for a defendant in a stress at work claim following alleged racial harassment in the workplace, which overlapped with previous employment tribunal proceedings.



Clinical Negligence

Rory undertakes work in a broad range of clinical disputes.

He acts for claimants, various medical defence organisations and medical insurers.

He has acted and advised clients in regards to claims proceeding in both the County Court and High Court. He drafts pleadings, and advises on liability and quantum. He will accept instructions on a CFA basis.

Selected Cases

- F v C&W (2023) – Acting for claimant in relation to development of sepsis following alleged delay to treat perforated colon. Claim ongoing.
- F-H v P (2023)- Acting for a claimant in relation to alleged negligent fusion surgery of ankle joints and subsequent failure to diagnose and/or inform of non-union. Claim ongoing.
- V v S (2023) – Acting for a claimant in relation to hernia surgery giving rise to seroma development, scarring and chronic pain. Claim ongoing.
- L v V (2022) – Acting for a claimant in relation to mesh implantation giving rise to chronic pain and the need for removal.
- G v H (2022) – Acting for a defendant in relation to alleged onset of chronic facial pain following distal canal instrumentation.
- B v W (2020) – acting for a claimant following failed sigmoid colectomy giving rise to anastomotic leak.
- B v SW AT (2019)- acting for executrix of the estate following negligent transfer of geriatric patient giving rise to ankle fracture.
- T v O & G (2019) – acting for a claimant following negligent misdiagnosis and removal of a dermoid cyst giving rise to chemical peritonitis.
- C v C (2018) – Acting for a claimant following obstetric failures giving rise to a somatoform disorder.
- P v B (2018) – Acting for a Claimant on claim involving issues of consent and surgical negligence following failed knee surgery.

International Injury & Travel law

He has experience in advising in cases of accidents abroad and accidents in this jurisdiction involving foreign nationals.

Selected Cases

- C v A (2023) – Acting for an insurer in relation to assessment of damages subject to Romanian law.
 - G v I.E part and others (2021) – Acting for insurer in recovery action following theme park accident. Claim involved pursuit of Italian manufacturer.
 - S v R&C (2021) – Acting for a Mexican offshore vessel developer, following an electrical fire on a service vessel. The claim was ultimately discontinued.
 - M v CM (2021) Acting for a package holiday provider in relation to skiing accident said to have arisen
-



- due to negligence of Ecole du ski Francais instructor.
- A v A (2021) – Acting for insurer in relation to assessment of damages subject to French law.

Civil/Insurance Fraud

Rory acts across a wide range of EL/PL proceedings where issues of fraud/FD/exaggeration arise on either liability and/or quantum. His case load include physical injuries, psychiatric injuries, chronic pain syndromes, functional/somatoform disorders, audio-vestibular injuries and mTBI/TBI claims.

Selected Cases

- V v SA & JO (2022) – Acting for a residential home in an EL amputation claim where C’s account of alleged mechanism is subject to a FD /s.57 defence. Claim settled for modest global cost/damages before Trial.
- A v D & others (2022) – Acting for construction site contractor in EL claim where C’s late account on alleged mechanism is subject to a FD/s.57 defence. Claim ongoing.
- M v E & F (2021) Acting for construction site contractor in EL claim where C’s inconsistent account resulted in abandonment of case at door of Court leading to disapplication of QOCS hearings.
- S v B (2021) Acting for employer following innocuous EL incident giving rise to alleged chronic pain and psychiatric conditions said to prevent return to any remunerative work. Seven figure pleaded claim resulted in low settlement following JSM.
- R v O PLC(2021) – Acting for a stocktaking/supply chain provider following an assault in the workplace said to have brought about early retirement. D resiled from admission of liability made whilst claim was still in portal. Claim settled thereafter for low sum by way of part 36.
- F P & others (2021) Acting for landlord in PL claim following fall from balcony. Alleged orthopaedic injuries said to prevent return to heavy labour. Review of physiotherapy records give rise to FD/s.57 defence. Claim settled for modest global cost/damages following mediation.

Qualifications

Modern and Medieval Languages BA (Hons) (Cantab) (2003-2007)

La Universidad de Complutense, Madrid (2004-2005)

GDL (City University) (2007-2008)

BVC (City University) (2008-2009)

BVC-LLM (City University) (2010)

MA (Cantab) (2010)

Before coming to the Bar, Rory read Modern and Medieval Languages at St. John’s College, Cambridge, and at La Universidad de Complutense, Madrid.



In 2013 Rory was seconded to the commercial department of Rajah & Tann, Singapore, as a Pegasus Scholar.

Memberships

- PIBA

Recommendations

"Rory is a pleasure to deal with. He is excellent with clients and he always goes the extra mile."
Chambers & Partners, 2023

"Rory is always up for the challenge of taking on technically complex procedural arguments."
Chambers & Partners, 2023

"Rory is very capable and exceptional on his feet."
Chambers & Partners, 2023

"Rory is unflappable and provides clear and concise advice at all times."
Legal 500, 2023

"A soft-spoken but robust advocate, who is very good at drawing out technical legal points from complex cases and is very reliable too."
Chambers & Partners, 2022

"He has a first-rate mind, pays great attention to detail and produces first-rate drafting. He is in a class of his own when it comes to difficult multiparty negotiations."
Chambers & Partners, 2022