

GABRIEL FARMER

CALL: 1994

"A formidable barrister with a forensic grasp of detail and an ability to convey complex, factual and technical issues in a succinct and coherent fashion. His astute legal advice is keenly balanced with a strong awareness of the client's needs"

Chambers UK 2020

Email: gabriel.farmer@guildhallchambers.co.uk

Tel: 0117 930 9000



Gabriel has a longstanding specialist practice in personal injury and clinical negligence and led the Guildhall PI team for a decade. He enjoys a balanced claimant/defendant practice and brings robustness and sensitivity in equal measure. He is known for prompt delivery of written work as well as being highly pragmatic. His experience includes representation at all levels including the Court of Appeal. His cases often include QC opponents.

When instructed by Defendants he delivers early tactical/evidential advice as part of the CCMC process.

His PI caseload generally comprises catastrophic cases. He has broad experience of liability issues spanning fatal accidents, RTA/MIB claims, occupier/public liability claims, asbestos claims, cases of post-accident clinical negligence or involving technical factual issues. Quantum disputes regularly involve fatality, paralysis, traumatic brain injury, spinal injury, amputation and claims involving CRPS / Somatoform / or other chronic pain disorders.

His clinical negligence work has recently included GP and surgical breaches of duty including failures to respond appropriately to the formation of spinal abscesses and bowel perforation.

He has longstanding experience of inquest work having undertaken Treasury Panel work as well as a number of high-profile inquest cases. He has been chosen in a number of cases to act as counsel to the Coroner.

He is ranked in Chambers UK as "Extremely thorough in his preparation, and knowledgeable of the relevant law" and "Always on top of the detail." and has been described in Legal 500 as "highly effective" and "ultimately the advocate you want on your side".

Recent cases include:

- A Fatal Accident Act dependency claim for £1.9M by an unmarried cohabitee arising out of the death of a highly successful businessman. Highly contentious lay evidence on the issue of the strength of the relationship (acting for the claimant - ongoing)
- A subtle brain injury claim by a mechanic arising out of a minor RTA where (as is often the case) the claimant relied upon controversial research in support of a (radiologically undetectable) diffuse axonal injury – problematic neuropsychological evidence that required careful handling – settled on favourable terms (acted for defendant)
- Severe brain injury claim in 52-year-old manual worker – issues relating to capacity, support workers and neuropsychological and neuropsychiatric evidence generally. Settled at £1.85M (acted for the claimant)
- Long inquest arising out of the prison suicide of a young man allegedly following a failure by doctors to detain him under the MHA (acted for NHS Trusts)

PRACTICE AREAS

- Personal Injury
- Clinical negligence
- Inquests

PERSONAL INJURY

Gabriel is typically instructed in liability disputes arising out of:

- Complex liability cases – eg where fraud is suspected or alleged
- Fatal accidents
- Road traffic accidents involving RTA/MIB issues
- Exposure to noxious substances including asbestos
- Regulatory breaches / employer liability cases
- Highways Act claims (where quantum is substantial)
- Public liability injury cases

Quantum disputes typically involving:

- Complex or multiple injury claims
- Cases involving difficult causation issues surrounding pre-existing medical conditions / acceleration / damaging surveillance / competing psychological disorders
- Law Reform / Fatal Accident Act assessments
- Brain injury cases
- Amputation injuries
- Pain cases (CRPS, fibromyalgia, chronic pain etc)

Cases involving complex quantum, issues such as:

- Claimants requiring significant care regimes
- Losses of earnings in self-employed claimants
- Significant claims for prosthetics and other appliances
- Cases involving the need for modifications to accommodation
- Substantial CICA claims

RECENT CASES

Claimant Cases

- A Fatal Accident Act dependency claim for £1.9M by an unmarried cohabitee arising out of the death of a highly successful businessman. QC opponent. Highly contentious lay evidence on the issue of the strength/longevity of the relationship (ongoing)
- Severe brain injury claim in 52-year-old manual worker – issues relating to capacity, support workers and neuropsychological and neuropsychiatric evidence generally. QC opponent. Settled at £1.85M (acted for the claimant)
- EL claim for modest foot injury which then caused intractable CRPS leading to £2.7M. Spinal Cord Stimulator recommended – highly contentious expert pain management evidence.
- Asbestos lung cancer fatal claim where deceased victim was a smoker. Defendant advanced legal argument seeking to challenge method of assessment and seeking contributory negligence of 90%. Case won at first instance (30%, claimant P36 triggered) and at Court of Appeal.
- Hind quarter amputation (leg, part pelvis, genitals) EL claim. C not eligible for a prosthetic (no bearing surface). Claims included earnings, care, accommodation and mobility aids. Settled for c. £1m.
- £750k claim arising out of avulsion of C's hand in a jet ski accident. Claim including Michelangelo bionic hand and received significant media attention.

Defendant Cases

- A subtle brain injury claim by a mechanic arising out of a minor RTA where (as is often the case) the claimant relied upon controversial research in support of a (radiologically undetectable) diffuse axonal injury – problematic neuropsychological evidence that required careful handling – settled on favourable terms
 - Subtle brain injury claim following minor RTA – claimant alleging diffuse axonal injury but then converting to somatic disorder – settled at £125k
 - RTA between tanker lorry (driver killed) and plumber's van (catastrophic injury). Employer of tanker driver and tanker driver's widow alleging accident caused by defective highway. C.£2M claim. 5 day trial against QC where all claims were defeated. Acted for Highway Authority.
 - Early evaluation of severe head injury in pedestrian RTA (on-going)
 - Defence of paraplegia claim brought by manual worker following fall from ladder. Settled on PPO basis close to trial;
 - Fatal RTA based on complex facts including earlier identical accident on the same road and allegations of defective works causing flooding
 - £700k quantum claim brought by claimant with pre-existing leg palsy. Claimant cross-examined on credibility for 1 day. Claimant accepted historic P36 offer of £25k.
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CLINICAL NEGLIGENCE

Gabriel enjoys a mixed practice claiming and defending in cases involving GP and hospital negligence.

Recent cases include:

- Successful defence at trial of claim for failure by GP to provide "safety netting" advice leading to death and substantial Fatal Accident claim for dependency;
 - Negligent failure to prescribe prophylactic antibiotics leading to spinal neurological impairment;
 - Post surgery well leg compartment syndrome leading to chronic pain and impaired mobility
 - Negligent failure to diagnose and treat spinal discitis following a workplace laceration causing neurological impairment
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INQUESTS

Gabriel's inquests work has included:

- Acting as counsel to the enquiry in a number of complex young person suicide cases
 - Defence of NHS Trusts at a long inquest following the prison suicide of young man in circumstances where doctors allegedly failed earlier to detain him under the MHA;
 - Numerous RTA and workplace inquests (especially where issues involve multi-party liability)
 - Prison / secure unit suicide cases
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RECOMMENDATIONS

CHAMBERS UK 202

Personal Injury

Handles cases involving spinal, brain and limb injuries on behalf of both claimants and defendants. He frequently advises on high-value RTAs and fatal accident claims. He is also experienced in the handling of claims relating to industrial disease and chronic pain.

Strengths: "A formidable barrister with a forensic grasp of detail and an ability to convey complex factual and technical issues in a succinct and coherent fashion. His astute legal advice is keenly balanced with a strong awareness of the client's commercial needs." "He's very tenacious and has proven himself to be a highly successful negotiator and advocate."

LEGAL 500 2020

Personal Injury

"Approachable and knowledgeable, with sound judgement."

CHAMBERS UK 2019

Personal Injury

Handles cases involving spinal, brain and limb injuries. He frequently advises on high-value RTAs and fatal accident claims. He is also experienced in the handling of claims relating to industrial disease and chronic pain.

"I have always been impressed with Gabriel's thoroughness in preparation and his approachability." "In court he is a robust advocate and his forensic attention to detail is evident in his cross-examination."

Recent work: Acted in a fatal claim stemming from asbestos exposure causing lung cancer.

LEGAL 500 2019

Personal Injury & Clin Neg

A charming barrister who gets straight to the point.

CHAMBERS UK 2018

Personal Injury

Leading Junior - Band 2

Handles cases involving spinal, brain and limb injuries. He frequently advises on high-value RTAs and fatal accident claims.

Strengths: "Organised, level-headed, pragmatic and robust in negotiations." "Easy to work with and fights hard on a client's behalf."

LEGAL 500 2017

Personal Injury & Clinical Negligence

Leading juniors

'Extremely bright and charismatic.'

CHAMBERS UK 2017

Personal Injury

Leading Junior

Handles cases involving spinal, brain and limb injuries. He frequently advises on high-value RTAs and fatal accident claims.

Strengths: "Extremely thorough in his preparation, and knowledgeable of the relevant law." "Always on top of the detail."

LEGAL 500 2016

Personal Injury & Clinical Negligence

Leading juniors

'He has clarity of expression and attention to detail, and gains clients' trust and confidence.'

CHAMBERS UK 2016

Personal Injury

Leading Junior

Practices exclusively in personal injury, mainly representing defendants in catastrophic or fatal cases.

Strengths: "He has a forensic grasp of detail." "He provides very astute analysis of the commercial risks, as well as the legal risks."

LEGAL 500 2015

Personal Injury & Clinical Negligence

Leading juniors

'His analysis is excellent, and he is skilled in negotiating and drafting'.

CHAMBERS UK 2015

Personal Injury

Leading Junior

Leads the set's personal injury team and is noted for his expertise across a wide span of injury claims. He is particularly adept at handling liability and quantum disputes.

Expertise: "He understands this area of the law extremely well, and he turns things around very quickly."

LEGAL 500 2014

Personal Injury & Clinical Negligence

Leading juniors

'A catastrophic injury specialist'.

CHAMBERS UK 2014

Personal Injury

Heads Guildhall Chambers' personal injury group. He is highly experienced in a broad range of personal injury matters, and acts for claimants and defendants in cases involving industrial diseases, fatalities and catastrophic injuries, particularly amputations.

Expertise: "He's very good in putting it down on paper for insurer clients - he gives precise and very specific points."

LEGAL 500 2013

Gabriel Farmer is 'very approachable and helpful, with meticulous attention to detail.'

CHAMBERS UK 2013

Gabriel Farmer is head of the personal injury group at Guildhall Chambers. He acts for both claimants and defendants on all manner of personal injury claims, and is especially good on catastrophic brain and spinal injury matters.

LEGAL 500 2012

Gabriel Farmer is recommended for industrial disease litigation.

CHAMBERS UK 2012

Personal Injury

Gabriel Farmer tackles serious head and spinal injuries and specialises in construction-related accidents.

LEGAL 500 2011

Practice head Gabriel Farmer is a 'good tactician, highly effective negotiator and ultimately the advocate you want on your side'.

CHAMBERS UK 2011

Personal Injury

Gabriel Farmer is a "clear, measured advocate," who handles RTAs, catastrophic injury cases, inquests and cases involving loss of career.

CHAMBERS UK 2010

Gabriel Farmer is "a skilled technician and excellent advocate, whose communication skills with clients in conference are markedly superior to many."

CHAMBERS UK 2009

High-value personal injury case specialist Gabriel Farmer, whose "sophisticated and effective negotiation skills" were much applauded.

MEMBERSHIPS:

- PIBA
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EDUCATION:

- BSc Hons (Reading) 2:1
 - CPE (Leeds)
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RECENT NEWS

- Personal Injury & Clinical Negligence Newsletter - April 2020
 - Personal Injury Case Updates - December 2015
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Guildhall Chambers, 23 Broad Street, Bristol BS1 2HG Tel: 0117 930 9000 DX: 7823 Bristol

gabriel.farmer@guildhallchambers.co.uk | www.guildhallchambers.co.uk

