

GABRIEL FARMER

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Gabriel Farmer has a longstanding specialist practice in **Personal Injury** and **Clinical Negligence**. He has significant experience in complex fatal accident cases and has an allied specialism in Coronial law (inquests).

He enjoys a balanced claimant/defendant practice and brings robustness and sensitivity in equal measure.

His experience includes representation at all levels including the Court of Appeal. His cases often include KC opponents.

When instructed by Defendants he delivers early tactical and evidential advice as part of the Costs & Case Management process.

His **Personal Injury** (PI) caseload generally comprises catastrophic cases. He has broad experience of liability issues spanning fatal accidents, Road traffic accidents (RTA), / Motor Insurers' Bureau (MIB) claims, occupier/public liability claims, asbestos claims, cases of post-accident **Clinical Negligence** or involving technical factual issues.

Gabriel works on quantum disputes which regularly involve fatality, paralysis, traumatic brain injury, spinal injury, amputation and claims involving Complex Regional Pain Syndrome (CRPS), Somatoform and other chronic pain disorders.

His **Clinical Negligence** work is weighted more towards defending and includes the defence of medical practitioners at inquests. Recent cases included defending a high value fatal claim with a complex housing dependency issue, a complex "safety netting" failure claim and numerous psychiatric unit and care home inquests

He has long standing experience of inquest work having undertaken Treasury Panel work as well as a number of high-profile inquest cases including recently acting for a family in an unlawful killing case, in a complex misadventure death involving use of a police taser and a number of other complex Art 2 deaths. He has been instructed in a number of complex and long-running cases to act as counsel to the Coroner.

He is ranked as a band 1 in Chambers & Partners who report: "He is solution-driven. He has an impressive mastery of the issues and is very responsive", "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.”

Expertise

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

Featured Personal Injury 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 and longevity of the relationship (ongoing).

Severe brain injury claim in a 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.

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.

Clinical Negligence

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

Featured Clinical Negligence cases

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.

Inquests

Featured Inquests cases

Long inquest arising out of the prison suicide of a young man allegedly following a failure by doctors to detain him under the Mental Health Act (MHA), (acted for NHS Trusts).

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.

Education

- BSc Hons, Reading
- CPE, Leeds

Memberships

- PIBA